No Biz Here?

By CHESTER B. BAHN

THOSE gentlemen who, with index finger pointed at the Broadway scene, have been grousing and wailing that it just isn't what it used to be—what with the World's Fair, baseball, the weather, etc., etc., etc., the cash customers can't be interested in pix are invited this Monday morning to reflect upon:

The fact that "Goodbye, Mr. Chips" (Metro) continues merrily on its way at the Astor, with recent weeks showing progressive gains in "take." (And the pix is reported clicking as well in those situations throughout the country where it has opened.)

The fact that "Father's Day" (RKO) started with a bang at Radio City Music Hall, outgrossing every RKO Radio six opening date there in the last three years.

- • -

The fact that "Daughters Courageous" (Warners), aided by Sammy Kaye's orchestra on the stage, has given the New York Strand its top week's gross of the last six months and probably the best summer house the has enjoyed.

The fact that "Man About Town" (Paramount), with an assist credited to Gene Krupa and band on the stage, plus opening day cast member p.a.'s should approach the theater's first week attendance record.

The fact that "Second Fiddle" (20th Century-Fox), plus stage show, crashed through at the Roxy on Friday, and looks set for a run.

The fact that Eddie Cantor, opening in person at Loew's State, broke the house record for a week-day gross; the screen attraction, to make the record complete, happens to be "It's a Wonderful World." (Metro).

- • -

All of which, this column commentator submits, establishes anew that the business is there to be gotten and that the right attraction will get it for the showman endowed with initiative and imagination.

And, incidentally, that's why this commentator is inclined to disagree sharply with the New York Daily News editorial writer (Continued on Page 2)
No Biz Here? (Continued from Page 1)

...look over Broadway

who fears that both the movies and baseball are on the way out because "mass production" is standardizing them, and our guess is that the public will tire of them sooner or later. Re-scan the list of pix mentioned above; there’s no standardization there—unless you refer to ability to entertain. As for mass production, its evils—and costs—have been too obvious when attempted in this industry to ever permit it to enjoy full run.

President Signs Measure Continuing Admision Tax

Washington Bureau of the Film Daily

Washington—President Roosevelt’s signature of the “business appeasement” tax bill at the week-end, continues in force the Government’s 10 per cent admission levy which would have expired at midnight Thursday.

Flat 18 per cent corporation tax on corporations earning more than $25,000 a year replaces the undistributed profit tax.

Small Drops Two, Adds One for 1939-40 Season

West Coast Bureau of the Film Daily

Hollywood—Revising his production schedule, Edward Small will make six rather than seven pictures for UA release next season. Dropped are “Quarantine, the Raider” and “Food of the Gods,” while added is “The Marine” now scheduled as sequel to “The Count of Monte Cristo” which Small made several seasons back.

TMAT, Five Boro to Meet

The TMAT union meets Wednesday with heads of the Five Boro circuit to discuss terms of a contract.

KRO’s Foreign Delegates Start Homeward Journeys

KRO’s foreign representatives who attended the company’s international convention in New York last month have started their homeward journeys. First to return was Fred Gulbransen who flew to his Panama headquarters via Miami, on Thursday.

Ralph Hanbury, managing director for the United Kingdom, is on route to England on the Mauretania, while Bruno Cheli, general manager for Brazil, sailed for Rio de Janeiro, will arrive July 8 from Vancouver on the Empress of Britain.

Discontinue Movie Quiz Suit Without Payments

Suit for $500,000 and an injunction brought by Milton Spils against the eight majors, Motion Pictures Greatest Year, Inc., Monogram Pictures, Morewood Realty Corp., and Bobby Dick, Inc., was discontinued Friday on Friday in Federal Court. A stipulation of discontinuance expressly provided that no payments were made in settlement of the suit.

Plaintiff had claimed that a conclave called “U-Spot-It,” copyrighted by him had been used in creating the scheme of the Movie Quiz.

52, Producers to Meet Meeting of Local 52, studio mechanics, negotiating committee and producers representatives will be held Thursday in discussing a new contract. It is expected that an agreement will be reached at this meeting which will be ratified by the union’s membership.

To Demolish Hippodrome

New York Hippodrome will be demolished, starting Sept. 1, to give way to stores.

COMING AND GOING

WILL H. HAYES loans New York tonight for San Francisco and will then continue to Hollywood.

BARNEY BALABAN, Paramount proxy, b’left the home office for a brief vacation.

HERMAN WORMER, general manager of distribution for 20th-Fox, returns home Wednesday morning after a month’s stay on the Coast.

WALTER HINCH, director of foreign distribution, for 20th-Fox, arrives here Wednesday on a business trip to Europe.

CAPTAIN PATRICK SMITH and RAY SCOTT, RKO, are in Hollywood, on a business trip to the Coast for the Orient to cover the Sino-Jap hostilities.

A. T. HULL, RKO Pathé News Far Eastern correspondent, has returned to the United States for a vacation.

BEN KALMSON, Warners’ Western and Southern sales manager, returns to the office today after a five-week trip that took him to the Far East.

RALPH HANBURY, managing director for RKO in the United Kingdom, is on route back to England on the Mauretania.

LEON BRITTEN, general manager for RKO in Far East, has left New York for the Coast, sailing for the Orient July 8 from Vancouver on the Empress of Britain.

BRUNO CHELI, RKO general manager in Brazil, sailed for Rio de Janeiro over the week-end on SS. Amazon.

JOHN RILEY, W.E.’s chief engineer in London, sailed for England on the Mauretania over the week-end.

EDDIE (“Rosco”) ANDERSON has returned to the Coast after attending premiere of “Man About Town” at the Paramount.

WARTY WEISER of W.B.’s h.o. exploitation staff will leave for Hollywood next week to assist there to assist Ned Holmes in exploiting film’s pix for indie exhibitors.

Exhibs, visiting the RKO Lounge and hotels at which they are staying including the Waldorf-Astoria, have been transferred there to assist Ned Holmes in exploiting film’s pix for indie exhibitors.

Eddie Foy Jr. and Chita are making guest appearances for the past three weeks in the Mosler’s “Happy Ending” benefit show at the RKO Roxy.

Wyatt Earp, the latest biographical picture, is advertised at the Roxy.

THE PLAYERS

Saftey Lloyds

Storage by Repeat or Vault

729 Springfield Ave.
New York City

Security

FILM STORAGE CORP.

Bryan 9-5600

Saftey Lloyds

Film Storage Corp.

Storage by Repeat or Vault

729 Springfield Ave.
New York City

THE THEATRE

WASHINGTON, D.C.

“Tears of Pleasure”—Ahkison, Times.

WHAT A LIFE

with Eiza Stonex as Henry Aldrich

MANCHESTER, W., 41St St., Midd. Wed., and Sat.

Circular 6-5640

“MUST, GO ENJOY IT!”—Willard Finchell

I MUST LOVE SOMEONE

with JAMES RENNE—IRISH ADRIAN and JACK WHITE

Air-Conditioned

Vanderbilt, West 49th Street

Ex. R., F., D., S., Mat. and Sat.

Monday, July 3, 1939

THE DAILY
Now...PARAMOUNT gives you a grand and glorious 4th!

1st **BIG HIT** of the spring-summer season... Paramount's comedy smash "MIDNIGHT".

2nd **BIG HIT**...the record-breaking, outdoor-adventure-romance "UNION PACIFIC".

3rd **BIG HIT**..."INVITATION TO HAPPINESS" running up big grosses everywhere!

and now that grand and glorious 4th **SMASH HIT** in a row from Paramount

"MAN ABOUT TOWN" which starts out by giving N.Y. Paramount biggest weekday opening business in 9 months... which gets such reviews from New York's hardboiled critics as "Excellent", N.Y. Post; "Tops in comedy", N.Y.Herald Tribune; "Hilarious", N.Y.Daily News; "Best Jack Benny film to date"", N.Y. Daily Mirror.

Wave that flag boys, it's a PARAMOUNT year!
Patterson is Okayed as RKO Board Head

(Continued from Page 1)

upon the consummation of the plan of reorganization of the debtor in place of Floyd Odlum, have been fully disclosed, and that his appointment to such office is equitable, compatible with the interest of the creditors and stockholders and consistent with public policy.

Patterson recently resigned as Assistant Secretary of Commerce. He is a former Commissioner of Corporation of New York City, and a former executive vice-president and director of NBC.

In addition to Patterson, the new RKO board, as and when the way is cleared for it to function, will comprise Ned E. Depinet, Thomas F. Durell, Raymond Bill, Frederick L. Ehrman, L. Lawrence Green, James G. Harbord, Conde Nass, John E. Parsons, N. Peter Rathvon, George J. Shaefcr, W. G. Van Schmus and Lunsford P. Yandell.

The present and old board of RKO Corp. has been reduced to only four members, from its original 10 as elected. Irving Trust Co., as trustee for RKO Corp., in response to Government's petition in current equity action against the majors, disclosed that the resignation from the RKO Corp. board of David Sarnoff, as a director, took place on May 5, last, as did that of Cornelius N. Blas.

Edward W. Harden resigned the following day, and De Witt Millhauser on May 8. Maurice Goodman died last March, and Frederick Strauss in August, 1937.

Currently, therefore, only George N. Armsby, James G. Harbord, Leo Spitz and Lunsford P. Yandell remain on the RKO Corp. board, of which there is no chairman. Harbord and Yandell are only present directors who will serve on the new board.

Pushing Students Tickets

Chicago—Great States circuit has sold several thousand student ticket books in its key cities. Students save about 30 per cent.

\[\text{Happy Birthday}
\]

Best wishes from THE FILM DAILY to the following on their birthdays:

Leon Errol - JULY 5

Luther Reid - JULY 6

Louis B. Mayer - JULY 8

George M. Cohan - JULY 11

Henry Armetta - JULY 14

Gertrude Lawrence - JULY 16

Mary Patricia Alacoque - JULY 16

Vincent Barnett - JULY 20

Barbara Weeks - JULY 22

Wynee Gibson - JULY 24

Florence Miles - JULY 26

Gloria Stuart - JULY 27

Irving Caesar - JULY 30

Joe C. Herstein - JULY 30

Ed Savin - JULY 30

Henny Winkler - JULY 30

Mrs. Thomas McLain - JULY 30

Joseph Rattentorf - JULY 30

Orders Particulars

Bill in Kuhn's Suit

(Continued from Page 1)

\$5,000,000 libel suit of Fritz Kuhn and the German-American Bund, expressed the opinion that the case as an libel one and as a 'nic matter must go trial soon.'

He further stated that "the American people are entitled to know the answer, and that the plaintiffs should be willing to give a bill of particulars if they did not wish to conceal anything.

These statements were made to plaintiff's attorney on argument of the application.

Suit claims libel in Warners' picture, "Confessions of a Nazi Spy."

Sues WB for $75,000; Says "Nazi Spy" Defamed Her

Libel suit for $75,000 was filed against Warners, in U. S. District Court, Friday by Leonard M. Moser, in which she claims that the picture, "Confessions of a Nazi Spy," and its advertisements defamed her character.

Plaintiff alleges that Warners, without her consent, used her name to exploit the picture and cast her with the character Erika Wolf, played by Lya Lys.

Chicago—Warners' legal department has advised company's theaters in this area that "Confessions of a Nazi Spy" must not be publicized as "based on the book written by Leon Turrou."

Universal Signs Mae West; To Star in Three Pictures

West Coast Bureau of THE FILM DAILY

Hollywood—Mae West will star in three pictures for Universal. In first one, she will be co-starred with W. C. Fields, and in the next two she will be starred. Stories are to be selected later. First picture will be story of the West. Eddie Cline will direct, Grover Jones is to write the story and Lester Cowan will produce. This will be one of highest budgeted pictures made by Universal in many years and will start about Sept. 1.

Partee Sells Mich. House

Reed City, Mich.—The Strand Theater here, owned by Roy Partee, has been purchased by Schuckert & Stafford Theatres, Inc. of Caro.

Wedding Bells

Albuquerque, N. M.—Alexander Provos, chief operator at the Coronado Theater here and Florence Hotia of El Paso, were married in St. John's Episcopal Church.

Denver—Don McCormack, Universal exchange booker, and Nora Smith of the Warner Bros. exchange, were married and are honeymooning in New Mexico.
The show that licked the World's Fair

SECOND FIDDLE

BROADWAY SPRINGS BACK TO LIFE AS THE ROXY PLAYS TO ITS BIGGEST BUSINESS SINCE NEW YEAR'S!
DES MOINES OPENING LAUNCHES "CAREER"

(Continued from Page 1) last night, the opening tied in with the final broadcast yesterday afternoon of Jesse L. Lasky's second "Gateway to Hollywood" talent quest.

For the premiere, RKO Radio brought here Saturday a Hollywood delegation including Jean Herselt, Anne Shirley, Patricia Ellis, Jean Parker, Edward Ellis, Leon Errol, Joy Hodges, John Archer, Alice Eden, Bob Brown, Marjorie Reynolds, Barbara Reed, Dorothy Lovett, Peggy Carroll, James Ellison, Robert Palmer and Leigh Jason and Phil Stong among others.

Here from the East were Ned E. Depinet, S. Barrett McCormick, Cres- son E. Smith, Arthur Will, Ralph Rean, Louis Alman and Charles Levy. Walter Branson and Jack Os- serman were among the RKO Radio reps here from the midwest via a Chicago special train.

The twin openings were in the best Hollywood manner. The celebrities arrived in open cars for p.a.'s and it is estimated that 75,000 per- sons were packed in the streets around the two theaters.

Prize Novel to 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood—"Children of God," the Harper prize novel by Vardis Fisher, has been purchased by 20th-Fox. Louis Bromfield, who, as one of the judges in the contest, read the book in manuscript, recommended it to Darryl Zanuck.

FILM CODE ANALYZED

By LOUIS NIZER

EDITORS NOTE: THE FILM DAILY today presents the tenth installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the laws of screen, stage and radio. The analysis is designed to clarify the provisions of the Code in non-legalistic language so as to make them readily understandable to all people in the film industry. As a result of the fact that the Distributors' Negotiating Committee proposes to make the Code effective for the 1939-40 season, THE FILM DAILY seems the Nizer's interpretative presentation an outstanding timely service of inestimable value to the trade. Presentation of the daily in- stallments is recommended.

Installment No. 10

XIV. OTHER SUBJECTS OF ARBITRATION

(1) Performance of Contracts: If a distributor or exhibitor claims that the other has breached the contract, the dispute shall be submitted to arbitration.

Powers of Arbitrators: The powers of the arbitrators in such dispute are limited to:

(a) A finding as to whether or not the contract has been breached, and if it has, then

(b) An award for one of three things:

(1) Specific performance of the provisions of the contract, or

(2) The actual amount of damages for each feature involved, which amount shall not be more than the liquidated damages provided in the contract (except in such case as is described in subdivision (3) immediately following), or

(3) If the arbitrators find that the distributor arbitrarily and willfully, and without color of right repudiated the contract by refusing to deliver to the exhibitor the pictures, or caused the showing of the picture in violation of any clause, then they may grant the amount of actual and compensatory damage (not punitive) for each feature involved.

(Eleventh installment continuing the analysis of other subjects of arbitration will appear Wednesday.)

Equity-AGMA Air Show Waits Now on Talent and Sponsor

Outline for the joint Actors' Equity Association-American Guild of Mus- ical Artists air show planned for the Fall has been agreed upon in principle by the two unions and sponsors are ready to dicker for the show, with lack of a complete talent lineup as yet the only factor that has kept negotiations from being opened.

N. Y. U. to Open Educa'l Film Institute July 1

(Continued from Page 1) largely through an initial grant of $75,000 from the Alfred P. Sloan Foundation. Dr. Chase stated, Through the Institute, the University will engage in the production of educational motion pictures and make studies of the place and application of the film in formal and informal education.

Spencer D. Pollard, of the depart- ment of economics of Harvard Uni- versity, has been appointed execu- tive director of the Institute, which will have its headquarters at the University's Washington Square Center.

Chancellor Chase also announced the appointment of the Institute Board, composed of members of the University faculty: Professor Philip O. Bury, assistant to the chancel- lor; Professor Darvell B. Lucas, of the department of marketing, and Professor Herbert B. Doran, of the department of economics, chairman.

RKO Exchanges Realigned; Prairie District Set Up

Realignment of several branches and designation of Prairie Distri- ct to the newly created district in the Midwest were announced Friday by Jules Levy, RKO general sales manager.

Dortort and Indianapolis branches have been transferred to the Mid- western district and the Walter Gran- son's supervision and will become a part of Crossey Smith's Western and Southwestern Division.

Nat Levy, Eastern general district manager, will shift his headquarters from Detroit to Philadelphia where he will supervise the ex-

HEAR ESSANESS EXEC. IN CONTEST ACTION

(Continued from Page 1) the Government's contempt case against B & K and the major con- necting with Herbert Farrell, Oriental Theater building prexy, for a lease after B & K re- leased control of the house. He also conferred, he testified, with George J. Schaefer, then a UA ex- ecutive, for Oriental film product, including "Drums" and other fea- tures. Silverman said he had offered $5,000 for "Drums" but negotiations fell through.

Attorneys for film companies and B & K objected to this line of ques- tioning. Master Edgar Eldredge al- lowed the answers to stand and noted that the film company considered the witness.

Silverman also outlined his cir- cuit's strenuous efforts to obtain first-run product for Essaness Loop Mov- ies, finding them with no success except a few minor films.

Edward Mager, Allied film booker, testified concerning release sheets which were presented at the hearings and members and others. Mager said the dates were arrived at by adding 10 weeks to expiration of Loop runs, which gave the approximate general release date.

Government attorneys used Mag- er's testimony to bring out the uniform closing situation in the Chicago territory. Defendant attorneys ob- jected to Mager's testimony but Eldredge admitted it.

Elmer Upton, B & K comptroller, at the preceding session, identified various B & K film contracts with film companies, also papers relating to organization of the Balaban Invest- ment Corp. with $1,000,000 capital. This company was succeeded by the Oriental Theater Corp. with $10,000,000 capital, which held the Oriental Theater lease at the time B & K closed the house. He also identified Barney and John Balaban manage- ment contracts with Paramount and B & K.

Robert Goulding, defense attorney, objected these contracts had no rela- tion to the Government's case. Rob- ert Wright, Special Assistant to the Attorney General, countered that that part of the Sherman Act showing mo- nopoly might be applicable. Attor- ney Frederick Burnham for Loew's stated these contracts were not interested in the B & K manage- ment contracts.

The hearing adjourned until 11 a.m. Wednesday.

E. L. McEvoy, Eastern and Canadian sales manager.

It has been added to J. H. MacIntyre's Northeastern division, which is to consist of Albany, Bos- ton, Buffalo and New Haven. The newly created Prairie district will be under L. E. Goldhammer's supervision and will consist of Des Moines, Omaha and Sioux Falls, continuing as part of Smith's division.
FOREIGN

ARGENTINE BILL: Arriving in New York from South America at week's outset, Clemente Leonco, prominent Argentine exhibitor revealed that the bill providing for nationalization of the film industry there has been dropped, and chances of revival are slim.

THE WEEK IN REVIEW

By GEORGE H. MORRIS

FOOD OR FUN?

The world audience for films is presently divided almost equally between those who prefer food and those who prefer fun. The former have been attracted to the cinema by the lure of cheap potatoes and the latter by the attraction of movies. The result has been a decline in admissions and a corresponding increase in food sales. This situation is expected to continue until such time as the public returns to the movies in large numbers.

FEDERAL THEATER PROJECT DIES

(Continued from Page 1)

Sacks Forms Own Firm

S. D. Sacks, for the past 14 years associated with Robert Teller, lithographer, has formed his own organization, the Saxon Offset Litho Corp., with headquarters at 216 E. 79th St. The Saxon Company has taken over the Acme and Reid offset plant. The new company will specialize in motion picture accessories.

“Diddle-diddle diddum, diddum ga ga-ga moo SANDY!”

(Translation) “If my new picture doesn't get me even more ravens than I got in ‘East Side of Heaven’, then my name isn't Sandy!”

* Universal presents Baby SANDY

“UNEXPECTED FATHER”

with Shirley Beal

ROSS O'KEEFE AUER

For Release July 9th
CODE IS UNECHANGED
DISTRIBS. CONTEND

(Continued from Page 1)

nual convention in Minneapolis last
month.

In extending an invitation to all exhibitors, regardless of their afli- tion, to accept the code, Rodgers points out that "with the content- platted change in the machinery for settling clearance disputes, it is certainly believed that we have a document that will enable all interested parties to conduct their business relationship more harmoniously and thereby benefit the industry at large."

Rodgers contends that "we are not alone in this belief, as already the majority of organized theater owners, independent as well as affiliated, have indicated their desire to participate in such a code and are anxious that its application be put into effect at the earliest possible moment."

In reviewing the events leading up to Allied's rejection of the draft, Rodgers asserted that the distrib- utors had been invited to Minneapolis under the impression that there would be an open forum. The distri- butors were heard on Wednesday, June 14, and the fol- lowing day "learned to their amaze- ment that the Allied board had previ- ously accepted their Negotiating Committee's recommendation to re- ject the code and the rejection was accordingly decided days before the distributors had an opportunity to be heard.

Rodgers commented on the fact that much has been said about the preamble to the code. Allied's pre- amble bound the distributors to ob- 

Personal Liability
Paris—(By Cable)—Pola Negri, who ap- peared in "Gold Diggers," a New York stage production, which represented her as a friend of Adolph Hitler, was described by two witnesses as having suffered much mental damage by the allegation. The actress remem- bered the scene with vividness to the hear- ings, during which defense counsel tried to show that knowing Hitler was no standard.
Thompson is the ID Harold the hundred play different simple it TEN preview up & screen the Thought 44TH Commissioner not scene finish.

Clarification of the screen games situation is due this week via a con-fab either tomorrow or Friday between License Commissioner Paul Mos and representatives of local indie circuits and smaller exhib. interests.

Sources close to Commissioner Moss declared on Monday that delay necessitated by the intervening July 4 holiday, it is felt that a speedy solution to the games problem is essential to avoid complications such as that which arose when (Continued on Page 6)

The Daily Newspaper Of Motion Pictures
Now Twenty-One Years Old

NEW YORK, WEDNESDAY, JULY 5, 1939

TEN CENTS

DOMINION-WIDE CONVENTION OF INDIES LOOMS IN AUGUST

SOARING BIZ ENDS BROADWAY 1939 B.O. DROUGHT

Majors' Broadway Plans for 1939-40 Waiting on Guild

METRO SCORES

... with fine fantasy

THE morning's mail the other day brought among others, a letter from a feature writer for a leading American fan magazine requesting the definition of this commentator's critical tape-measure.

"What must a screen play possess to please you?" was the specific question posed.

It is a pity that the query did not follow rather than precede a preview of Metro's "On Borrowed Time," if it had twould have been a simpler matter to answer. Instead of using up to a hundred words or thereabout, there could have been such laudable brevity as this: "See "On Borrowed Time." That's it."

IN THE adaptation of the Broadway stage play (in turn the adaptation of a novel), Metro has one of the swellest pieces of cinematic entertainment that the year has produced. An absorbing, stirring picture, moving one minute to honest tears, the next to honest laughter, "On Borrowed Time" is at once a brilliant prestige film and a potential box-office champ. And that, if you please, whether rated from the metropolitan or small town point of view.

Seldom on the screen has fantasy been so skillfully employed and, naming names, the credit would appear to be shared by Alice D. G. Miller, Frank O'Neill and Claudine West who did the very human screenplay; by Harold S. Bucquet who directed and by Sidney Franklin who produced.

THERE is however this suggestion for the exhibitor who will play "On Borrowed Time": Insist that your patrons insofar as possible see the picture from start to finish. Unless caught from the opening scene the essential mood of the story may be lost and the auditor left to mentally grope for the key to the fantasy.

So the wise showman when presenting "On Borrowed Time" will advertise the starting hours of his show and adhere to his schedule.

That done he safely can go fishin' for what the usual promotional measures do not get in the way of business word-of-mouth will.

Plays for Production Said Available; Hopeful of Pact's Revision

West Coast Bureau of THE FILM DAILY

Hollywood — Major producers interested in presenting plays on Broadway feel encouraged that revisions can be worked out in the Dramatists' Guild basic agreement, so that they can resume stage productions according to authentic source.

The producers have the material for new Broadway productions. But the next move is up to the Guild, which has as yet not approved revisions. Producers are hoping approval (Continued on Page 8)

METRO SPURNS TELE AS FILM OPPOSITION

London (By Cable) — Not only are Metro's shorts and features, both new and old, to be withheld from theaters (Continued on Page 7)

Exhib. Letters Urge Brandt to Start New Nat'l Ass'n

Harry Brandt has received a number of letters from independent exhibitors in different parts of the country (Continued on Page 7)

ANTI-PROTECTION LEAGUE WILL NOT MOVE TO NEGOTIATE UNTIL AFTER CONVENTION

50 Pix Shooting, Seven More Starting This Week

By RALPH WILK
West Coast Bureau of THE FILM DAILY

Hollywood — Seven new productions are scheduled to go into production this week.

At Warner Bros.: "The World Moves On," drama of the roaring (Continued on Page 8)

GAMES PARLEY DUE TOMORROW

License Commissioner to Meet with Indie Circuits

State's 19-Year Record Falls; General Upturn Seen in Hinterlands

By HOLLIS KENNAHAN
FILM DAILY Staff Writer

The vanishing patron is returning to the ticket sellers' windows on old Broadway, with a deluge of coin signaling the end of what has been termed the great h.o. drought of '39.

SRO signs were well nigh the rule over the extended holiday weekend and in one instance, it was necessary to rush police reserves to handle the box-office demands if you please, on traditional Blue Monday. Boy, oh boy!!!

Survey of the Broadway scene shows:

Loew State: Expects to crack a (Continued on Page 6)

EDUC. NEGOTIATING FOR LOAN FROM RFC

Educational Pictures, Inc., is negotiating with the RFC for a "substantial loan" and final arrangements are expected to be completed shortly, stockholders were advised yesterday in a supplemental proxy statement incident to the special meeting called for 2 p.m. July 14.

While Education's pending agreement (Continued on Page 7)

New South Wales Makes 15 P.C. Quota Operative

Sydney (By Cable) — The quota provision in the New South Wales films bill calling for 15 percent British representation by all exhibitors (Continued on Page 8)

Para. to Redeem $1,950,000 of 6% Debentures July 31

Confirming the promise made to the stockholders at the recent annual meeting by President Barney Bala-ban, Paramount has called for re-
FILM CODE ANALYZED

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the eleventh installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer, member of the law firm of Phillips & Nizer, and author on the law of trade, stage, and motion pictures. Cover to answer a complaint of nondisclosure language so as to make them readily understandable to all people in the film industry. In view of the fact that the Distributors Acquisition Committee proposes to make the Code effective for the 1939-40 season, THE FILM DAILY deems Mr. Nizer's interpretation presented in an interesting, timely review of invaluable value to the trade. Presentation of the daily instalments is recommended.

(Instalment No. 11)

Installment No. 11: The distributor and exhibitor recognize the following principles:

1. That reasonable clearance with respect to time and area is necessary in distribution and exhibition of pictures.
2. That an exhibitor has the right, without restriction, to contract for any run which he is able to negotiate with the distributor.
3. That a distributor has the right, without restriction, to contract for any run which he is able to negotiate with an exhibitor (excepting only where the distributor abandons a regular customer to sell to a circuit; see Article VI entitled 'Regular Customer').

Arbitration of Clearance Disputes: Any dispute as to whether or not the existing clearance under the conditions involved in any particular case is unreasonable, shall be subject to arbitration.

Powers of Arbitrators: The powers of arbitrators in a clearance dispute are limited to:

(a) A finding as to whether or not the theater complained of is entitled to clearance, and if it is, then
(b) An award for the reasonable maximum clearance to which such theater is entitled.

(3) Overbuying: If an exhibitor claims that another exhibitor has overbought with the intent and effect of depriving the complaining exhibitor of sufficient pictures to operate their theater, the dispute shall be subject to arbitration.

Principles Guiding Arbitrators: In such a dispute, the arbitrators shall make due allowances:

(a) For a sufficient number of pictures reasonably to protect the exhibitor from non-delivery and failure to make pictures available, and
(b) Give due regard to the type of operating policy of the theater operated by such independent exhibitor.

In no event shall an exhibitor be considered overbought if the product obtained by him does not exceed by more than 15 per cent his maximum requirements.

(Twelfth installment will appear in THE FILM DAILY tomorrow.)

Ohio Film Rental Tax Suit Hearing Over Till July 15

Columbus, O.—For the third time extensions were granted in the two taxpayers' suits involving non-payment of sales tax on film rentals. This time the continuance is until July 16.

Audrey Wendt, assistant attorney-general assigned to defend the tax commission, said that Robert Barton of Helen, Ida., and William Barton of New York, N.Y., and Bakalainikoff, of New York, N.Y., and Bakalainikoff, of New York, N.Y., had requested the extensions. It was also disclosed that the firm had been retained by the MPPDA to protect its interests.

Gov. John W. Bricker is an inactive member of the firm, with which his secretary, Don Powers, is also said to be associated.

WB Checking Reaction To Distribution Policy

Under supervision of Gradwell L. Sears, Warners' distribution department is currently launching a national survey to check on box office as a meter for company's big pic releasing policy in vogue during summer months. Branch managers have been instructed to file with the home office detailed reports on both box office and audience reaction to their booked features during July and August.

Salesmen of 32 Warner exchanges will collect data from exhibitors playing WB product.

RKO Proctor Gets Appearance Order Against Tax Board

Supreme Court Justice Ernest Hammer ordered Monday William J. Miller, president of the board of taxes and assessments, of New York City, to appear before Commissioner of Taxes for New York City. Lally, commissioners and members of the board of taxes and assessments, to appear Sept. 18 in the Supreme Court to answer a complaint against them by the RKO Proctor Corp.

RKO Proctor owns a theater located at 154 East 58th St., New York City, which property was assessed at $755,000 unimproved and $225,000 improved for 1939. It is claimed by RKO Proctor that the site was overassessed by $387,000.

Daughters of Isabella Back Neely's Measure

Columbus, O.—Support of the Neely bill was urged of Senators Vic Donahue and Robert A. Taft in telegrams sent from here by Mrs. Helen Howard, state regent of the Daughters of Isabella. The 5,000- member organization has stood firm on record as being in favor of the measure.

U. J. Herrmann Dies

Chicago—U. J. Herrmann, 66, theater operator and sportsman, died of injuries here received in an automobile accident.

Coming and Going

JULIUS BRULATOUR, accompanied by MRS. BRULATOUR, is en route to the Coast from New York.

FRANK C. PLANAS, Warners' manager for the West Coast, is arriving from New York today for office conferences, and plans to return to his post in about 10 days.

WILLIAM KEIGHLEY and GENEVIEVE TOUIN arrive in New York tomorrow from a World Cruise.

CARL ROGERS, assistant manager of Warners' theater in Harburg, and his wife are spending a two-week vacation in New York.

PAUL ROBESON sails from New York today for Europe on the Queen Mary.

MORGAN PAFELDORF, of Technicolor's Coast studio, leaves New York tomorrow on the Ile de France.

OSCAR A. DOOB, Loew theater ad-publicity chief, and MRS. DOOB are vacationing on John Balaban's Illinois farm.

CHARLES H. WURZ, veteran showman, is in town from the Coast for the first time in 15 years.

WILLIAM HEBERT, Selznick International publicity director is in New York from the Coast.

HOWARD BENEDICT, RKO studio publicity director, arrives on the Coast tomorrow from the East.

JAMES ROSEVELT, Goldwyn vice-president, was a speaker yesterday at the opening session of the National Education Ass'n convention in San Francisco.

MORRIS LEONARD, Balaban & Katz counsel, is spending a few weeks on the West Coast.

JOHN FULLER, Metro Australian exec., accompanied by his daughter, MYNTILIS, arrives in New York this week.

M. A. LIGHTMAN, former MPTOA pkey, is on vacation from Memphis, Tenn.

UNA O'CONNOR arrives from England this week and will plane to the Coast.

DANE MAY WHITTY is due in New York from London at the end of the month.

FRANK DONOVAN, production manager for Pathes News, is due back this week from Sun Valley, Idaho, where he supervised the filming of material for a new short.

JOHN LODER returns this month via PAA's Yankee Clipper from New York to England, for his first American picture since 1932 in Paramount's "Diamonds Are Dangerous."

Bakalainikoff Signed

West Coast Bureau of THE FILM DAILY

Hollywood.—Franklyn Warner has signed Constantin Bakalainikoff to conduct Joseph Nusebaum's score for his Fine Arts production, "Isle of Destiny."

Theatre

"Hears of Pleasure"—Ashton, Times.
WHAT A LIFE

with EIZA STONE as Henry Aldrich

MANSFIELD, W. 47th St. Mate. Wed. and Sat.

Circle 60640

"A MUST GO ENJOY IT."—

WALTER WHITCHELL

GYPSY ROSE LEE

Comedy Farce with Music

I MUST LOVE SOMEONE

with JAMES RENNE—IRIS ADRIN

Air-Conditioned and JACK WHITE

Vanderbilt W. 46th St. Wed. 8:40

Mans. Wed. & Sat.
On your mark...get set...GOO!

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

The New Universal presents
BABY SANDY
in
"UNEXPECTED FATHER"
with
SHIRLEY ROSS • DENNIS O'KEEFE • MISCHA AUER
JOY HODGES • DONALD BRIGGS • ANNE NAGEL • DOROTHY ARNOLD
Screenplay by CHARLES GRAYSON & LEONARD SPIEGELGASS • Original story by Leonard Spigelgass
Directed by CHARLES LAMONT • Associate Producer: KEN GOLDSMITH

released now!
"With Ginger Rogers setting a devastating pace, a troupe of expert comedians has come prancing into the Music Hall with a merry jape that deserves something better than farce classification... it is comedy, simple if not always pure, and we must call it one of the season's gayest shows."
—Frank S. Nugent

"Not this year and not last has an audience laughed as it does at 'Bachelor Mother.' It hits on all sixteen cylinders, becoming a powerhouse of amusement. Ten to one it will prove itself to have been the best screen comedy of 1939. If another picture comes along to prove this department a liar it will be a pleasure to die laughing."
—Archer Winsten

"Witty dialogue, speed, slick direction and capital performances make it one of the most amusing screen frolics of the year... Situations which frequently skip dangerously over thin ice are not only hilariously funny but also always in unimpeachable good taste. A film that has sparkle, liveliness and fun."
—William Boehnel

"As inspired a production as you will often witness... I recommend it as a vastly satisfying entertainment... Whether Ginger is dancing in a jitterbug contest or being a Cinderella who marries her rich employer's son, she is an utter delight."
—Howard Barnes

"Just the proper nonsense... neat... completely frivolous, and just the thing to take your mind off Fourth of July excitements... Will keep you highly amused."
—Eileen Creelman

FIRST DAYS BEAT RECORD-BREAKING "GUNGA DIN"!... RADIO CITY MUSIC HALL'S BIGGEST OPENING IN ALMOST SIX MONTHS!
Applying the simple charm which distinguished his 'A Man To Remember' and 'The Great Man Votes,' Director Kanin makes 'Bachelor Mother' a delightful farce ... As suitable for the family trade as for the smart set ... Filled with sly humor and genuine charm. Adds further luster to one of Hollywood's newer directorial names."

—Bland Johaneson

Gay comedy of errors ... aimed directly at the risibilities by the cast and Director Garson Kanin ... Ginger is at her best in the title role and she is splendidly supported by David Niven, Charles Coburn, Frank Albertson and E. E. Clive."

—Kate Cameron

A thoroughly entertaining comedy ... takes its place as one of the high spots of the movies' Summer season ... A smooth succession of hilarious incidents ... Its players are exactly suited to the roles, and its writing is genuinely humorous. You will enjoy it."

—Rose Pelswick

GINGER ROGERS
DAVID NIVEN
in
Bachelor Mother
WITH
CHARLES COBURN • FRANK ALBERTSON
E. E. CLIVE DIRECTED BY GARSON KANIN • PRODUCED BY B. G. DESYLVA PANDRO S. BERMAN IN CHARGE OF PRODUCTION SCREEN PLAY BY NORMAN KRASNA STORY BY FELIX JACKSON
SOARING BIZ ENDS
B'WAY B. O. DROUGHT

(Continued from Page 1)

A 19-year-old house record with Eddie Cantor on the stage and Metro's "It's a Wonderful World" on the screen. Gross for the week is estimated at $80,000, as against $44,000, record-long, standing. Detail of 20 police was required Monday to assist house staff in manning the ropes.

Paramount: With an approximate "take" of $61,000, house had its best opening week figure since last Sep-

ober with Para's "Man About Town" and Gene Krupa's band.

Radio City Music Hall: Looks for a $100,000 week with "Bachelor Mother" (RKO Radio) and stage show. Roxy: "Second Fiddle" (20th-Fox) and stage show stay for a second week, with a third in sight.

Astor: "Goodbye, Mr. Chips" still steady and strong in its eighth week. Monday's biz very good.

Strand: "Daughters Courageous" (Warner's) and Sammy Kaye's orch. continuing to give the house lobby waits and lines on Broadway.

Capitol: "Stronger Than Desire" (Metro) pulling strong biz.

Palace: Better than average week-end biz and strong Monday biz with "Young Mr. Lincoln" (20th-Fox) and "They Asked for It" (Universal).

Games Parley Tomorrow
With License Commissioner

(Continued from Page 1)

A convention was obtained in instance of the Atlantic Theater, Brooklyn.

Loew's Metropolitan houses and other circuits over both the week-end and the holiday continued screened games, while the Century circuit's stands steered clear of them, be-
ing reported that business was just as strong without the games.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays: JULY 5 Hellen Harrison

THE FILM DAILY

Wednesday, July 5, 1939

WEDDING Bells

Kenosha, Wis.—Edward F. Morton, assistant manager of the Orpheum Theater here, was married to Miss Marjorie Speaker.

CANADIAN INDIES

CONVENTION LOOMS

(Continued from Page 1)

League will make no move to nego-
tiate for a settlement of its griev-
ances, figuring it will be in a more advantageous position to do so when its agenda has been giv

e an official exhib. sanction. Latest unit to line up with the League is the British Columbia Independent Theatres Association.

Strong exception is taken by J. O. Scott, chairman of the League's cen-
tral committee, to published reports to the effect that the "dove of peace flutters about the protection issue in Canada," that an undisclosed "import-
ant figure" has tipped the League to send a deputation to the Toronto Convention Committee, and that such a commit-
tee is in a receptive mood and prepared "to retain the priority of 28 days for pictures in the large, first-run theatres' business," but to revise the remainder of the clearance sched-
ule.

"In our opinion," states Scott, "no machinery exists in the industry as yet which can adequately deal with and settle the issues raised."

However, Scott says although he believes the present Conciliation Committee in Toronto is "too heavy-
ly packed" with the exhibitors' represen-
tatives," let us get together by all means, only on an equal trading basis. Our committee (the League) is prepared to consider the creation of conciliation machinery as already outlined by us, empowered to act on a national scale.

"We have no quarrel with the distrib-
utors," declares Scott, "on the issue of priority and protection. We are aware that they must cater to the big customer, the chains, whose business means millions of dollars in revenue to them. Naturally, while the business of a single independent is a matter of a few thousand dollars. Separately, we are small fry, but together we have more. Uniting, we get a bigger and more powerful customer as they are. The distributors would then humor us as they do the chains which have imposed priority and protection on them."

"It's a case of cricket," he con-
cludes, and says, "Meet us half-way in a properly balanced conciliation set-up with proper authority derived from both sides and vested with power to finally enforce its de-
cisions and awards."

Bookers Club to Elect

Cincinnati — Queen City Bookers Club will elect at the Saratoga Club, July 14, at 8 p.m.

ALONG THE RIALTO

WITH PHIL M. DALY

• • • STARTING the new film year. . . . Charles E. McCarthy, ad-
vertising director of 20th Century-Fox, is leading off with a great adver-
tising campaign on "Een Maxwell's Hotel for Women." . . . he has en-

gaged a quartette of celebrated artists. . . . John La Gatta, McClelland

Barclay, Bradshaw Crandall and George Peaty. . . . to do paintings which

will be featured in the daily and trade press, as well as national mags...

here is probably the greatest line-up of top-flight artists ever to work on one picture campaign. . . . McCarthy stated that the advertising

plans for this feature include color pages in fan and trade papers . . .

the newspaper campaign is being the same extensive scale as was

accorded leading productions of the company during the past season . . .

• • • • • SHOW BIZ is back to Broadway . . . over the holiday it

was a landslide at all the Times Square spots . . . and that takes

in all territory from the Rialto to the Capitol. . . . in the hours

up to two o'clock the afternoon on Monday, they had to call

out police reserves to handle the crowds at some of the theaters . . .

. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

• • • • • DIPLOMA of Merit. . . . signed by Howard Dietz on behalf

of M-G-M. . . . and awarded to showmen who displayed exhibition skil-

in presenting "Goodbye, Mr. Chips" to their public . . . the diploma is a

beautiful scroll in script printing, with the exhibitor's name handsomely

embossed thereon . . . .

• • • • • ON BEHALF of the ITOA . . . . Lionel Toll wrote a

letter to the salesmen's local organization, known as Motion Picture

Associates, challenging them to their annual baseball game at Indian Point on July 25. . . . Toll says this is one occasion

the exhibs look forward eagerly to meeting the salesmen . . . for on that day they usually oust the film peddlers, and it is a

welcome change to be stuck up . . . this year the exhibs are

temporarily hiring as ushers Red Rolfe, Charlie Ruffing and Joe

DiMaggio so that they can be ringers on their team . . . the

exhibs, do not consider this unethical, as they figure that the film

salesmen will pull a stinker to win the game that will make their

little act of duplicity seem trivial and innocent. . . . everything

goes in these games, says Toll, except the headlock and tracer

bullets . . . . Jack Ellis accepted the challenge on behalf of the

Motion Picture Associates in a letter written in prose . . . just a

dirty sales trick to break down the exhibitors' morale and weaken

their sales resistance . . . .

• • • CONGRATS are in order, to be sent to Lou Pollock at Univer-

sal, on the arrival in his family of a boy, born last Sunday to the

missus of Sydenham Hospital. . . . also felicitations to Leon Goodman

of Loew's ad dept. who was married on Sunday to Frances D'Eego . . . .
EDUC. NEGOTIATING FOR LOAN FROM RFC

(Continued from Page 1)
ment with Felt & Co., for a three-year, $750,000 revolving fund of credit, provides for termination if the event of RFC loan is secured upon delivery of Grand National common stock as compensation for services. Creditors are advised the company intends if the loan is secured to proceed with the perform-
ance of the Felt agreement with such amendments as are necessary “in order to fully complete its refinanc-
ing program.”

Proxy statement includes Educational's consolidated statement for the 26 weeks to March 31 last. Total loss for the period is $450,441.15, the parent company absorbing $355,156.62 and minority stockholders, $78,484.53. Grand National film rentals totaled $288,752.75. Educational rentals, $361,112.98.

Educational's current liabilities on March 31 are listed as $467,427.34, on hand that date was $69,915.92.

Exhib. Letters Urge Brandt to Start New Nat'l Ass'n

(Continued from Page 1)
country, urging him to start the ball rolling towards the setting up of a third national exhibitor organization. Brandt said over the holiday that the letters came from territories in which Allied was powerfully en-
trenched.

Despite the fact that Brandt told THE DAILY last week that he would not be the instigator of an-
other national body, the ITOA chief said on Friday that if he received many more letters such as have been sent to him, he would give seri-
ous consideration to the taking of the initiative in launching a new as-
sociation.

Recent statement of Brandt in the trade press to the effect that he be-
eived a third organization was necessary has aroused considerable interest and favorable comment, he said.

STORKS!

Stockport, O.—To Mr. and Mrs. Ralph Calendine, a girl on June 27. He owns the VonDell Theater.

Cedarville, O.—To Mr. and Mrs. Nelson Creswell, a boy. He operates the Cozy Theater.

Chicago — Sally Babb, formerly private secretary to Jules Rubens, Great States circuit executive, is the mother of twins.

Chicago—Aaron Cohen of the Universal Film Exchange has a new seven-pound son.

What's This? Even Wisconsin Beaches Need Free Movies to Win Patronage

Milwaukee, Wis.—Latest to go in for free movies in this territory are the amusement operators on Lake Michigan beaches. Both Meckie and Washeke beaches are offering free movies on certain nights in the week.

Para. to Redeem $1,950,000 of 6% Debentures July 31

(Continued from Page 1)
demption on July 31 approximately $1,950,000 of 6 1/2 per-
cent debentures, said Stanton Griffis, chairman of the ex-
ecutive committee, announced Mon-
day.

Redemption of this group of debent-
ures marks the retirement of the last of the approximately $26,000,000 par value of 6 per cent bonds issued in connection with the company's reorganiza-
ton.

National Theaters Deal Set by United Artists

(Continued from Page 1)
UA's entire program of 28-32 pix for 1939-40.

Deal was consummated by L. J. Schlaifer, vice-president, on behalf of United Artists, and J. J. Sullivan, William T. Powers and Aubrey Schenk on behalf of National The-
teres.

Hollywood Product Shown in N. Y. City Shows Drop

Hollywood product exhibited in New York City during the first six months totalled 149, a drop of 24 from last year’s comparable total of 173, according to a New York Times checkup. Imports rose to 154 from the previous year’s figure, 149. There were seven documentary films. Total-

of all classes: 310; total for the same period in 1938: 325.

German pictures still head the im-
port list with 45. Mexico was next with 23, France third with 16, Eng-
land fourth with 13; Spain fifth with 12. There were 11 Spanish films, 10 Hungarian, 8 Italian, 5

Swedish, 4 Polish, 3 Yiddish and one each from Argentina, the Ukraine, Cuba and China.

FAD Hopeful Metro Will Still Make Lewis Story

Film Audiences for Democracy yesterday released text of a letter addressed to Louis B. Mayer express-
ing the hope that “you will seriously consider reopening production of "It Can't Happen Here." In the event that Metro does not feel justified in doing so, the letter says, ‘we urge you to sell the rights to other people who we know are eager to produce the story intact,' Letter was signed by Henry Pratt Fairchild, presi-
dent.

Bar Rone Priests from Pix

Rome (By Cable)—A order has been issued from the Vatican that Philip DeAngelis was associated in the pub-
licity department of M-G-M. The services were attended by a large number of motion picture executives from various companies who worked with DeAngelis throughout the years, going back to the early days with D. W. Griffith. Interment was at Gates of Heaven Cemetery in Westchester.

Bretherton on "Sky Pilot"

West Coast Bureau of THE DAILY

Hollywood — Howard Bretherton will direct the third of the Tailspin Tommy" series of features for Paul Malvern, "Sky Pilot," for which Nor-
ton S. Parker is preparing screen-
play. John Trent, Marjorie Reynolds, Milburn Stone and Jocelyn Ried-
ards are featured, and picture starts in July.

Industry Execs. Attend

Phil DeAngelis Funeral

Funeral services for Phil DeAngelis, veteran showman, took place Monday morning, with solemn re-

quiem high mass in St. Barnabas
Church at Martha Ave. and 241st St.

Tonkers. The honorary pallbearers included William R. Ferguson, Si

Seidler, Eddy Carrier and Capt. Vol-
ney Pfifer, film men with whom De-

Angelis was associated in the pub-
licity department of M-G-M. The

services were attended by a large number of motion picture executives from various companies who worked with DeAngelis throughout the years, going back to the early days with D. W. Griffith. Interment was at Gates of Heaven Cemetery in Westchester.

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METRO SPURNS TELE AS FILM OPPOSITION

(Continued from Page 1)
vision, but the company's ban will extend to the use of its trailers as well, it is formally announced here by Sam Eckman, Metro's U.K. sales chief.

Statement of company's policy, while not unexpected in view of Metro's refusal to release its old product for the 11 mm. market, never-
theless created a decided stir here, due to the marked cleavage of exhibitor opinion on tele generally.

While Metro is interested in GB which in turn is interested in Baird television, Eckman officially an-
nounced that Metro does not intend to install a large screen in either the Empire or Ritz "and thus help to popularize a form of entertainment which will only assist in building up competition."

I am also of the opinion that exhibitors should not rediffuse public events in their cinemas," Eckman stated, pointing out that at the most only 10 or 12 national events are stirring public interest in large-screen tele newscasts.

"A great deal is being said about not standing in the way of progress," added Eckman. "But this is a gener-
ality. The hard fact confronting the trade is that there is sufficient com-
petition of one sort or another al-
ready."

RKO and other circuits

HOLD OVER

Official Fite Pictures

of the

LOUIS GALENTO

sensational heavyweight

Championship fight

Now Playing

RKO - LOEW - WARNER - SKOURAS - PARAMOUNT

SCHINE - FABIAN - RANDORFF - CENTURY

PRUDENTIAL - COCASIS THEATRES

Produced and Copyrighted by

BANNER PICTURES, INC.

Distributed in the State of New York by

MERIT PICTURES

630 9th Ave. New York City

Clrcle 6-0271
Majors' B'Way Plans
Wait on Dramatists

(Continued from Page 1)

will be forthcoming before opening of 1939-40 stage season.

'Venturers state that producers' are interested in screen possibilities of all Broadway plays, pointing out that "Dark Victory" and "Jezebel" were failures as stage plays before being purtured by Warner Bros. and that Warner Bros. also made successful pictures of "Three Men on a Horse" and "Brother Rat," stage successes.

Eagle Prod. Launching
Local Newsreel Venture

Eagle Productions, newly organized, has established offices at 16 East 41st St. and plans production and distribution of local newsreel material to be shown in theaters and tied up with newspapers.

Idea is said to already have been tested successfully in Pennsylvania, and activity in the Long Island territory starts next week.

Firm's president is Alfred J. Swickert, and also interested in the organization are the Baron and Baroness Otto von Bradsky. J. H. Harper is promotional director.

“Goo-goo diddl google,

glub SANDY—
grhh da-da
glubb!”

(Translation)"The Herald Tribune said "Sandy steals virtually every scene." I was just a beginner then. I'm camera-wise now, and I just bowl 'em over in my new picture."
Court's Rule Blocks Setting of Date for Equity Trial

SIX BROADWAY PRODUCERS MAY MAKE PIX IN EAST

Double Threat to Circuits in Amendment to Wis. Bill

Provides for Circuit Taxation and Slaps Income Tax on Gross Earnings

Madison, Wis. — Double-edged threat to exhibition interests operating in Wisconsin has made its appearance in the State Legislature as the latest in a series of moves to impose industry taxation via General Omnibus Bill No. 896. Taking the form of an amendment to the pending measure, the section, 2-A, would, in effect, provide for circuit taxation and additionally slap an income tax on the gross earnings of the circuits, both inside and outside the State.

Chain tax provision would apply
(Continued on Page 8)

U.S. GAINS THROUGH NEW FRENCH DECREE

Paris (By Cable)—Position of U.S. features in the French market stands to be strengthened through provisions of the new Government decree regulating the new import quota year, effective July 1, and extending to June 30 next. Minimum of 150 American attractions will be permitted entry
(Continued on Page 6)


Republic's bookings on new season's product indicate an appreciable gain over 1938-39, sources close to the company declared yesterday.

Not only are domestic contracts
(Continued on Page 6)

WB Preparing 19 Stories for Four Topflight Stars

West Coast Bureau of THE FILM DAILY

Burbank—Warners has now in production 19 important story properties for four of its topflight stars. Situation is in line with the
(Continued on Page 6)

Senate Show-down on Neely Bill Today:
Backers Counting on Pressure Campaign

Washington Bureau of THE FILM DAILY

Washington—Senate showdown on the controversial Neely anti-compulsory blockbooking and blind-selling measure is slated for today, with the upper chamber's consideration of the bill virtually assured to be accompanied by verbal fireworks.

Both sides last night were confident of the result. Proponents, with Allied States largely mapping the strategy, have been waging an intensive pressure campaign during the weeks elapsing since the public hearings and subsequent Interstate Commerce Commission's favorable report.

NEELY BILL MENACES PRESS--HOBITZELLE

GIVEAWAYS AND CODE BEFORE N.Y. ALLIED

Washington Bureau of THE FILM DAILY

Washington—Assailing the Neely Bill as a possible threat to freedom of the press, Karl Hobitzelle, President of Interstate Theater Circuit of Texas and publisher of the Dallas Dispatch-Journal, declared that the measure, if enacted, might establish a precedent for federal
(Continued on Page 6)

W. Va. ITO To Hold First Convention in September

Pittsburgh — First formal convention of the ITO of West Virginia, a recent affiliation of national Allied, will be held at Clarksburg during September, although the
(Continued on Page 3)

Expect Gov't to Ask for Preferred Calendar Position for Equity Suit

Autumn Trials for Both Griffith, Momand Suits?

Oklahoma City—Time allotted by Judge Edgar S. Vaught for filing in the Department of Justice equity suit against the four Griffith companies and distributors expires this month. It is expected that the companies' answers to the government's
(Continued on Page 8)

One-day, state-wide meeting of New York Allied being held today in Syracuse is expected to be featured by a discussion of giveaways in general and recent history cases, with a possibility that some definite action may be taken.

Unit is due to receive a report
(Continued on Page 8)

"U" Philly Exchange Ordered To Bargain With CIO Union

Washington Bureau of THE FILM DAILY

Washington—Universal Film Exchange, Inc., at Philadelphia has been ordered by the NLRB to bargain, upon request, with United Office and Professional Workers of
(Continued on Page 6)

Deals with Eastern Service Under Discussion, Glett Confirms

By HOLLIS KENNAHAN

FILM DAILY Staff Writer

Plan whereby a group of New York stage producers will produce current Broadway shows and numerous properties they own at the Eastern Service Studios during the next few years, with financing to be provided by interests here, is in work, it was learned last night by THE FILM DAILY.

Charles Glett, vice-president of Eastern Service, when reached at his home, confirmed the story. He stated that he had been working on this plan for six months, and that it was hoped some definite
(Continued on Page 3)

20TH-Fox's Foreign Business at New Top

Returning yesterday from a three months' trip that took him to Europe, Brazil and Trinidad, Walter J. Hutchinson, director of foreign distribution for 20th-Fox, reported that the company is doing the greatest business in its history outside of the domestic market despite cur-
(Continued on Page 3)

20th Cent.-Fox Australian Convention Set Aug. 24-26

Australian convention of 20th-Fox forces in the Antipodes will be held August 24-26 in Sydney, it was learned this week. The sales huddle will be held one week before
(Continued on Page 3)

Aaron Jones, J L & S Prexy, on Stand in Contempt Case

Aaron Jones, Sr., president of Jones, Linneik & Schafer Circuit, gave the history of leading Loew theaters at yesterday's Government
Famous Players Canadian Shares Offered at $23.50

Montreal—A limited offering of shares of Famous Players Canadian Corporation is being made by Greencloths & Co., at a price of not more than $23.50 per share. The offering is being handled on the improved position of the company, the prospectus shows $5,792,000 added to depreciation since the time of an dividend was declared by over $3,000,000 or more than 30 per cent; interest payments by more than a half, minority interests reduced by 25 per cent; net working capital increased by better than $400,000. Profits available for dividends in 1939 were equal to $2,328 a share, the best since the depression began. The only capital obligation senior to the common shares is $6,700,000, there being no preferred shares. Mortgages outstanding appear at $887,015.

Fair’s Projectionist Day to be Planned by No. 306

Committee, comprising G. Edwards, Eichhorn, O. Kafka and P. A. McGuire, has been appointed by Joseph Basson, president of Local 306, to make arrangements and select a date for Projectionist Day at the New York World’s Fair during September.

Participation of all locals in the U.S. and Canada is being sought.

Retired Lawyer to Head Quebec Film Censorship

Quebec—Premier Maurice Duplessis announced yesterday that Dr. Raphael Herve, K.C., 48, retired Montreal lawyer, as temporary head of the Quebec Motion Picture Censorship Board, replacing Arthur Lamarre, K.C., who was recently appointed as Juvenile Court Judge. Protest against the City of Quebec's 10 per cent tax on theatres was registered by the Citizens League of Montreal, suburb, which demanded immediate settlement of the dispute.

Mayor “Fed Up,” Hinting End of Quebec Pix Strike

Quebec—Some hope of early termination of Quebec’s pix theater strike caused by imposition of additional civic tax of 10 per cent was seen by exhibitors in a statement by Mayor Lucien Borne that he is "pretty well fed up with the whole affair."

Lantz, “U”-Cartoon Guild Hearing on Coast Today

Washington—NRKB yesterday set the hearing between Walter Lantz Productions, Universal Pictures Corp. et al., and Screen Cartoon Guild in Los Angeles at 9:30 a.m. today in the U.S. court house and post office building in Los Angeles.

B. T. Britten Named 20-Fox Circuit Manager in Eng.

London (By Cable)—B. T. Britten, formerly branch manager of the 20th-Fox Dublin office, has been appointed circuit manager in England.

Londonbranch manager of the 20th-Fox branch manager, and Robert Marshfield has joined the company's sales force in London succeeding the late Maurice Myers.

George E. Jay has been appointed branch manager for 20th-Fox in Sourabai, Dutch East Indies, it was learned this week, replacing W. H. Seth, resigned.

"Can’t Do That to a Union Soldier,” GAR to Selznick

Columbus, O.—Ohio’s GAR veterans have erected bodies for their 73rd annual convention, in a resolution reported a scene alleged by the GAR to have been "Wrong Wind." The scene depicts the heroine, Scarlett O’Hara, shooting a marauding Union soldier in "Gone With The Wind." The resolution that the incident was based on the fact that "a soldier in the uniform of his country is de- clared as a thief, libertine and ma rauder." Formal action also will be taken at the national convention in Pittsburgh, it was stated.

Counsel for the AAAA Heirs Insurgent Group of the AFA

Hearing of a committee of six members of the insurgent group of the American Federation of Actors, composed of Paul Turner, counsel for the AAAA, which is investigating the conduct of its members of the union. The committee is considering whether or not in reorganization of the AFA that their eight-point program will be given consideration. It was also indicated at the hearing that grievances against the current officers of the AFA would be aired by the insurgent group at the trial next week.

No Dates Yet Set for More Movie—D of C Confabs

Washington—Dr. Willard L. Thomas has returned to his office at the Commerce Department after a short vacation, but dates have not been set yet for further movie con fabs.

Conferences on the agenda include Ed Kuykendall’s second visit; Allen and Hayman, and Breen meeting.

$1.62 1/2 Loew Dividend

Loew’s directorate yesterday declared the regular quarterly dividend of $1.62 1/2 on company’s preferred stock, payable Aug. 15 to stockholders of record July 28.

THE THEATRE

"Hearts of Peculiar"—Atkinson, Times.

WHAT A LIFE

with EIZA STONE as Henry Aldrich

MANSFIELD, 47th St. Mats. Wed.

Circle 6-0560

"MAY I MUST GO ON TODAY?

GYPsy ROSE LEE

With Music

I MUST LOVE SOMEONE

with JAMES RENNIE—IRIS ADRIAN

and PETER varsey, V. W. 8th Sts. 8-40

Mats. Wed. & Sat.
6 B'WAY PRODUCERS
MAY MAKE PIX HERE

(Continued from Page 1)

gram shortly would be outlined. George Abbott, John Golden, Arth Hopkins, Brock Pemberton, Herzen Shumlin and the Group Theater, are the producers with whom discussions have been held regarding production at the studio. Abbott, Shumlin and Pemberton, when reached by The Film Daily yesterday, all expressed enthusiasm for the plan and stated they hoped it could be put into effect in the near future. The other producers mentioned were also reported to be solidly behind the plan. In the instance of Sept. G., the FILM DAILY disclosed on April 13 that plans for the making of three features in the East had been formed.

Financing by New York interests is being arranged for the producers by Eastern Service in those cases where financing arrangements have been sought, it was said yesterday. It is expected that each producer will undertake a schedule of three to four pictures during the next two years, when and if negotiations are concluded. At least two major distributors are interested in releasing this product, it was reported by one of the producers contacted. Paramount, it is understood, will take the Group Theater trio.

20th-Cent.-Fox Australian Convention Set Aug. 24-26
(Continued from Page 1)

the annual Kent Overseas Drive starts on Sept. 3, C. V. Hake, managing director in Australia, sails for Sydney July 19 on the Monterey. He arrived here earlier this summer on a combined vacation and business trip. He has delayed his departure in order to confer with W. J. Hutchinson, director of foreign distribution, who returned yesterday from a European and South American trip.

Columbus Going 100% Duals
Columbus, O. — Loew's Ohio Theatre will inaugurate double features tomorrow, leaving the city with one house showing single bills.

HAPPY BIRTHDAY

(Continued from Page 1)

DROPPED into RKO Radio's lounge for the visiting exhibitors to the World's Fair...a place where showmen meet showmen...and in the midst of a flock of exhibitors was Raymond Massey, star of the stage hit, "Abe Lincoln In Illinois," which RKO will produce this Summer with Massey in the title role...Massey told the exhibitors that he liked to be in good company on and off the screen, and that it was exhilarating to be with a company that could muster a program like that lined up by President George Schaefer and Vice-President Ned Depinet....he was pleased, also, to get the point of view of the man who shows the pictures...a charming personality, this Massey, who will make a notable addition to the ranks of Hollywood's great performers in a great production...

Among the daily visitors at this pop RKO Lounge the dames are well represented....most of the showmen are accompanied by their wives....many of the wives of exhibitors play a part in theater operation, and practically all have definite opinions as to who are the most popular stars, and as to the type of features in demand....in fact one gets the impression that these wives who take a genuine interest in the theater are in great part responsible for the success of that particular house that their hubbies operate....for a woman knows what other women want in entertainment far better than any mere man, no matter how clever a showman he may be.

NEAT stunt....with Republic cracking the news wires the other day at the Bell Telephone exhibit at the World's Fair....Barry Forman, a seven-year younger of Brooklyn, won one of those free phone calls anywhere in the U. S. A. ....and chose to talk to his hero, the Lone Ranger. ....the call was put through to the Republic studios where Bob Livingston, playing the part, took the call....the story went over the press wires, and several of the news syndicates covered for photo and mat services....Charles Reed Jones, assistant to Al Adams, arch chief of Republic, handled the stunt.

WHILE in England....Director Richard Thorpe plans to spend some time in Manchester conferring with Sir Oswald Darsein, relative of the famed exponent of evolution, regarding the possibilities of screening the life of the great scientist....M-G-M, for whom Thorpe will direct "Busman's Honeymoon," believes that Darsein's struggles against superstition, bigotry and the usual "man's inhumanity to man" will make a great motion picture....one that will equal "Zola" and "Juarez." ....Sir Oswald has an extensive library, and owns many hitherto unpublished manuscripts and data of his distinguished relative. ....arrangements have already been made for Thorpe to go through these in his search for screen material.

UNUSUAL lobby display....by Manager S. S. Keszenbaum at the Gramercy Park Theatre....exploiting "Confessions of a Nazi Spy"....a glass case contains the lie detector invented by Jacques Britl, with indicators for each part of the apparatus explaining the specific part it plays....a 30 x 40 display explains Britl's work, and ties the detector in neatly with the theme of the picture.

20TH-FOX'S FOREIGN BUSINESS AT NEW TOP

(Continued from Page 1)

rent world-wide political conditions.

Referring to South America, Hutchinson said, "We hope to increase our business in our neighboring continent through offering Hollywood's productive and competitive background which will appeal to audiences there." He said that the company would distribute three to four Spanish films in Latin America this year, with its future policy on handling Spanish films depending on the reception these films receive.

Business in Argentina is up seven to eight per cent and in Brazil it has increased nine to 10 per cent, he said. The company will distribute 38 to 40 films in this territory this year, it was learned.

Headquarters of the company in Spain are being set up in Madrid, Hutchinson said that the Italian situation was in status quo.

He said that the conventions which had been held in Rio de Janeiro and Trinidad, which were attended by President S. R. Kent, had been highly successful. Tremendous grosses for "Suez," the largest any single picture the company has handled in the Latin American territories, have totaled, were reported by Hutchinson, who arrived from Trinidad on the Northern Prince.

W. Va. ITO to Hold First Convention in September
(Continued from Page 1)

exact date has not yet been set. President R. J. Hiehle has appointed as general chairman I. Danny Davis, who in turn has named the following convention committee: Mrs. C. P. Church, Mannington; Richard D. M. Davis, Clarksburg; George W. Sallows, Morgantown and Garland West, Buckhannon.

A resolution has been passed by the ITO of West Virginia which makes any theater manager eligible for membership, whereby they have full rights at all meetings and may suggest methods and plans, but prohibiting their right to vote as only the theater owner members are permitted to do so.

I. Danny Davis, secretary, has been authorized to start raising money for the next legislative campaign.

"Team Denial Day"
Published Coast reports that George J. Schaefer, RKO Radio's president, will set up headquarters permanently for himself and his staff in Hollywood, which were emphatically denied yesterday by him.

Washington, D.C. — The FILM DAILY Washington—Published reports that the new administration has assumed charge of the D. of J.'s West Coast industry investigation, succeeded. Albert Law, temporary branch, was made permanent yesterday by Seymour Krieger, Special Assistant to the Attorney-General.
TROPICAL weather has no threat for M-G-M showmen who will play ROBERT TAYLOR, HEDY LAMARR in "LADY OF THE TROPICS"! M-G-M again to the rescue this summer as always!

Screen Play by Ben Hecht. Directed by Jack Conway. Produced by Sam Zimbalist
Patel to Build $1,625,000 Studio and Lab. in India

Central Cinema Industries Will Produce for the World Market

By RALPH BUCK

West Coast Branch of THE FILM DAILY

Hollywood—A. P. Patel, who is organizing Central Cinema Industries, Ltd., of India is here, purchasing equipment for a $1,500,000 twosound stage studio to be erected in Bombay and a modern air conditioned laboratory which will cost $250,000 and have a capacity of 75,000 feet daily.

Laboratory will be opened before the end of the year while the studio will start operating next June. Western Electric equipment will be used in studio.

Patel’s studio will also produce 12 features and a series of scenic shorts, designed for the world market. He will also include accurate art and research departments, which, he declared, have not been used to date by native producers although 200 features were made in India during the past 12 months.

In September, he will send six native technicians here to study Hollywood methods. He is on a six-months trip and has already studied production methods in Germany, France and England.

Gibraltar Enterprises
Denver (Aug. 4-7)

Mrs. Sarah Dubinsky Dead

Kansas City, Mo.—Mrs. Sarah Dubinsky, 73, mother of Barney, William and Irving Dubinsky, and Edward Durwood, brothers associated in the operation of the Dubinsky circuit of theaters, died at the Menorah Hospital, following an illness of six months. Besides the sons, Mrs. Dubinsky is survived by her husband, Simon Dubinsky, retired.

Western World

Tribune Press Conference

Hollywood—The Tribune Press Conference, scheduled for work as far ahead as practical in order to have adequate time for the preparation of scripts.

Stories pending for the personal column in the Tribune are those for Bette Davis—"All This and Heaven Too," "Devotion," "The Miracle," "We Shall Meet Again" and "West of Frisco.


James Cagney—"City of Iron Men" and "John Paul Jones."

Sprecher of Monopole Films in N. Y. C. on Buying Trip

Here on his annual product buying trip, Max Sprecher, managing director of Monopole Films, Rotterdam, Holland, stated yesterday he expected his organization to handle about the same volume of business this year. He hopes to acquire 30 pictures here on this trip.

Sprecher is making his headquarters in business here will have his two "Creek" stay here at the New York office of J. H. Hofberg. He said that the market for westerns had slumped, but that other types of action films were still popular. He handles some British and French films, but the bulk of his lineup is American product. He has the Monogram franchise for Holland.

Ind. TO at Golf Today

Chicago—Indiana Theatre Owners Ass’n will play its annual golf tournament today at Lake Wauwa-

cee convention. Tomorrow session will deal with various important trade problems, according to Maurice Rubin, state president.

Singer Closes in Iowa

Chicago—The Mort Singer circuit has closed the Capital theater, Marshalltown, near the Iowa state line, for the fall. District manager, Bill Dostal has been named to the circuit for the fall.

Free Movies With Coffee and Free Autos

With Films—That’s Wisconsin Show Biz

Milwaukee, Wis.—Fox is advertising three Ford automobiles to be given away at its Dairy, Sherman, Pauk, River, Plaza, Larkin, Park, Sauk, Waukesha and Owosso theaters here this week. Tie-up is with nabi merchants.

At Wausau, the Wausau and Menomonee theaters have tied up with the Bush Coffee Co., Minneapolis, whereby purchasers of Bush coffee between July 1-31 are being given free tickets to see the current features at those two theaters.

At Wauwatosa, the Wausau Theater promoted a "giant auto festival" with $1,500 worth of merchandise prizes given away on a Thursday and Friday night. Seven local auto mobile firms and garages sponsored.

WB Preparing 19 Stories for Four Topflight Stars

(WB continued from Page 1)

in for a sharp rise, but also in the foreign film. Immediate objective overseas is effectuation of a boost in the U. K. market which will be visited shortly by Herbert J. Yates, President of Fox in New York on June 25, ostensibly to assure a successful tour of England by Republic’s "Great Heavens.

It is known, however, since Republic’s last stockholders’ meeting that the company is embarking on foreign field expansion. Accordingly, Yates will confer with Sam Smith, head of British Lion, Republic British ally, along this line.

Prior to Yates’ departure, contracts are expected to be held at the home office between him, James R. Gazinger, Moe Siegel and Sol Siegel. Latter pair are due in New York from the Coast early next week.

Also slated to play an important part in formulating and co-ordinating Republic’s new season plans is Morris Goodman, company’s foreign sales manager, who flies into New York today from Miami, following a 14-week Central and South American trek whose object was to familiarize Republic in Pan-America for 1939-40.

Gazinger leaves the home office shortly to visit Atlantic seaboard keys.

Neely Bill Menaces Press — Hoblitzelle

(Continued from Page 1)

regulation which could be extended to other fields such as the press, radio, fiction and magazine writing.

Hoblitzelle made his statement in Washington while here on a visit.

Basing his objections to the Neely Bill mainly on Section Four calling for a synopsis he declared, "if the Federal Government can apply such restrictions to the creative art of motion picture production, there is every reason to believe that similar restrictions and censorship could be applied to the publication of newspapers and magazines and the broadcasting of radio programs."

Ask Sandquist Bill Signing

Chicago—Many independent theater owners have wired Gov. Henry Horner, urging that he sign the Sandquist bill, passed by legislature holding film shows to two hours, 15 minutes.

U. S. GAINS THROUGH NEW FRENCH DEGREE

(AContinued from Page 1)

enabled dubbing permits out of a base totaling 120,000. But this proviso for the new 12-month span, which is divided into two semesters, the French Government has decreed that 12 more features will comprise a contingency bloc, which means that the U. S. may further benefit.

The contingency bloc is established in order that features considered of high merit will not have to be sidetracked when the 188 base features have been allotted permits.

Under the terms of the existing trade treaty between the U. S. and France, former permits which at any time during the life of the treaty cannot be less than that which existed at time of document’s entry into force, will continue to hold first position in France with respect to importations and dubbing permits until June 30, 1940, and will double-also get fair share of the contingency bloc of 12 permits.

"U" Philly Exchange Ordered To Bargain With CIO Union

(Continued from Page 1)

Americs, Local No. 2, affiliated with CIO.

The order issued by the Labor Board yesterday stated evidence disclosed that the CIO labor organization represented a majority of the office workers in July 1937 and at all times since.

Management of Universal Exchange refused to grant union representation to the opportunity to meet and discuss the possibilities of a collective bargaining contract, NLRB said. The board found the company did not attempt to determine whether the office employees, "but sought only to obstruct the union’s efforts to bargain with them."

Universal was ordered to post notices for a period of 60 days stating that it will bargain with the union and within 10 days to notify the Philadelphia regional director of compliance with the order.

Warners In 5 Cent Dip

Milwaukee, Wis. — Warners has dropped prices a nickel at its Sheboygan and Rex theaters in Sheboy-

gan, its Venetian and Rialto in Racine and its Million Dollar and New Rialto in Kenosha. New prices are two bits to 6 p.m. and 35 cents thereafter.

$530,088 Educ. Assets

Current assets of Educational total-

$530,088.64 against current lia-

bilities of $2,250.49, giving a net worth on hand totals $69,915.92. Figures are given in latest statement for the 26 weeks to March 31 last.
What a thrill for Broadway!

The crowds get bigger! ... the excitement 'round the Roxy mounts! ... and every day is a record day that actually tops the one before! Keep your eye on that 2nd Week!

SECOND FIDDLE

The show that kicked the World's Fair!
BLOCKS SETTING DATE FOR EQUITY TRIAL

return from Washington in about two weeks to take the question up again with Knox, as to which time, in all likelihood, the former will ask for a preferred position for the suit which would enable it to be reached in October.

If Williams cannot obtain trial at that time due to overcrowded calendar conditions in Federal Court, it is learned that a probable alternative will be the requesting of a trial hearing before a statutory court of three judges. If this move is initiated, the Court would appoint a referee to take testimony and report to the Court.

Objection raised to the statutory angle is that trial would not receive the publicity which a public hearing brings. The D. of J., as it is cited by observers, wants the public hearing. The 20-day rule which Judge Knox invoked is known locally to the Southern District of New York, and provides that this span of time must be observed unless the answers of both plaintiff and defendant are in, and the Clerk has notified the Calendar Commissioner. Since no response has been made by the Government to the requests of Columbia and U.A. for a further bill of particulars, William's efforts to have trial set were unproductive.

Giveaways and Trade Code Before New York Allied

on the Minneapolis national convention, and there has been keen speculation in trade quarters as to whether it will formally endorse the rejection of the Trade Practice Code. There have been ample indications that the New York delegation, or a respective percentage of its members—critical of national Allied's policy.

Max A. Cohen, prexy, will preside. Cohen, Harry Kosch, attorney, and a large delegation of members from the Metropolitan area left New York last night for Syracuse.

WEDDING BELLS

Pittsburgh — Mort S. England, who with his brother Art handles the distribution of the New York Night and special film subjects in this territory, has announced his recent marriage to Miriam Kean of Philadelphia.

Ynez Drubin, daughter of Mabel Dry of the 20th-Fox publicity department, will be married Saturday to Julian D. Shear. Ceremony will be held at the Hotel Franklin Towers, N. Y. City.

FILM CODE ANALYZED

by Louis Nizer

EDITORS NOTE: THE FILM DAILY today presents the twelfth installment of its comprehensive survey of the picture industry. In this effort, (Continued from Page 1)
NEWSLETTER from The March of Time

July 6, 1939 Letter #12

To: ALL FIRST RUN THEATRES

First prints of the new MOT - "THE MOVIES MARCH ON!" - were screened today in the New York Home offices...

Spontaneous response and enthusiasm for this film from both the Theatre and Distribution departments of all the picture companies prompts this rush letter.

So excited was the Radio City Music Hall about the film that it goes in tomorrow - with a feature publicity campaign!

* * * * * * *

--and here is what it is - the greatest moments of the greatest films ever made...

STORY: "the movies" - yesterday, today and tomorrow...how they grew in 40 years to become the fifth greatest U.S. industry and the most powerful medium of expression in the world today.

STARS: there are more than 30 of them...Mary Pickford and Lionel Barrymore (The New York Hat); William S. Hart (The Fugitive); Charlie Chaplin and Ben Turpin (A Night Out); Theda Bara (A Fool There Was); Rudolf Valentino (Four Horsemen); Garbo & Gilbert (Flesh and the Devil); Renee Adoree, John Gilbert, Karl Dane (The Big Parade); Al Jolson (The Jazz Singer); Will Rogers (David Harum); Paul Muni (Zola)...and others.

ACTION: so swift-moving that the 20 minutes seem like 6.

COMEDY: all the laughs of the old-time "flickers".

DRAMA: the most memorable and dramatic moments of the screen's history recaptured.

ROMANCE: scenes like the Garbo-Gilbert kiss in "Flesh and the Devil".

ENTERTAINMENT: that of 24 features all packed into one.

BOXOFFICE! WELL, SEE IT and you'll SELL IT!

THE MARCH OF TIME
PRODUCED BY THE EDITORS OF TIME
REVIEW OF THE NEW FILMS

“Stronger Than Desire”

M-G-M

80 Min.

 remake of Old play "Evelyn Prentice" just fair entertainment.

This is a remake of "Evelyn Prentice" produced for publication. It has not improved with age, for even five years ago this plot was old and worn. It is the drama of the wife who started to stray because she was lonesome, and when the cat held her up in a blackmailing way for her foolish but innocent letters, she kills him. That is, she thinks she has killed him but it turns out as a last minute surprise in the court trial scene that another woman came along right after she left the blackmailer, and fired the shot that took the socalled out of the world where he couldn't blackmail any more foolish wives whose husbands had money. Virginia Bruce is rather well as wife, and she wears beautiful gowns and makes her hackneyed role sound almost believable. Walter Pidgeon as her husband who is the politician lawyer who is defending the other woman as the murderer learns that it is his wife who fired the first shot, and has to read his tactics quickly to the surprising development. But the wife insists on admitting her guilt, and then her husband cleverly shows through the testimony of the dead man's wife that she fired a second shot that did the trick. It is all pretty stilted murder plot of the old days that anyone would find hard to register with modern audiences. Pidgeon gives a sincere and natural performance, and Lee Bowman as the woman-who-wants-to-be-possible is excellent.


CREDITS: Producers, John W. Considine, J. Ranking; Director, Fenton; Author, W. E. Woodward; Screenplay, David Hertz, William Ludwig; Cameraman, William Daniels; Editor, Joseph Franklin.

DIRECTION, Fair. PHOTOGRAPHY, Good.

Life to Build Another

Washington Bureau of THE FILM DAILY

Washington — A new 1,000-seat film house to be constructed by the Life Amusement Co. at Naylor Road, Good Hope Road and 25th St. S.E., it is announced by C. H. Olivo, who recently disclosed plans for a new theater for Massachusetts Ave. Company operates the Atlas.

Kaplan Sells Two

Cleveland — Meyer Kaplan has sold his Savoy and Superior Theaters, this city, to Ben Cohen of Pittsburgh. Kaplan will continue to buy and book for the houses and he retains ownership of the Crown.

Commercial Pix In Spurt

Detroit — Production in local commercial studios has taken decided spurt. All three studios — Jam Handy, Industrial Pictures, and Wilding Picture Productions, are busy shooting.

“Bulldog Drummond’s Bride”

with John Howard, Heather Angel, H. B. Warner

Paramount

55 Min.

(HOLLYWOOD PREVIEW)

PLEASING ADDITION TO THE BULLDOG DRUMMOND SERIES SHOULD DO OKAY AT B.O.

At last the “Bulldog Drummond” series with Drummond getting the menace in the end. The production by Stuart Walker and direction by James Hogan were handled with good judgment. John Howard (Capt. Hugh C. Drummond) gives his usual smooth performance, as do Heather Angel as Phyllis Cleaver, H. B. Warner as Colonel Nicolson, Reginald Denny as Algory Longworth, E. E. Clive as Tenny, Eduardo Ciannelli as the swish, and the series, does a fine acting job as the menace. Others in the cast who do nice work are Elizabeth Patterson, Gerald Hamer, John Sutton, Fredric March, Louis McNeile, Adia Kuznetzoff and Adrienne D’Ambricourt. The screenplay by Stuart Palmer and Garnett Winton, is based on "Bulldog Drummond and the Oriental Mind," by H. C. (Sapper) McNeile, was handled in a good manner. Edwards blows up a bank in broad daylight and gets away with £10,000. He, with his aide, Gerald Hamer, hide the money in a radio and as it would have been the radio is put up for sale. The romance of Heather and Howard, who are to be married, a number of events take place, some with slapstick comedy that lead up to the capture of Edwards, and in the end, the marriage of Heather and Howard.


CREDITS: Associate Producer, Stuart Walker; Director, James Hogan; Based on "Bulldog Drummond and the Oriental Mind," by H. C. (Sapper) McNeile; Screenplay, Stuart Palmer, Garnett Weston; Cameraman, Harold R. Harvey; Art Directors, Hans Dreyer, Franz Bachelein; Editor, Chandler Heseltine.

DIRECTION, GOOD. PHOTOGRAPHY, GOOD.

Tex Fletcher In P. A. ’s

New Haven—Loew’s, Inc., have booked Tex Fletcher in personal appearances at the Poli, Watertbury: Plaza, Worcester; Palace, Meriden; Billings, New Haven, and Globe, Bridgeport, beginning Tuesday in conjunction with the playing of Grand National’s “Six-Gun Rhythm.”

Great States Closes Two

Chicago—The Belasco Theater at Quincy, the Rialto at Waukegan and the Fox Theater at Aurora have been closed for the summer season, by the Great States circuit.

Warner Shuttles One

Mansfield, O.—The Majestic, one of three theaters operated here by Warners has been shuttered for the

“The Forgotten Woman”

with Sigrid Gurie, William Lundigan, Eve Arden

Universal

63 Min.

(HOLLYWOOD PREVIEW)

TEAR-JERKER WITH SIGRID GURIE IN HEAVY DRAMATIC ROLE SHOULD PLEASE FEMMES.

A tear-jerker which gives Sigrid Gurie a chance to do some heavy dramatic work. This picture produced by Edmund Grainger and directed by Harold Young should please the feminine audience. Young has handled the offering in a very convincing manner. The screenplay, by Lionel Houser and Harold Buchman, was based on an original story by John Kobler. A young couple, Sigrid Gurie and her husband, William Lundigan, advertise for another couple to share expenses to go to Florida. The ad is answered by two gangsters unknown to the couple. The gangsters hold up a warehouse and in the forced escape, Lundigan, an innocent victim, is killed in an auto crash. The gangsters make their getaway, but Sigrid is captured and held as an accomplice. Her story seems very fantastic and she is convicted by the district attorney’s aide, Briggs, on circumstantial evidence. Her child is born in prison. One of the gangsters is slain and before he dies he makes a confession to the district attorney’s aide. When Briggs finds out about the injustice to Sigrid, he goes to the orphanage in which the gangsters have adopted the youngster. The child is injured in an accident, and Sigrid and Briggs discover that they are in love with each other. Eve Arden, Elizabeth Risdon, Paul Harvey and Ray Walker are among the supporting cast who do nice work. The photography by Stanley Cortez is hard, and the sets by Jack Otterson are worthy of mention.


CREDITS: Associate Producer, Edmund Grainger; Director, Harold Young; Author, John Kobler; Screenplay, Lionel Houser and Harold Buchman; Cameraman, Stanley Cortez; Art Director, Jack Otterson; Associate, John Ewing; Editor, Charles Manyard; Musical Director, Charles Previn.

DIRECTION, Convincing. PHOTOGRAPHY, GOOD.

Telescopes Registered

Audio Productions, Inc., has registered the trade-name Telescopes to describe a new series of commercial motion pictures now being made for television purposes through arrangements with the American Television Corp.

Schlenker Funeral Held

Newark, N. J.—Funeral services were held Tuesday for Sigmund Schlenker, the 34-year-old radio producer who for years operated movie houses here. Death, which occurred July 2, was caused by pneumonia. He leaves his wife, a son and four daughters.

Lipscomb Moves to Para.

West Coast Bureau of THE FILM DAILY

Hollywood—W. P. Lipscomb is at Paramount to write the screenplay of “Safari.” Picture will be produced by Anthony Veiller and will be directed by Sidney Franklin. McCrea and Madeleine Carroll and will be directed by Edward H. Griffith. Lipscomb recently completed the screenplay of “I Had a Comrade” at M-G-M.

Bugie Twins Dead

Cincinnati — Mrs. Levitt Bugie, wife of the 20th-Fox representative, died last night following the death of twin daughters born prematurely.
“Black Limelight”  
with Raymond Massey, Joan Marion  
Allied Films  93 Mins.  
Al-AH-JING MURDER MYSTERY INTEL-  
gENTLY DIRECTED AND ACTED CAR-  
ABLE TO REVEAL SUSPENSE  
A very absorbing murder mystery intelli-  
gently plotted with some surprise twists  
and an abundance of suspense. It is com-  
pletely acted by the entire cast, especially  
in the work of Joan Marion, whose role  
outshines that of Raymond Massey, who  
plays the part of her husband. A murder  
of a girl at a beach bungalow occurs, and  
the evidence all points strongly to Massey,  
who has disappeared right after the crime.  
Even the wife is almost convinced that he  
is guilty, yet she loyally sticks by him.  
When he sneaks back to their home, she  
hides him. Meanwhile it develops gradu-  
ally that there is too, for the production  
an other automobile can come upon the  
same sands, and deeply interested in the  
subject matter. There is also a  
plug for the Museum of Modern  
Art Film Library, and the film  
cleverly contrives to build its contents  
around the activities of the organi-  
zation by showing film clips  
with the name of the picture and  
the name of the library before  
the various shots are reproduced.  
There are presentations of industry  
leaders, oldtimers who were pioneers  
and are still active in production in  
the silent days, such as Harry Warner,  
Jack Warner, Cecil B. DeMille, Walt  
Disney, Mack Sennett, Charlie Chap- 
lin, Darryl Zanuck, George Schaefer.  
Also presented are Will Hays and  
Joe Breen. The oldtime shots of  
the early silent favorites will go  
great with all the older generation.  
Such as “The Great Train Robbery,”  
Mary Pickford in “The New York  
Hat,” Bill Hart in “The Fugitive,”  
Charlie Chaplin and Mabel Normand  
in “Tillie’s Punetured Romance,”  
Lillian Gish in “Birth of a Nation,”  
Theda Bara in “A Fool There Was,”  
Mary Garden in “Thais,” Doug  
Fairbanks in “Robin Hood.” Other  
old favorites seen are Valentino,  
Greta Garbo, John Gilbert, Renee  
Adoree. So much for the outstanding  
stars. Then into the talkies,  
starting with a scene from “The  
Jazz Singer” with Jolson singing  
“Mammy.” Then “All Quiet On the  
Western Front” showing application  
of the new sound technique to a  
war spectacle. Will Rogers, Paul  
Muni in “Zola,” and then into the  
current productions, showing the  
modern trend. Then come the  
indu- 
try execs. previously noted, all done  
with fine editing and crisp presenta- 
tion, so that the film moves very  
fast. It is the sort of reel the public  
will talk about, for it recalls  
a lot of old favorites in their stand- 
outs that are seldom available to- 
day for screen presentation.  

“Death Valley Thrills”  
(Granland Rice Spotlight)  
Paramount  19 mins.  
One of Year’s Best  
Theaters should go out of any  
acquainted way to grab this short  
which is easily one of the most  
unique of the current season,—or  
any other. Producer Jack Eaton has  
taken a camera crew into Califor- 
nia’s Death Valley and filmed  
the Wilhem Brothers and their magnifi- 
cent police dog who dwell together  
in hot, lonely, but wild picturesque  
wastes of this desert area. The trio  
go riding in a car which the ingenio- 
ous Wilhelms have built for tough  
desert driving, and Detroit’s automo-
 bile manufacturers could take a pro-
fitable lesson from the Death Valley  
boys on how to make a car durable.  
It has to be, for it does what no  
other automobile could do, and even  
the spectacular plunge of the run-
away car over a cliff fails to put it  
out of commission. The car serves as  
a low for aquaplaning on dry  
lakes, as well as a transport for slid- 
ing on sandy slopes. Footage is  
loaded with laughs plus thrills, and  
is enhanced by Ted Husing’s excel-
 lent narration. This is a “must  
book” attraction, since it will de-
light patrons everywhere.

What were you
YESTERDAY

What are you
TODAY

What will you be
TOMORROW

REVIEWS OF THE NEW FILMS

SHORTS

“The Movies March On”  
(March of Time)  
RKO Radio  19 mins.  
Strong Audience Picture  
Very fine presentation of the his-
tory of the motion picture industry  
in Hollywood as seen through clips  
from important productions down  
through the years. The film should  
prove very entertaining to all types  
of patrons, for it carries a lot of  
sentiment in the depiction of old  
favorites in their classic pictures.

“A-Hunting We Will Go”  
(Walter Lantz Cartunes)  
Universal  1-3 mins.  
Diverting Reel  
Shortly after climbing into bed in  
his diminutive cabin, Little Eight  
Ball, Walter Lantz’s new and appeal-

ing cartoon character who is a little  
Negro boy, receives a visit from a  
baby ghost to whom he avers that  
he is not the least bit frightened.  
Whereupon the baby ghost trans-
ports him to a haunted mill where  
the adult ghosts, informed that Lit-
tle Eight Ball is impervious to fright  
in the best fashion of modern chil-

dren who don’t believe in ghosts,  
put their visitor through a test, at  
the end of which Little Eight Ball is  
certainly scared, but steadfastly  
will not admit it. The Lantz character  
seems fair to become a future institu-
tion in pix houses. This short is  
diverting and well fashioned.

Filmarte Books Re-opener  
Filmarte Theater will reopen for  
the season early in the Fall with  
“The End of a Day,” French film,  
which will be distributed in this  
country by Juno Films.
The NATIONAL SCREEN TRAILER running in advance of your show is the only medium of advertising that gives you that double selling-punch!

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

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

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

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

That’s what makes NATIONAL SCREEN TRAILERS the cheapest, most effective, most consistent advertising you can buy!
20th-Fox to Boost Budget for 1939-40 10%—Wobber
$10,000,000 IN SHORTS AVAILABLE FOR SCHOOLS
Three Amendments to Neely Bill as Senate Vote Nears

Bill Due to Come Up for Debate and Vote At Noon Today
Washington Bureau of THE FILM DAILY
Washington—After obtaining Senate consideration of his block-booking bill late yesterday afternoon, Senator Matthew M. Neely yielded the floor for other matters and the measure went over until today at 12 noon when it is again due to come up for debate and vote.

Neely's bill is a request for a checkup around 4 P.M. but, announced he would not seek to force a vote yesterday. He said his only concern was to be sure that the bill was before the Senate today. "I am certain that it would be impossible to

BRITISH PRODUCTION
STAGING COME-BACK

London (By Cable)—British production, fighting gallantly to stage a come-back, is making progress, a checkup showing more than 50 pix either in production or active preparation.

Associated British has three; Alexander Korda Film Productions

Expect Equity Will Move Suddenly in Tel-Field

Pending the decision to be handed down by the AAAA fixing jurisdiction in the television field, Actors' Equity is quietly formulating plans for organization of the field and is also planning to wage a finish fight

"Five Came Back" Breaks Rialto's Summer Records

"Five Came Back" in its second day at the Rialto Theater, broke all summer box-office records for a single for the theater. In order to handle the crowds, the theater

20th-Fox Biz 15% Ahead, Says Wobber;
Company Refuses Films for Television

Tell of Inability to Get Pix at Chicago Contempt Trial

Chicago—At yesterday's morning session of Government's contempt case against B & K and the major film companies, Val Costello, manager of the Oriental Theater building, described his efforts to obtain films and their failure. Robert Par-

"Sure in the knowledge that we have the greatest product lineup in our history and confident of the future, our company will increase its budget 10 per cent above the figure originally planned for the 1939-40 program," Herman Wobber, distribution chief of the company, told THE FILM DAILY yesterday when he returned from the Coast. Reportedly company business as be-

590 to be Used in 3-Year Experiment, Will Hays Tells the NEA
San Francisco—Five hundred and ninety non-current sound shorts, representing a production cost in excess of $10,000,000, are being made available — the majority in mediatized — to American schools for classroom use by seven affiliates of the MPPDA, it was disclosed here last night by

610 PROJECTORS USED BY CHICAGO SCHOOLS

By JOSEPH ESZER
FILM DAILY Staff Correspondent
Chicago—Indicative of the possibilities in the educational pix field, which has been and is receiving the attention of the MPPDA Advisory Committee on the Use of Motion

Further RKO Plan Appeal Won't Block Consumption
A hearing on the RKO reorg. plan was postponed yesterday by Federal Judge William Bondy to July 29 on the request of Col. Hamilton C.

Meeting of New York Allied Held Behind Closed Doors
Syracuse — Following an all-day meeting here at the Hotel Syracuse, the New York Allied huddle broke
**Along the Street**

with Phil M. Daly

Cocktail party in the membership penthouse of the Museum of Modern Art on West 53rd Street in celebration of one of the finest films for the industry that has ever been put into a can of film—...the March of Time current release, "The Movies March On"... which dramatizes the highlights of the industry's smash productions for the past forty years...opening at the Music Hall today.

- IN THAT gorgeous penthouse white seated on the outer veranda...we renewed old acquaintances with film mugs, slapped Nelson Rockefeller on the back and called film "pal-ole-pal"...and Nelson slapped us on the back when we told him our middle name was Nelson, but that we earned it, being descended legitimately from the guy Admiral Nelson whose statue adorns a square in dear old London...

- IT WAS a swell party...the film was so good and so many people were there...we all had to show it twice...we have already given it a column review, and no short subject has received that in this paper in ages...among the distinguished guests we counted...Raymond Massey, Mary Robson, Mr. and Mrs. Jimmy Ellison, Lynn Farnol, Mrs. Laos Rodgers, Jack Peck, Lillian Gish, Nelson Rockefeller, Bill German, Ned Depinet, Jules Levy...Fred "Liberty" Smith, Cresson Smith, S. Barret McCormick, Harry Michelson, A. P. Wexman, Larry Reid, Harry Blair, Roy Larson, Dorothy Masters...


**Blumenstock to Confer With Einfeld on Coast**

Mort Blumenstock, in charge of advertising and publicity in the East for Warner Bros., leaves for the Coast today for conferences with Charles Einfeld, Director of Advertising and Publicity, on merchandising plans for forthcoming productions. Blumenstock will be away about three weeks.

**Whitney Flies to Coast**

John Hay Whitney, board chairman of Selznick International, arrives on the Coast this morning by plane to look over the finished work on "Gone With The Wind" and confer with David O. Selznick. He expects to return here about in July.

**Hacker in C P A Field**

Sam Hacker, who has been connected with the industry for 10 years, has entered the practice of public accounting, in association with Henry H. Ackerman & Co., CPA, 21 West St. Hacker will specialize in the motion picture industry. Until recently, he was assistant to Morris Goodman, vice-president in charge of foreign sales at Republic.

**COMING AND GOING**

**HERMAN WOBBER**, general manager of distribution, leaves for New York yesterday afternoon for the beginning of the next air campaign.

**JOHN HAY WHITNEY**, chairman of the board of S-I, arrived on the Coast this morning by plane.

**MORT BLUMENSTOCK** continues today the Coast to Ghurds with Charles Einfeld.

**RICHARD RAPP** (Los Angeles) arrives on the Normandie from Monday on the "Pilgrim."...he has been away for a month.

**CONSTANCE BENNETT**...prior to sailing next Wednesday for Europe, is stopping at the Towers of the Sea, on the Skerry-Netherby.

**WILLIAM CAMERON MENZIES**, film director, is on route to New York from Hollywood and is scheduled to sail for Europe on the Normandie on Wednesday.

**PEDRO SAENZ**, president of Cia. Cubana de Peliículas, S.A., who attended the recent RKO convention as delegate from Cuba, has left for Havana, accompanied by MRS. SAENZ and PEDRO JR.

**FRANK CALVIN**, research expert for Cecil B. DeMille, has completed the script for "**The Riddle of the 76**"...as a project for DeMille feature tentatively titled "**City of Gold.**"

**DANIEL J. TOBIN**, vice-president of A of L, arrived in New York Thursday from Europe, accompanied by MRS. TOBIN.

**ERROL FLYNN**, film star, will journey to London late this summer...and star in Warners' "Captain Horatio Hornblower."

**LEW B. FELDMAN**, of the Illinois National Guard and manager of the UA Theatre in Chicago for B & K, is with the U.S. Army Summer Camping campaign at Camp McCoy, Wis.

**BERTRAM BLOCK**, story editor for Samuel Goldwyn, Chicago: Frank Parker and Norman Reilly Raine, has been sent to Hollywood for new scripts, flown to the Coast last night.

**JOHN W. CONSIDINE**, JR., MILDON L. MILLER, PHILLIP RAPP, HUGO BUTLER, and DORE SCHRABER, of M-C's Coast studios, are stoping for the autumn projection.

**SYLVAN GOLDFINGER**, former manager of B & G Theatre, Chicago, has returned there following his trip to Hollywood and will announce his new connection shortly.

**WILLIAM SARDY** arrives on the Coast today for conferences with Charles S. Engle, the Warner Bros. vice-president.

**THE THEATRE**

*Years of Pleasure*—Atlantic, Times. WHAT A LIFE with EZRA STONE as Henry Aldrich MANSFIELD, Conn. 2nd St. Mata. Wed. and Sat. Circle 6-0640

**"MUST GO ENJOY IT."**

Gypsy Rose Lee with Music I MUST LOVE SOMEONE with JAMES RENNIE—IRIS ADIRIS ADIRIS WHITE, Orville, and IRENA WHITE, Vanderbilt, W. 45th St. Evs. 8-20

88 Family Audience Pix in First Half of Year

Features reviewed by the National Board of Review for the first six months of 1939 totaled 281, a jump of 32 pictures over the 249 reviewed during the same period in 1938. For the same period 403 shorts were reviewed as against 416 shorts in 1938, a decrease of 13. Classifications are as follows: 88 family, 10 family-juvenile and 224 for the year's initial six-month period as against 50 family, 11 family-juvenile, 24 mature and 1 juvenile for the same period last year.
Those who are about to play M-G-M’s “Goodbye Mr. Chips” will be interested in the early extended run record of this superb picture and will wish to adjust their booking schedules to allow for additional time. Extended engagements thus far:

New York . . 8th week  
Los Angeles . . 7th week  
Cleveland . . 4 weeks  
Dayton . . . 2 weeks  
Cincinnati . . 2 weeks  
Columbus . . 2 weeks  
Pittsburgh . . 2 weeks  
Toledo . . . 2 weeks  

Indianapolis . . 2 weeks  
New Orleans . . 2 weeks  
Chicago . Indefinite run  
San Francisco Indefinite run  
Seattle . . Indefinite run  

Worcester . . 2 weeks  
Boston . . . 4 weeks  

(The playing day-and-date at State & Orpheum; held over 2nd week in both spots)

THE FRIENDLY COMPANY
590 SHORTS AVAILABLE FOR SCHOOLS IN U. S.

(Continued from Page 1)

Will H. Hays, MPPDA proxy, in an address delivered before the National Education Association convention.

Distribution of the shorts on 16 mm. film for an experimental period of three years will be supervised by the newly incorporated Teaching Film Custodians, trustees of which are Willard E. Givens, NEA executive secretary; Dr. James R. Angell, president emeritus of Yale, and Carl E. Milliken, MPTOA secretary. Actively in charge will be Roger Albritten, assistant to the director of the Hays Office community service department, whose services are being loaned to the TFC.

“The business rights of exhibitors have been duly safeguarded,” Hays declared in the course of his discourse on "The MPPDA Position in Education." "The committees and educational groups with which we have worked out these plans have assumed that all of the non-current theatrical short subjects which we have placed at their disposal will be used exclusively for bona fide educational purposes during school hours and that no admissions in any form will be charged to those who see them.

Shorts Are Year or More Old Producers making shorts one year or older available embrace Columbia, RKO Radio, 20th Century-Fox, Loew's, Educational, Warners and Walt Disney, it is understood.

The shorts are generally classified as: Art and music, literature and biography, social studies, history, sociology, health, physical education and recreation and the practical and occupational.

Hays' announcement of availability came as a climax to a move inaugurated in 1935 via the Advisory Committee on Films for the Use of Motion Pictures in Education, headed by Yale's Dr. Mark A. May. Reviewing panels selected the 500 shorts after examining 1,254, chosen from approximately 15,000 non-current subjects in MPPDA company vaults. Necessity for legal safeguards necessarily make progress slow.

Of the 590 shorts, Hays said, are being placed at the schools' disposal "under the most favorable possible terms, namely without any financial return to the owner. Individual schools and school systems may lease 400-foot reels under the following terms and conditions:

Two weeks or less, $5; one-half of school year, $10; full (school) year, $15; two (school) years, $25; three (school) years, $30; five years, $50. All transportation costs are extra. There will be certain discounts for quantity orders, and all prints, special prices will be quoted.

Should a print be ruined, the product has been conspicuous by its absence impresses this commentator as being more than slightly unfair.

As a matter of fact, this column observer holds with Frank S. Nugent of the New York Times that "in point of quality, there is no comparison between last year and this" and that "the improvement is little short of remarkable." And coming from the extremely critical and frequently caustic Nugent, that's a couple of mouthfuls.

NUGENT, doing a six-months' checkup for the Times, points out that whereas a year ago the period to July 1 had produced only 15, possibly 20, good Hollywood pictures, this year the summerapproximately 40, possibly 50. This year Hollywood was forging ahead, "foreign pictures appear to have slumped rather badly this season, those from France especially.

To support his domestic conclusion, the Times critic submits this roster of quality releases:


March—"Stagecoach," "Love Affair," "Three Smart Girls Grow Up," "Story of Ver-

non and Irene Castle," "Let Us Live.


June—"The Mikado" (Eng.), "Young Mr. Lincoln," "Clouds Over Europe." "Alaska:

Flaring West." "Man About Town," "Bachelor Mother.

The moral of all this, Will, this might serve: Don't sell Hollywood short; it's still doing a pretty good job.

Schools are charged the replacement

Cash-and-Carry Basis

Print distribution will be strictly on a cash-and-carry basis. Orders will be placed with the TFC at 25 W. 42d St, New York City, and transmitted to the lab, handling the major company account concerned. Lab. will bill the TFC. Operating costs will be at a minimum—print charges and incidental expenses. MPPDA will provide quarters for the TFC.

Leasing contracts to be signed by the schools are simplified forms of the existing exhibition contracts. Most of the print contracts are provided for "bicycling." School systems may rotate leased reels to units within their jurisdiction.

In making public the first cata-

go, priced at 50 cents per copy, it was stated that the reviewing of shorts continues for the purpose of selecting additional films for school use as they become non-current.

For Study Guide Extension

Hays, in his address, also dwelt upon the five-year development of study guides for photoplay appreciation groups in high schools by the joint project of the MPPDA and the Commission on Human Relations of the Progressive Education Association for the purpose of making human relations short subjects in the form of excerpts from existing feature films.

Broad extension of the study guide project is an industry hope, Hays said, adding, "Motion picture appreciation projects have been taught in its natural setting, the motion picture theater, in America a suitable and understandable educational and entertaining experience. It is the natural setting for your use."

Announcing that 75 human relations shorts have been completed, "Self-Regulation" Seen Ending Games in New York

(Continued from Page 1)

Eldmore Scothcote Report

He's Here on Equity Suit

(Continued from Page 1)

from Washington and moved into offices in U. S. Court House to reportedly line up evidence against anti-trust law violators here, told The Film Daily that his presence in the Southern District of New York is in no way connected with the Government's current equity action against the majors, nor with any activity related to the film industry.

Lasky Off to Chicago

for "Career" Broadcast

(Continued from Page 1)

Jesse L. Lasky leaves New York for Chicago today to prepare for the "Career" broadcast there on Sunday night over the CBS network, upon which program he will appear personally as sponsor for Alice Eden and John Archer who will enact same roles as in the original RKO film.

Chicago broadcast will be the first of a series planned to dramatization and will parallel major engagements of "Career" in U. S. theaters.

The Lasky Gateway search for a "Career" talent will be resumed in a third Gateway series to start in October.

52—Producers Meet Today

Meeting between Local 69, studio mechanics, and producers will be held today in the New York office of Pat Casey, Hudden was scheduled for yesterday but was postponed.

UC Profit $1,017,615

London, (By Cable)—Annual report of Union Cinemas, Ltd., gives trading profit for the year of $1,017,615.
YOUR PLANS FOR SUMMER IMPROVEMENTS SHOULD INCLUDE HIGH INTENSITY PROJECTION IF NOT ALREADY INSTALLED.

YOU NEED IT TO MEET THE COMPETITION OF THE THEATERS THAT HAVE IT.

Study this interesting analysis of the COST, ECONOMIES and PROFIT POSSIBILITIES of modern motion picture projection. Your dealer's salesman will leave a copy with you if you ask him.

2 1/3 PER CENT of average theater investment covers cost of projection light equipment.

Simplified High Intensity Projection is a Profit-Making, Self-Liquidating Investment

2 1/5 PER CENT of average operating expense covers cost of producing projection light.

The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.
THREE AMENDMENTS TO NEELY MEASURE

(Continued from Page 1)
complete the discussion of the bill today," he said.

When asked to lay his bill aside temporarily, Neely agreed on the condition other matters would not lead to prolonged debate. "I have been waiting for six months for an opportunity to have the Senate consider what is commonly known as the anti-block-booking bill and I propose now to take advantage of all parliamentary strategy of which I have any information and knowledge in order to bring that bill before the Senate," he told the Senate.

Meanwhile Neely has prepared three amendments to the measure which he will offer when it comes up for discussion. The most important amendments strikes out all of section four and inserts new wording on provision following that recommended by Abram F. Myers for Allied at the hearings. This eliminates the words "complete and true synopsis" and inserts the words "accurate synopsis" and strikes out the words "an outline of the story, incidents, and scenes depicted or to be depicted" in place of a "general outline of the story and descriptions of the principal character.

The other amendments deal with section three, striking out all of that section and inserting new wording pertaining to "aggregate price" instead of "lump sum price." The third amendment inserts a new paragraph defining infringement as being "the aggregate of all flat rentals," and of all rentals based upon a percentage of prospective receipts.

Tell of Inability to Get Pic at Chicago Contempt Trial

(Continued from Page 1)
roll, secretary-treasurer of the company, completed his testimony showing failure to lease the Oriental Theater to other interests, due to the inability to obtain first-run films.

John Jones of the Jones, Linick & Schaefer circuit testified to his inability to secure suitable films for the State-Lake Theater when it was under J L & S management. He described the present difficulties in obtaining suitable films for Oriental Theater operations.

Jack Rose, proxy of the Indiana Illinois circuit, described the efforts to get films as an Oriental Theater operation and his failure to get them.

Seymour Simon, Government attorney, stated that the Government will close its case, and a surprise witness on tomorrow morning's session. However, it is expected that the Rose films will be received Sept. 7, after the Summer vacation.

610 Projection Machines Used by Chicago Schools

(Continued from Page 1)
Pictures in Education, this city's school system now has approximately 500 16 mm. silent and 110 sound projectors, it was disclosed yesterday by Paul G. Edwards, director of visual education.

Heart of the school film system is the Central Film Library, actually an exchange staffed by 21 assistants to Edwards. The library has 4,000 reels of 16 mm. silent films and about 1,500 sound reels. All are classed as educational subjects and no propaganda films are included.

Co-operation of the Parent-Teachers Association, Better Films Councils, the American Medical Association, Balaban & Katz and others is extended to the Central Film Library.

First major effort to produce subjects for use in the primary grades of the schools has been completed under the direction of Arnold Helfin, of the Lane Technical High School and the Puppet club of that school. Puppets were used in the one-reefer "Little Black Sambo.”

British Production Said to Be Staging Come-Back

(Continued from Page 1)
announce four: Metro-Goldwyn-Mayer British have a number of five; Ealing.A.T.P. executives plans at least four during current season; Irving Asher will make four; 20th-Fox list calls for eight subjects; G and S have three; British Lion is ready with two; Butcher plans three; the Warner Bros, First National Teddington unit, four; Aldwych, a new company, is engaged with its initial offering; Grand National weighs in with five; Jack Buchanan will put the Riverside studios into commission with four; British National has three; Paramount has a series of Wakefield comedies; Venture Films and the George Smith units have two; Aryan, concentrating on two; Herbert Wilcox also has two set.

At Teddington yesterday, it was confirmed that the Hal Wallis-Sam Sax confab has netted the assignment of Errol Flynn for a British costume production, “Capt. Horatio Hornblower R.N.” Metro proposes to bring over Lionel Barrymore to appear with Robert Donat in “Ruinied City.”

Further RKO Plan Appeal Won’t Block Consumption

(Continued from Page 1)
Rickaby, attorney for Atlas Corp., who stated that it was advisable to adjourn matters until the Circuit Court rendered a decision on the appeal from the confirmation of the plan.

After the adjournment, Rickaby stated that he would take steps to submit an underscoring agreement and advance consumption of the plan if the Circuit Court affirmed Judge Bondy’s ruling. In reply to a question, Rickaby stated that appeals to the U. S. Supreme Court, which might be taken from a decision favorable to the plan, would not prevent consumption from being immediately instituted.

Meeting of New York Allied Held Behind Closed Doors

(Continued from Page 1)
up last night with no statement forthcoming as to what transpired at the session which was held behind closed doors. May P. Cohen, proxy for New York Allied, flew to New York last night and was reported to be preparing a statement which will be released in New York today.

The board met at 11 yesterday morning behind closed doors and the general membership meeting was held behind closed doors.

Code Analysis Installation in Monday’s Issue

The thirteenth installment of Louis Nizer’s analysis of the Trade Practice Code, scheduled for publication in today’s issue of THE FILM DAILY, will appear in next Monday’s issue.

1939-40 PIX LINEUP REVISED BY REPUBLIC

(Continued from Page 1)
lars” and “The Dark Command.” Group originally embraced, in addition to the two latter, “Two Orphans” and “We’re Not Married.”

Last named title is now among the six anniversary special, which group previously included “Lady in the Dark,” revamped from the anniversary specials are “Gangs of Chicago,” and “Guilty of Treason,” replacements include “National Barn Dance” and “Doctors Don’t Tell.”

Dropped from the 16th Jubilee Productions, announced at the Houston convention in April, are: “Escape from Sing Sing,” “Call of the North,” “The Champ Maker,” “Bengal Border Patrol,” “Tom Sawyer Abroad,” “Bobby Boy,” “A Sporting Chance,” “Man of the Hour,” “The Long, Long Trail,” and “A Day at the World’s Fair,” two latter in the Higgins family series. Title changes are two: “Calling All Men — Instrumentalists,” and “‘Raffles’ and ‘Money to Burn’ for ‘We’re in the Money.’”


In the serial lineup, “The Adventures of the Red Ryder” replaces “Jimmy Valentine Strikes Again.”

Will Thresh Out Up-state Clearance Tangle Tuesday

(Continued from Page 1)
on out-of-court meeting here which will be attended by representatives of RKO Radio, Warners, and other exhibitors, plus a contingent of complainant exhibitors.

H. M. Riches, director of exhibitor relations for RKO Radio, has scheduled the meeting for the Tuesday pow-wow.

“Five Came Back” Breaks Rialto’s Summer Records

(Continued from Page 1)
keeps the doors open all of Wednesday and one plate player 12 times along with the balance of the program, during the day and night.
NEW CATALOG COVERS ENTIRE SOUND FIELD

An attractive 56-page catalog containing a complete listing of all RCA sound equipment for a wide variety of applications in the industrial, entertainment and educational fields, has been announced by the Commercial Sound Section of the RCA Manufacturing Co.

All items in the extensive line of RCA sound equipment are indexed and cataloged with photographs, prices, specifications and general descriptions including possible uses. In addition, a compact guide for prospective buyers is included in an easy-to-read chart of six basic sound systems which, with extra equipment for special requirements, cover every standard application.

Other sections include portable sound equipment, master control systems, a complete line of microphones for every purpose, amplifiers, loudspeakers for all types of indoor and outdoor applications, standard and multi-wave antennae, record players, a complete line of accessories, and hearing aid devices. Printed in two colors, the catalog also includes a directory of RCA Commercial Sound distributors and the company's district offices.

American Seating Co. Publishes New Guide

Copies of the American Seating Co.'s new booklet, "A Story of Seating: Research, Testing, Inspection," are available to theater operator upon request, it is announced by H. M. Taliaferro, company's president.

This booklet, unique in industrial literature, and certainly in the field of Public Seating, presents a wealth of information on theater seating which showmen everywhere will welcome as an asset in forming a clear picture of the scientific effort, research, materials and craftsmanship which make for audience comfort and assist immeasurably in building box-office receipts.

An entirely new and valuable insight is given the reader via 69 separate illustrations of American Seating Co.'s manufacturing and research methods.

E S C Chairs in Demand

Eastern Seating Co. reports unusually large sales this month on their reconstructed theater chairs on which they claim a saving of 70 per cent. They recently issued illustrated bulletin showing great saving for exhib. in the market for used chairs.

NEW CURTAIN CONTROL

And New Intermediate Track

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

BACK of the showmanlike exhibits at the New York World's Fair, the technique for which, in virtually all instances, has been borrowed from that perfected in and by motion picture theaters over a span of several decades, lies equipment well calculated to dramatize the exhibits themselves.

A salient example is the use of eye—arresting curtains operated speedily, quietly and effectively at the commencement and finale of the individual "shows" presented.

Examination of General Motors "Highways and Horizons" exhibit; the auditorium of the United States Government building, where the feature picture, "Land of Liberty," which is the film industry's contribution to the Fair, is presented to visitors; the Soviet Russia Building; the American Tobacco Company exhibit; and the "House of Jewels," sponsored by the diamond mines of Johannesburg, South Africa, reveals numerous special Valien proscenium installations.

AMONG interesting devices utilized is the newest electric curtain operator, manufactured by Valien, Inc., of Akron, Ohio, and bearing the trade designation of Valien's "World's Fair" Junior Control.

Company points out for the information of motion picture theater circuits and individual exhibitors a number of the outstanding characteristics of the Junior Control as most compact and efficient electric curtain operator, revolutionary in design, streamlined and speeded, -125 rpm.; exclusive Valien "pilow acton," newest adaptation of the exclusive company floating control principle; sturdy and more powerful condenser - type motor which automatically compensates for fluctuating current and solves all low voltage problems; and fully automatic cycling coil to protect the motor and lengthen motor life.

Additionally, entirely new type of infallible internal switch mechanism; one-button start, stop and reverse control; internal mechanism entirely available for inspection by loosening two screws; thoroughly up-to-date and simple timing mechanism; automatic clutch; very simple two-wire installation for fool-proof operation; and noiseless in the sense which, company declares, has become symbolic with its units.

ANNOUNCEMENT is made of the new Valien Intermediate All-Steel Safety Track, developed, it is explained, to supply a definite demand, since many curtains are too heavy for light-duty equipment, yet do not require the extra carrying and operating capacities for which the heavy-duty tracks are widely known.

CROSSCARBON-SAVING DEVICES IN DEMAND

Detroit—Wallace Cross of Cross Machine Shops reports the equipping of the principal houses of the Butterflyfield Theaters Circuit throughout the state with Cross Carbon-saving devices. Thirty installations have recently been made, with more to follow immediately. All houses of the Wisper and Wetsman circuit have also been recently equipped with this Cross device, Cross states.

The anti-splasher manufactured by this company is being used in the Butterfly houses and there is a constantly growing demand for them in other houses.

Cross reports orders coming in for the carbon-saver from the Paramount-Richards Circuit, New Orleans, La., and the Carolina Theater at Salem, N. C.

"BROADWAY SERENADE"

Install Alexander Smith Carpet—the carpet with Box Office appeal—and you'll be serenaded by the sweet music of extra coins tinkling in the till.

One reason why you find this famous carpet in most of the country's successful theatres.

ALEXANDER SMITH CARPET
NEW film emulsions are indispensable to motion picture progress, but only proved reliability and uniformity make them practicable. Eastman Plus-X, Super-XX, and Background-X have those priceless qualities—hence the everyday use they are enjoying throughout the industry.

Eastman Kodak Company, Rochester, N.Y.

(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Conn. Indies in Drive to Force Lower Film Rentals

**N.Y. ALLIED TO ASK DISTRIBS. FOR STATE CODE**

Senate Finally Due to Tackle Neely's Measure Today

Death of Secretary of Navy Swanson Deferred Action Friday

Washington Bureau of THE FILM DAILY

Washington—Senate action on the controversial Neely anti-compulsory block booking and blind-selling measure is in prospect this afternoon.

Consideration of the bill was deferred Friday as a result of the death of Secretary of the Navy Claude Swanson, former Senator from Virginia, the Senate adjourning immediately after convening at (Continued on Page 4)

**GEO. TRENDLE QITS EXHIBITION FIELD**

Detroit—George W. Trendle has resigned as president of United Detroit Theaters Corp., Paramount affiliate operating 15 local houses, and the resignation, which will be effective Aug. 1, has been accepted by Paramount. Increasing responsibilities of his radio interests is Trendle's reason for leaving here (Continued on Page 4)

**Brooklyn Para. in Deal With WOR for Air Show**

In what was described as "an attempt to best the Monday night hall in motion picture theater attendance," Simon Fabian, Inc., operator of the Paramount and Fox theaters, Brooklyn, has made a deal with WOR, Newark, whereby Benay Venuta's "Monday at 8:30" commercial (Continued on Page 5)

**6 B'way Holdovers**

Six pictures are being held over this week in Broadway theaters—"Goodbye, Mr. Chips" is in its ninth week at the Astor; "Daughters Courageous" in its third at the Strand; "Man About Town" is in its second at the Paramount, while the Music Hall is holding "Bachelor Mother," the Roxy "Second Fiddle" and the Globe "Helf's Kitchen" for second weeks.

**Estimate 1939-40 Production Will Cost**

11 Companies $176,000,000-$183,000,000

Leading 11 producing companies will invest from $176,000,000 to $183,000,000 in 1939-40 production, it is estimated by Fenner & Beane Industries Service, which places the investment for the present season at $153,000,000. Service says, "Compared with results a year ago, interim earnings reports for the first half of 1939 have been showing mixed tendencies."

**CHI. CONTEMPT SUIT TRIAL OFF TO SEPT. 5**

Chicago—With the Government concluding the presentation of its case on Friday, defense in the Department of Justice's criminal contempt action against B & K and the majors will not start before Special Master Edgar Eldridge here until Sept. 5.

As the Government went to bat legally for the last time Friday, its (Continued on Page 4)

**NBC Gets More Pix for Tele**

**Despite Ban by the Majors**

Further acquisitions of feature film properties for television presentation purposes have been made by RCA-NBC for their programs in the local area, it was admitted at the week-end by NBC officials.

Because of the ban placed by the majors and leading indie companies (Continued on Page 6)

**Survey Shows Pix Major Target for Censorship**

Censorship of movies, radio, the theater and literature declined during the past year, the American Civil Liberties Union reports in its annual survey of civil liberties in the (Continued on Page 8)

**Conn. Indies Fight for Lower Rentals; Charge Forced Buying of Shorts**

Hollywood Studios Will Start 12 Pix This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Twelve new productions are slated to go before the cameras this week:

At RKO: "The Hunchback of Notre Dame," starring Charles Laughton, (Continued on Page 6)

**CLEARANCE CHANGES IN CODE UP TODAY**

Sales managers of the seven majors which are parties to the Trade Practice Code will meet today at the call of W. F. Rodgers, Metro sales chief and distributors' key man in the Code deliberations, to consider changes in the machinery for settling clearance disputes.

Changes largely stem from criticism of Code provisions voiced by the ITOA and will be made in fulfillment of the distributor pledge to modify the machinery.

**Survey Shows Pix Major Target for Censorship**

Censorship of movies, radio, the theater and literature declined during the past year, the American Civil Liberties Union reports in its annual survey of civil liberties in the (Continued on Page 8)

**M-G-M CIRCUIT DEALS NEAR CLOSING STAGE**

Metro negotiating new product deals with leading circuits, has reached an agreement in principle in a "good percentage" of cases, and closing is a matter of days, it was said at the week-end by Wil- (Continued on Page 6)

**Georgia Trust Co. Asks New Receiver for Fox Theaters**

Application was filed on Friday by Robert Aronstein as attorney for the Trust Company of Georgia for an order appointing a temporary receiver for the assets of Fox Theaters Corp. in place of Milton C. Weisman (Continued on Page 7)

**Cohen Heads Committee to Seek Reopening of Negotiations**

New York Allied, moving to smash the impasse resulting from national Allied's action in spurning the Trade Practice Code, will attempt to reopen negotiations with the Distributors' Committee headed by Sidney R. Kent for the purpose of evolving a New York State code.

An agreement to this effect was made on Friday via a formal statement released by (Continued on Page 8)

**DUALS AT 5 CENTS**

New Orleans—Duals at five cents admission came to town here last week with Alex Schulman’s Casino, a subsequent-run nabe on the fringe of the commercial area, adopted them.
The Broadway Parade

Picture and Distributor

Goodbye, Mr. Chips (Metro-Goldwyn-Mayer)—9th week — Astor
Documentaries (World Wide News)—6th week — Paramount
Man About Town (Paramount Pictures)—2nd week — Paramount
Bachecco, the Pharmacist (RKO Radio)—3rd week — National
Second Fiddler (20th-Fox) — 2nd week — Globe
The Maze (Warner Brothers)—Week of July 22 — New York
Five Came Back (RKO Radio) — Radio
Mickey, the Kid (Republic Pictures)—Criterion
On Dangerous Time (Goldwyn)—Capitol
Western Caravan (Columbia Pictures)—Central
Juarez (Warner Brothers) (a-b) — Palace
The Zero Hour (Republic Pictures) (a) — Palace

FOREIGN LANGUAGE FEATURES

Lumino in 1978 (Ankman)— 3rd week — Comico
Alexander Nevsky (Ankman)— 5th week (b-d) — World
Crisis (Mayer & Burtynsky)—4th week (b-d) — World
Song of Youth (Ankman)—1st week (b-d) — World

FUTURE OPENINGS

Bulldog Drummond's Bride (Paramount Pictures)—July 13 — Criterion
The Magnificent Fraud (Paramount Pictures)—July 19 — Paramount
They Shall Have Music (United Artists-Goldwyn)—July 22 — Rivoli
The Man in the Iron Mask (United Artists-Small)—Music Hall
Andy Hardy Gets Spring Fever (M-G-M)—(a) — Strand
The Indianapolis Speedway (Warner Bros Pictures) (a) — Strad
The Saint in London (RKO Radio Pictures) (a) — Rialto
Wanted by Scotland Yard (Monogram Pictures) (c) — Globe
The Mikado (Universal Pictures)—July 12 (a-b) — Palace
News is Made at Night (20th Century-Fox)—July 12 (a) — Palace

(a) Dual bill, (b) Subsequent run, (c) Follows current bill, (d) Triplex bill

AFL Mediation of AFA Row

Spurned by AAAA’s Board

AAAAs international board, meeting Friday, rejected suggestion by proxy William Green of the A F of L that it submit its alleged grievances against the AFA to an impartial mediation board to be selected from the A F of L Executive Council.

With the matter now set to open today in Room 313 of the Bar Assn Bldg, specific charges were leveled at the organization by Paul Turner, AAAAs counsel, in a communication to the actors union following its request for a bill of particulars. The AFA submitted its answer to the charges, reiterated it would not accept the trial verdict, and said it would not accept any impartial body as arbiter.

Hoblitelle Escorting Potential Texas “Find”

West Coast Bureau of THE FILM DAILY

Hollywood—Karl Hoblitelle, president of Interstate, is here with Mike O’Daniel, son of Texas’ Governor, who is being screened today by a major.

Asks Dionne Suit Ousting

North Bay, Ont.—Dr. Allan Ray Dafco at the week-end asked Judge J. S. Plouffe to dismiss a suit brought by Oliva Dionne seeking a court order to compel Dr. Dafco to produce alleged Quinte contracts with 20th-Century-Fox, Pathe, Colgate-Palmolive-Peet. Dafco’s attorney stated that all contracts made by him were passed on to agents by Percy Wilson, Quinta’s special guardian.

2 Weeks for Fashion Show

The newest release in the Vyyvan Donner “Fashion Forecasts” series produced by Movietone News started a two-week run at the Roxy Friday.

Ray Long-R. R. Smith Corp.

Suit vs. 20th-Fox Settled

Suit against 20th Century-Fox Film Corp, and R. R. Smith Corp, by the late Ray Long, and R. R. Smith Corp., was settled and dismissed upon a stipulation filed in Federal Court on Friday. Terms of the settlement were not available.

Defendants had been named on a charge that the film “Judge Priest” used as its plot a story “A Tree Full of Hoot Owls,” and that Cobb in 1932 had sold this story to the plaintiff in collection called “Down Yonder With Judge Priest and R. R. Smith Cobb.”

Plaintiffs contended that the motion picture story of the rights had been sold with publication rights.

Crites Patent Suit vs.

Werners, et al., Dismissed

Federal Judge Mortimer W. Byers on Friday dismissed the suit brought by Vergil C. Crites against Albert A. Radeke, Radeke Patents Corp, and Warner Brothers Pictures Corp, for alleged infringement of patent.

Defendant Radeke had been employed by the plaintiff in 1917 and 1918, and had been in the employment of the defendants, and had infringed a patent called “Method for Optically Reproducing Sound.”

Injunction, accounting and damages had been sought.

THE THEATRE

A "MUST, GO ENJOY IT" — Walter Winchell

I MUST LOVE SOMEONE

Air-Conditioned

VAREDBILT, West 48th Street

Evs. 8-16

N. Y. OVER-THE-COUNTER SECURITIES

Pathe Film 7 pf
Fox Film, 20th Century Bldg. 1st 96
Loew’s, 1st Realty 61st 9st 47
Molesworth, 1st 96 93
Roxy Thea. Bldg. 4st 57th 65

SAFETY LLODY'S

Storage for Reel or Vault
729 Seventh Ave.
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SECURITY

FILM STORAGE CORPORATI

Copyright 1939

Kim Tamiroff gives TERRIFIC PERFORMANCE in grand action adventure-romance Paramount’s

"THE MAGNIFICENT FRAUD"

... the story of an actor who dares to play the role of dictator ... set in the exotic, beautiful tropics with a cast including Lloyd Nolan, Mary Boland, Patricia Morison, the beautiful young Paramount star, who made such a hit in "Persons in Hiding". Robert Florey directs.
SENATE TO TACKLE NEELY BILL TODAY

(Continued from Page 1)

noon out of respect for the late Cabinet member.

This move left the block-booking bill still unfinished business of the Senate, and it is expected that debate will start early Monday afternoon after state funeral services for Secretary Swanson in the Senate Chamber at 11 a.m.

As exclusively published in THE FILM DAILY Friday Senator Neely plans to submit to the bill when it comes up for debate.

"Chips" Held Over in All 16 Pre-Release Showings

"Goodbye, Mr. Chips" has been held over in every one of its 16 pre-release key city openings to date, M-G-M announces. Latest holdovers are in Oklahoma City and Philadelphia. At the Boyd, in the latter spot, "Chips" topped the record "Pygmalion" gross established in February, despite a lower admission scale.

"Chips" ran four weeks in Cleveland and Boston, holding over day and date at the State and the Orpheum in the New England situation. Indefinite runs are now under way in Chicago, San Francisco and Seattle, and holdovers were recorded in Dayton, Cincinnati, Columbus, Pittsburgh, Toledo, Indianapolis and New Orleans. At the Astor, N. Y., and the Four Star, L. A., "Chips" today enters its ninth capacity week.

Set for national release on July 28, it is predicted that "Chips" will establish a new high in extended runs.

New WB Pact for Cagney

West Coast Bureau of THE FILM DAILY

Hollywood—James Cagney’s present Warner contract, expiring in October, has been replaced by a new term commitment, it was announced over the week-end by Jack L. Warner. Cagney starts work today on "The Roaring Twenties," Mark Hollinger underworld story. Under new pact, he is expected to make "John Paul Jones."

ALONG THE REALTO WITH PHIL M. DALY

![Image](http://example.com)

- • • • A REAL film pioneer died the other day—and the industry seems to have entirely overlooked it—referring to Frank Woods, who died at 76 in California—he wrote the first movie review thus becoming the first reviewer on the Dramatic Mirror here in New York. . . . . back in 1912. . . . . the Mirror was in the Putnam building, a four-story structure on the site of the present Paramount building—Lynn Fiske was the publisher—on the staff were Bob Welch, Louis Reed, Frederick Smith—the paper lived on vaude and legit, with the movies just a squawking infant that might live and then again might not—and most of the wise guys around Broadway were betting that the Nickelodeons would be back to delictus stores and saloons before the year was out

- • • • HONORING the memory of the late Col. Walter S. Butterfield, founder of the circuit which bears his name—the newspapersmen of Lansing, Michigan, have dedicated the Butterfield Room in their handsome new Press Club on South Grand Ave.—furnishings for the room were donated by Edward C. Beatty, president of the circuit. . . . Frank H. Butterfield, manager of the Strand, and John H. Ross, manager of the Orpheum and Garden, are members of the club . . . Warren A. Slee is the only publicity man on the Club roster, he having been accorded an associate membership. . . . Slee is also the only film company representative enjoying this privilege, being on the exploitation staff of M-G-M • • •

- • • • HIS CONSCIENCE made Marvin Douthat, Roanoke College basketball star, give up $1,000 he won as a Bank Nite prize at the theater in Bluefield, W. Va.—Marvin happened to be standing near the theater, not even bothering about the show, although he had registered for the Bank Nite some time before—a pal rushed up and told him his number had just been called, and dragged him to the box-office, where another pal slaved a ticket in his hand, and pushed him inside. . . . he collected the dough. . . . and then his conscience wouldn’t let him sleep nights because he hadn’t really bought a ticket. . . . he RETURNED the dough—it must be hell to have a conscience

- • • • FATHER of a baby girl born to the missus Thursday at the Jewish Hospital. . . . the proud pappy being Bernard H. Good¬man, sales manager of Warners’ advertising accessories dept. . . . Frank Flaherty, sales manager for Columbia in the Chi¬ territory, is celebrating his 30th anniversary in the biz. . . . Did you hear about the exhib. who asked if "Unexpected Father" was a sequel to "Bachelor Mother"?

- • • • Strictly personal. . . . UA is inviting the press to have a drink with Jimmy Roosevelt, just back from the Coast. . . . the scene will be the Rockefeller Center Luncheon Club—the time, tomorrow at 5:30 p.m.—. . . A. T. Hull, Jr., of Pathé News. . . . and Al Brick of Fox Movietone News—share in the awards of the National Headliners Club—at the end of the week. . . . Hull gets a gold plaque for films showing the fall of Canton. . . . Brick is similarly honored for films of the fatal injury to Capt. A. l. Toark of the British polo team. . . . during the Monterey match. . . . Near compliment to 20th-Fox’s Chi¬ branch manager—systemmap Editor. . . . company opens its new exchange on July 24 . . . when the trade honors Eckhardt with a silver anniversary dinner.

M-G-M-QITS EXHIBITION FIELD

(Continued from Page 1)

No successor to Trendle is likely to be chosen till August 1 when he steps out. Other personnel changes are anticipated then. Leo Goldenson, Paramount executive is in town representing the company. He entered radio in 1938, when, with John H. King, his associate in the former Kunskey Theaters Corp., he purchased WXYZ. At present, he is president of King-Trendle Broadcasting Corp., The Michigan Radio Network, operating eight broadcasting stations, and the Lone Ranger, Inc.

Paramount, on the week-end, confirmed acceptance of the resignation of George W. Trendle as United Detroit Theaters Corp. president, but emphasized that a report from the city that other UDT officials were withdrawing because of failure to renew operating partnership agreement declared currently to be unfounded.

Further, the home office asserted, no successor to presidency of UDT has been considered. It is under¬ stood that Trendle will continue until the UDT board selects someone to relieve him.

Leonard Goldenson, Paramount theaters department executive, who was former executive assistant to Y. Frank Freeman when the latter was head of the department, prior to taking over the post of studio operations head, is now in Detroit from the home office to keep in direct touch with the UDT situation.

It is said that the choice of Trendle’s successor will not be undertaken immediately.

WEDDING BILLS

Miami, Fla.—Karl F. Roller, Paramount publicity man, married Miss Betty Denny of Atlanta. Tom Manning, assistant manager of Paramount’s Olympia, is marrying Mau¬ reen Kearns.

Akron, O.—Announcement is being made of June 17 marriage of John B. LaDue, manager of Warner Bros. Strand Theater, and Miss Florence M. Snyder, former cashier at house.

Hot Springs, Ark.—Miss Johnnie Mae Gullet and Harold J. Jordan, manager of the Spa Theater, were married June 26.

West Coast Bureau of THE FILM DAILY

Hollywood—George Sherman, Republic director, leaves for New York this week where he will marry Collette Lyons, stage and screen actress.

Chicago—Miss Betty Sander, secretary to Gercario and Barcelo Col. theater equipment distributors, will be married July 15 to Bill Marks of Indianapolis.
**Connecticut Independent Exhibitors Protest!**

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

"U" GROSS UP $2,000,000 IN LAST YEAR.—M.P. Daily.

"FILM BIZ DOES NOSE DIVE; 1ST MARCH SLUMP IN 5 YRS."—Variety.

B & K RECEIPTS FOR 1ST 14 WEEKS NEW YEAR SHOW DROP OF 4½%.—Film Daily.

"LOEWS' 12 WEEK NET ABOVE 1937."—M.P. Herald.

**Dog-Days and Summer Doldrums Again Find Circuits Worrying Over Flow of $5,000,000s.—Box Office.**

**Connecticut Independent Exhibitors Act!**

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

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

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

NOW THEREFORE, be it

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

IRVING C. JACOCKS, JR., Pres.

MAURICE SHULMAN, Pres.
HOLLYWOOD STUDIOS
STARTING 12 MORE

(Continued from Page 1)


At Warners: "We Are Not Alone," starring Paul Muhi and Dolly Haas. Producer, Henry Blanke, director, Edmund Goulding. James Hilton's novel of a country doctor in England who is accused of murdering his wife and is sent to prison. "20,000 Years in Sing Sing" and "The World Moves On," originally slated to start last week, to go into production this week.

At Columbia: "Prison Sergeant," with Walter Connolly, Charles Vidor, director, and B. K. Kahane, producer. At Paramount: Two scheduled for last week get started this week, they are "Untamed" (new title for "The White Flame"), and "Federal Officer" (new title for "Parolos for Sale").


At 26th Century-Fox: "There I Am A Stranger" resumes production under the direction of Roy Del Ruth with Harry Joe Brown as producer. Cast is headed by Richard Greene, Nancy Kelly, Richard Dix, Roland Young and Gladys George.


Fox Asks Staff Cut

Detroit—Fox Theater is negotiating with unions to secure reduction in present maintenance staff re- quired—six engineers and four electricians. Such negotiations will mean definite decision to keep the house open, manager David M. Izid said. All other operating expenses have been drastically reduced. Advertising and payroll. Employees' working time is being staggered.

M-G-M CIRCUIT DEALS
NEAR CLOSING STAGE

(Continued from Page 1)

liam F. Rodgers, company's general sales manager.

At the present rate of progress, Rodgers declared that all circuit deals if important would be closed before the end of the month.

Among the new deals now in the making are those with Warners, Fox West Coast (Nation’s Theaters) and many of the Publics chains.

Warner Theaters Setting Deals for 1939-40 Films

Warner Bros. Theaters are cur- rently in negotiations with Na- tional Theaters (United, Columbia) and some of the Public exhibitors which would take the place of such majors as Warners and Columbia. The negotiations are, of course, for the new 1939-40 season.

NBC Gets More Pix for Tele

Despite Ban by the Majors

(Continued from Page 3)

on supply of motion pictures for tele- casting, NBC is continuing its "rights" on the importers and subse- quent distributors of foreign fea- tures, as well as closing deals with various individuals having "out- moded" domestic footage in the film industry's conception of the term.

NBC sources also admit that no network has been made in negotiations suggested some time ago for a basic agreement with any major or leading indie.

It is known that NBC has a sufficient "backlog" of industrial and ad- vertising shorts to assure it some time into the future the presence of film entertainment on its telecasts.

Stahl Back With UA

Detroit—Einie Pichler, UA sales- man, is being transferred to Mil- waukee, and being replaced by Max Stahl. Stahl was former UA branch manager at Cincinnati, resigning to go into business as an exhibitor at Shelbyville, where he recently sold out, to return to selling.

Court Upholds Darieux in Refusing "Can-Can" Role

Paris (By Cable)—Danielle Darieux, film star, was upheld by a de- cision of a civil court here in her refusal to play the lead role in a feature picture titled "The French Can-Can."

Suit had been brought against her by the Regina Film Co. seeking dam- ages of 1,000,000 francs, but the court ruled that it was the privilege of the actress to choose her role, and assessed cost of the action against the company.

Defendant refused to appear in the production because she did not like the scenario.

Fleischer Works Overtime

on "Gulliver's Travels" Miami—While the Fleischer Studio de- lays are causing a movie called "Gulliver's Travels" in release before RKO Radio distributes Walt Dis- ney's "Pinocchio" at the end of the year, the local cartoon plant is work- ing overtime.

FTR Winches by July 31

New order issued by Col. B. B. Sommell, WPB administrator, calls for the discharge of all on the Fed- eral Theater Project rolls here by July 31, or they be in cars for 30 days.
GA. TRUST ASKS NEW FOX THEA. RECEIVER

(Continued from Page 1)

and Kenneth Strelch, trustees, and restraining the trustees from carrying out the plan of liquidation of Fox Theatres.

Petition seeks the restraining order and the appointment of a temporary receiver pending hearings which Federal Judge John C. Knox has ordered on objections by creditors and stockholders to Weisman's accounting as receiver.

Weisman and Strelch were appointed trustees by former Judge Martin T. Manton to consummate the liquidation plan which Weisman had proposed.

The Trust Company of Georgia contended in its application that there was a possibility that the trustees "may so deal with the property as to jeopardize and affect the rights of the creditors of the theatres Corp., during the time in which hearing on the objections to the receiver's account is had."

Petition asked Judge Knox to set a day for a hearing on the application before him.

Hear Nick-Weston Cases On Appeal In September

Jefferson City, Mo. — Two cases connected with the ouster of John P. Nick, International vice-president of the IATSE, and Clyde A. Weston, former business manager of Local 143, operators' union, from control of the latter by Circuit Judge Ernest H. Hood of St. Louis, will be heard by the Missouri Supreme Court at its September term.

One of the cases is the appeal of Nick and Weston from the order of Judge Oakley appointing a temporary receiver for Local 143, while the second case is in connection with the unsuccessful attempt of William F. Canavan and other defense intereners who opposed the appointment of Judge Oakley to accept an appeal bond, which would have automatically superseded the receivership and returned control of Local 143 to Nick and Weston until such time as the high courts could pass on the receivership suit.

Quebec Theaters Win Strike Against Tax; Reopen Today

Quebec—Local newspapers Saturday carried advertisements stating that the 11 theaters closed since June 2 will reopen today. It is understood that films will be flown from Montreal to compel Judge Oakley to accept an appeal bond, which would have automatically superseded the receivership and returned control of Local 143 to Nick and Weston until such time as the high courts could pass on the receivership suit.

DOMESTIC

EXHIBITION: Broadway's pix palaces enjoyed a literal deluge of patronage which spectacularly ended the b.o. drought, and reports to home offices were more than encouraging. Rut in the midst of this deluge disclosed unmistakably a general upswing. In the Great White Way sector, SRO signs were the rule, and, in some instances, records of long standing for both grosses and attendance were shattered. . . .

ON LEGAL FRONT: After obtaining Senate consideration for his block-book-measure late Thursday afternoon, Senator M. M. Noe by aid of a last minute amendment bill went over to Friday when it was due for debate and vote but the death of Secretary of the Navy Swanson caused further postponement till today. As vote neared, three amendments to the measure were made . . . In New York, Senior District Judge John C. Knox nixed the setting of trial date in Government equity action against the majors because 20 days are required from time all answers are in, and UA and Columbia had not received D of J responses to requests for additional particulars . . . At week's outset, Federal Judge William Bondy approved R. C. Patterson, Jr., as chairman of the board of New RKO Ltd.

ADMINISTRATIVE: MPPDA's board considered foreign situation, tele, relief, and other matters, following which huddle Will H. Shulman, A's journeyed to Frisco where he told National Education Assn. convention that the pix industry in three-year experiment will make $900,000, valued at some $10,000,000, available to U. S. schools.

PRODUCTION: In an exclusive story, THE DAILY TOMORROW told the trade of plan of six New York stage producers to produce current Broadway shows and numerous properties they own at the Eastern Service Studios during next few years . . . Herman Woberh, 20th-Fox distribution chief, disclosed an additional 10 per cent boost in company's 1939-40 production budget . . . Encouraged that revs can be effected in Dramatists' Guild basic agreement, major producers interested in presenting plays on Broadway looked for resumption of 15 short productions.

TRADE PRACTICES: William F. Rodgers, as distrub, spokesman, appeared before Allin by all ethics that submitted code was not the same as the one agreed upon in previous negotiations by declaring that proposed code "covers, not substantially, but wholly, every single item discussed and agreed upon with the Allied committee."

FOREIGN

FRENCH DECREES: Minimum of 150 U. S. features will gain entry into France, and be given dubbing permits during next 12 months, details of Government decree there received. Base total of all foreign features will be 188, plus a contingency block of 12. Hence Hollywood is assured of dominant position in France, as heretofore, with position even strengthened.

20th-FOX GAINS: Return of Walter J. Hutchinson, 20th-Fox foreign distribution director, brought news, following a three-month trip to Europe. Atzali and Tedford, that company's foreign biz is at new top . . . Australian convention of 20th-Fox in the Antipodes will be held Aug. 24-26 in Sydney.

BRITISH COME-BACK: London cables told of checkup which showed that 12 pic either in production or active preparation in England's studios, thus demonstrating that a real come-back is on the way there.

N.S.W. QUOTA: The quota provision in the New South Wales films bill calling for 15 per cent British content is used up, in State is effective as of July 1.

CONN. INDIES SEEK LOWER PIX RENTS

(Continued from Page 1)
al prices, charges unnamed distributors, with "forcing the sale of shorts and newreels, contrary to the spirit of the code they offer to the trade."

The trade was rounded off by a statewide closed meeting of indie theater owners and operators here on June 27. The largest attended exhiib, rallied in several years here, the meeting adopted a "demand" resolution, copies of which are to be sent to distributing firms and offered to the Department of Justice at Washington.

Significantly, the resolutions bear the signatures of both Irving C. Jackson, Jr., as president of the Connecticut MPTO, and Maurice Shuman as president of Connecticut Allied. It is local exhibitor opinion that the D of J will be especially interestcd. In this is the fact that despite distrib. pledges, forced selling of shorts and newreels is being attempted. Resolution asserts "we will not be coerced, directly or indirectly, into the buying of shorts and newreels."

Indies who attended the meeting report that everywhere in Connecticut exhibitors are alarmed at the definite trend toward reduction in rentals.

Hartford, Conn.—Harris Brothers have reduced operation of the 4,000-seat Theater to Saturday and Sunday only through the remainder of the Summer. The house ran full time last year.

Producers-52 Agree on Pact Meeting of Local of 52, studio mechanics, and producers Friday in Pat Casey's New York office wound up with agreement reached on all principal points of a new contract, with final step to be taken tomorrow night when the unions membership votes on ratification of the pact.

Cotton Worries Gulf Area

New Orleans — The Gulf States film industry is getting the jitters over the cotton situation in both seasons, the result of reports indicating too much rainfall in the cotton areas.
Setting Up of State Code, Objective of N.Y. Allied

Empowers Committee of Five to "Conclude" Satisfactory Document

(Continued from Page 1)

Max A. Cohen, unit's proxy, and cove-

rants acting behind closed

doors the preceding day at a meet-

ing in Syracuse attended by more

than 100 exhibitors.

A 6th motion to the unique

move, which came as a distinct sur-

prise, was not ascertainable at the

week-end, while in Washington, Al-

ram F. Myers, Allied's board chair-

man and general counsel, told The

FILM DAILY:

Only the Board of Directors

can define national policies and

no meeting is scheduled. How-

ever, I had supposed that there

was nothing to lose by doing

about at this time as Kent, Rod-

gers and others have taken the

position that no further changes

in the proposed Code will be

made and that it will be put into

effect regardless of action by ex-

hibitor bodies.

It was pointed out that this ap-

parently precluded the reference

to National Allied of any pact which

might develop should the distrib-

utors accept the overtures.

As phrased by the unit, the press
release read:

"At a state-wide meeting of New

York Allied held at Syracuse, N.Y.

July 6th, in view of the rejection of

the proposed Fair Trade Practice

Code by the National organization

at Minneapolis, the members present

All-Femme Theatre

Vidalis, L.A.—All-girl bands may be

quite a thing, but an all-girl theater

is something new this town can boast

of. The Rondo Garden, 128 W. 8th, L.

Mazel of Natheez, Miss. across the

river, has a woman ticket writer, a

woman usher, a woman manager and a

woman publicist. The C. I. M. Mrs. W. L.

Leigh, wife of a former film house

operator.

Twilight Horse Racing Worries Detroit

Detroit—Twilight horse racing at the State Fair Grounds, five nights a week, is
cutting into early evening show business, especially up to the last show and, as a
result exhibs. are worrying.

Brooklyn Para. in Deal

With WOR for Air Show

(Continued from Page 2)

Survey Shows Pix Major

Target for Censorship

(Continued from Page 1)

United States, which has just been

published.

"By far the most numerous in-

stances of censorship during the

year concerned motion pictures," ac-

cording to the Union. "The films

censored by the state boards in seven

states, and by the police censorship

bodies, are either foreign films or

those independently produced in the

U.S. on native soil.

Among the films banned or cut

were "Professor Mamlock," an anti-

picture of Jewish life, banned in 20

cities in many states but was usually

released after protest; the pseudo-

labors "Millions of Us," ordered deleted in

Ohio; "Birth of a Baby" banned in

New York and Virginia; "Blockade,"
banned in many cities "under pres-

sure of Catholic agencies," and the

Russian film "Baltic Deputy" banned

in Pennsylvania but later released.

The showing of the French films,

"Remorse" and "The Puritan," were

also prevented in New York. In Den-

ver, an exhibitor was fined $1,400

and sentenced to 120 days in jail for

showing the old film, "The Birth of

a Nation."

Poland Abrogates Film

Treaty with Germany

Warsaw (By Cable)—On the
grounds that Germany failed to ful-
fill its film engagements with Poland,
as specified in an understanding
signed in December, 1939, the Polish
Chamber Syndicate of Theaters has
decided to abrogate the mutual Pol-

ish-German treaty.

The Chamber has decreed that no

theater may show a German feature or

a picture with German dialogue

under heavy penalty or permanent
closing of the offending theater.

The decision was taken because,
during the past seven years, only

Polish pictures were accepted by the

Reich of which only one was

shown, while Poland showed 51 Ger-

man pictures.

Dufaycolor Pix for GN

London (By Cable)—The first fea-
ture picture to be made in Dufay-

color, "Sons of the Sea," which

Maurice Elvey will direct for Brit-

ish Consolidated, will be distrib-

uted by the United Artists in the

Chicago area and to other towns in

the downtown area. Seven out of eight houses are

lighted.

Alger Using Gift Nights

LaSalle, Ill.—The E. E. Alger cir-

cuit is using Gift Nights twice a week.

'Shoot' Spy Patrons

London (By Cable)—Allegation that

German spies tried to pick up British

spies attending "Confessions of a Nazi Spy" at the Warner Theater here

was made by John Parker, M.P., in a

question. The National Commissary put to Sir Samuel Hoare asking if he was

aware of the incident and whether the

cinematographeurs were refuse and whether

such interference could be prevented.

Lincoln in the Lead

Lincoln, Neb.—This town has more

operating theaters in the downtown

town area than any other town in Nebras-

ka. Seven out of eight houses are

lighted.
Warners Planning Five British Multiple Quota Films

RADICAL BERNE CONVENTION CHANGES, MPPDA GOAL

Mary Pickford Returns With British Production Plans

"The Bat" to be Her First; May Do "Dorothy Vernon" in Hollywood

Facilities of Alexander Korda's organization at Denham will be utilized shortly after the first of the year by Mary Pickford, who expects, she revealed upon her arrival from Europe yesterday, to produce in England her personally owned property, "The Bat," one of the most successful in the long list of erstwhile Broadway stage thrillers.

This film, according to plans which have already taken definite shape, will, she said, carry an ad-

SCANDINAVIA TURNS AGAINST U. S. "B'S"

Popularity of quality French product in the Scandinavian countries is causing the "freezing out" of U. S. "B" pix in those lands, it was asserted yesterday by Arthur Hornblow, Paramount producer, as he (Continued on Page 4)

Quebec Theaters Reopen After 5 Weeks' Tax "Strike"

Quebec—Closed for five weeks owing to the 10 per cent amusement tax imposed by the City Council, 11 theater owners were able yesterday to reopen their houses. The new law, passed March 24 and carrying a penalty of $500 for each violation, has been in effect since April 6.

CAPRA AND RISKIN WILL FORM OWN CO.

CAPRA MISMANAGEMENT TRIAL WILL BE CONTINUED TODAY

AFA Mismanagement Trial Will Be Continued Today

By GEORGE H. MORRIS

FILM DAILY Staff Writer

WARNERS' 1939-40 British lineup at Teddington, as opposed to the quantity of 24 to 26 features made primarily for quota requirements during the past year, will comprise far fewer but much

WARNERS TO REDUCE BRITISH QUICKIES, MAKE STRONG MULTIPLE QUOTA FEATURES

No UA Prexy

No election of a president of UA is contemplated as far as she knows, Mary Pickford asserted yesterday on her return from Europe. She added that if the past was offered to her she would "decline with thanks," as UA owners are "delighted with Murray Silverstone," and the executive setup is to remain in status quo.

NEELEY EXPECTS ACTION ON HIS BILL THIS WEEK

Washington Review of THE FILM DAILY

Washington — Denying published reports that his block-boosting bill would be held over until the next session, Senator Matthew M. Neely told THE FILM DAILY yesterday the measure would definitely come up this session and would be acted on.

Sales Managers to Resume Clearance Talks Tomorrow

Major company's sales heads met yesterday for the purpose of considering changes in the clearance phases of the proposed trade practice code.

WASHINGTON, TUESDAY, JULY 11, 1939
ROLLING UP a strong $14,000 for the week-end ... "Man About Town" will close its second week at the New York Paramount tomorrow with an estimated take of $40,000 ... according to announcement by Manager Bob Welman ... further reports to the home office of Paramount on the Jack Benny-Dorothy Lamour starring vehicle at key spots show ... at the Albee in Cincinnati it rolled up the biggest week-end gross of any Paramount pic since "Double Or Nothing" in Oct. 1937 ... and these encouraging reports are duplicated in many other key spots, where "Man About Town" is "way out in front on b.o. top figures for months back ... proving that there is no such thing as Summer slump when the product is right.

UPROARIOUS welcome ... staged by the British public on the occasion of the return of King George and Queen Elizabeth from Canada, and the United States, was by no means the exclusive triumph of their Majesties ... according to Mary Pickford, arriving yesterday on the Normandie ... she declared that the London crowds used the homecoming as an opportunity to show their admiration for Joseph P. Kennedy, former film siren and currently U.S. Ambassador to the Court of St. James.

SMASH souvenir number of the RKO Radio house organ Flash has been put out by Editor Harry Gittleson ... devoted to the company's recent sales convention ... 60 pages, printed in offset, including a giant panorama photograph of the entire delegation bound with a four-fold and perforated so that it may be removed for framing ... a pictorial done in Life mag style ... swell photographic camera shots by Joe Heppner.

Metro's Chatain Arrives Today Via Yankee Clipper

Louis Chatain, member of the board of M-G-M's organization in France, arrives in New York today aboard the Yankee Clipper.

He is said to be the first European to make the crossing via the newly-established trans-Atlantic air route.

While here, Chatain will confer with Arthur Loew, Metro's foreign department head, and also spend a vacation.

**SAFETY**

**LLOYS**

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave.

New York City

Brant 9-5600

**SECURITY**

**THE THEATRE**

*I MUST LOVE SOMEONE*

with JAMES RENNER—IRIS ADRIAN and JACK WHITE

Air-Conditioned.

VANDERBILT, West 45th Street

Em. 8-140.

Mat. Wed and Sat.

WILL H. HAYS, film industry administrator, has arrived in Hollywood from San Francisco.

LOUIS CHATAIN, board member of M-G-M's French company, arrives in New York today on the Yankee Clipper.

DAILEY PASKMAN, special rep. for E. D. Marks Music Corp., arrived in New York yesterday from the National Ass'n of Broadcaster's convention in Atlantic City.

CHANDLER ROGERS, accompanied by his wife, MARY PICKFORD, arrived in New York yesterday from Europe on the Normandie. He is on route to Pennsylvania, Tennessee and Missouri to fulfill orchestra engagements. MARY PICKFORD will remain in New York until early August.

HERBERT WILCOX, British producer, who arrived in New York yesterday on the Normandie, leaves today for the Coast.

ARTHUR HORNBLOW, Paramount producer, who arrived from Europe yesterday, leaves for Hollywood today, accompanied by his wife. MYRNA LOY who returns to the M-G-M studio for "Thin Man" picture.

WILLIAM C. GERMING, Central division sales manager for 20thF., left New York for Chicago yesterday.

DONALD M. MERSEREAU, general manager of THE FILM DAILY, returns today from Atlantic City.

BETTE DAVIS plans a six-weeks' New York and Cape Code vacation.

BURGES MERRY, arrives on the Coast to-morrow from New York.

NED E. SECKLER, RKO home office representative for Cuba, has sailed for Havana on the Orientle.

MAURICE BERGMAN of Columbia returned yesterday from France, where he spent several weeks.

JOHN CONSIDINE, M-G-M producer, is here for a month.

OSCAR SERLIN, producer of "The City," is back from Hollywood.

RALPH DOYLE, RKO's managing director in Australia, left yesterday for Los Angeles on the first leg of his return trip to New York, sailing July 19 on the Normandie.

J. E. LOPERT of Juno Films left for the Coast yesterday.

EARL WINCART, 20th-Fox publicist, returned to the home office yesterday following two weeks in the Southwestern States.

BERT MAYERs of Film-Com & Mayer's is on the road to Florida.

FRANK ORTEGA, editor of Cine-Mundial, and his daughter, EVE, have arrived on the Coast from Miami.

HAL B. WALLIS, exec. producer for Warner, and MRS. WALLIS (Louise Fazenda) who arrived yesterday from the Coast, will leave New York last night for the Coast.

JACK LEWIS of the RKO publicity office is in Los Angeles on vacation and visiting his mother.

BERT LAHR is in New York, having completed his role in M-G-M's "Wizard of Oz."
A PROMISE FULFILLED!

STANDING ROOM ONLY

"Daughters Courageous"

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

PRISCILLA LANE • ROSEMARY LANE
LOLA LANE • GALE PAGE

Directed by MICHAEL CURTIZ

Original Screen Play by Julius J. and Philip G. Epstein • Suggested by a Play by Dorothy Bennett and Irving White • Music by Max Steiner • A First National Picture

Jack L. Warner In Charge of Production • Hal B. Wallis Executive Producer • Henry Blanke Associate Producer

YES! YES! YES!
IT'S WARNERS AGAIN!

And again with CAGNEY against RAFT in ‘EACH DAWN I DIE’! Next!
PICKFORD TO PRODUCE
"THE BAT" IN BRITAIN

(Continued from Page 1)
quate budget to assure its quality and subsequent box-office success, and will be released through UA, perhaps even for the 1939-40 program, although shooting is scheduled for the Spring of 1940. She has no intention of placing it before cam-
eras until later but a major part has been taken on script preparation.

Discussing script "preparedness," she expressed the belief that a considerable increment of unecces-
sary Hollywood expense has sprung from rushing features into work too rapidly.

Hollywood stars, she said, will be employed for "The Bat," and subse-
quently she is planning to produce the play's sequel, "The Bat Whisper-
s." Another property which she owns, "The Queen of Versailles Hall," in which she appeared under UA's banner in 1924, is viewed by her as a distinct possibility for production in the near future. It is her view that this story should be made in color as a musical, and she visualized Jeanette MacDonald and Nelson Eddy in the leads.

Miss Pickford asserted that British and Swedish capital is available should the film be made in England, but there are certain advantages to be gained by Hollywood production. In the making of any of her fu-
ture productions, she said, a 20 per cent contingency item will be added to expected costs.

Shortly after Aug. 1, she expects to fly to Hollywood. In the interim, she will stop at the Sherry-Nether-
land. Early next January she and her husband, Charles "Buddy" Rog-
ers return to England.

Business in the U.S. precluded her remaining in England for the UA convention which opened last Friday.

"Buddy" Rogers to Resume Film Career In England

Charles "Buddy" Rogers, who ar-

ived in New York from Europe yesterday on the Normandie to ful-
fill engagements with his orches-
stra in Pennsylvania, Tennessee, Michigan and New York, is formu-
lating plans for a further enga-
gement in films early in 1940, at which time he expects to return to En-
gland to accept an offer he has been made to him by producers there.

It is disclosed that while in Lon-
don recently, Rogers was ap-

proached both by Alexander Korda and Gabriel Pascal, each of whom opened negotiations with him for a lead role.

Rogers denied yesterday that he is organizing a new orchestra, and suggested that the reports might have arisen through a few major changes he had made in the present outfit. Determined to vacation, he is visiting, accompanied by his wife, Mary Pickford, 14 countries by plane.

FILM CODE ANALYZED

By LOUIS NIZER

EDITORS' NOTE: THE FILM DAILY today presents the fourteenth installment of a com-
prehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer, member of the law firm of Phillips & Nizer, and author of the law of screen, stage
and radio. The analysis is designed to clarify the provisions of the Code in non-legalistic
language so as to make them readily understandable to all people in the film industry. In view
of the fact that the Distributors Negotiating Committee proposes to make the Code effec-
tive for the 1939-40 season, THE FILM DAILY deems this Nizer's interpretative presentation of an outstanding, timely service of inestimable value to the trade. Preservation of the daily in-

Installment No. 14

Withdrawal Because of Others: If a distributor or the operator of a substantial number of theaters withdraws from the Code, any other person who has signed may also withdraw at the end of the same exhibition season by giving written notice prior to the end of that season.

Other Reasons for Withdrawal: There are two other reasons which justify with-
drawal from the Code. They are:

(a) Inconsistent Legislation: If laws are passed which are inconsistent with the
Code, or require a substantial change in the method of carrying on business, anyone who
signed the Code may withdraw from it, but only in the territory governed by such legisla-
tion.

(b) Illegality of Code: If any Court declares the Code illegal, or invalid, or issues
an injunction against it or against the clause of any contract substantially identical with
a clause in the Code, or requires a substantial change in the method of carrying on business,
then withdrawal from the Code is justified.

Rights of Others to Withdraw: If any distributor or operator of a substantial
number of theaters fails to comply with orders (as specified in subdivision a and b above),
then any other person who signed the Code may withdraw whether such legislation or judgment affects it or not.

Notice: In case of such withdrawal, written notice must be given to distributors,
operators of exchanges and the Permanent Arbitration Boards in the territory where business is transacted.

(Fifteenth installment will appear tomorrow.)

Theatrical Unions Plan

Consumers Co-operative

Preliminary studies are being made looking to formation of a Consumer Co-operative that would utilize the joint buying power of 100,000 members of leading the-
terical unions to substantially reduce the living costs of these workers in the
amusement crafts, it is an-

ounced by Paul N. Turner, counsel for the AFRA.

The participating unions include besides the AAAAA, the parent body of the organized A Film theatres, but also the

AAATSE, IATSE, AFI, American Federation of Radio Artists, Actors' Equity As-

sociation, American Guild of Musical Artists, TMAT Union and Chorus

Equity Association.

Following an initial meeting at the offices of the Four A's, it was
generally felt by those present that a Consumer Co-operative organization
could be created which would re-
duce living costs and serve as a
clearing house for information to enable the purchase of quality produ-
cuts at minimum cost. It was said

William Green, A F of L prexy,

was personally interested.

The co-operative, when formed, would initially be set up in New
York City and then extended to Chi-
cago, Los Angeles and San Fran-
sisco, Turner said.

V & E Close the Praga

Chicago—The Praga theater of the Veslnka and Elinek circuit has closed for the summer months.

AFRA Mismangement Trial

Will Be Continued Today

(Continued from Page 1)

prin, respectively proxy, executive secretary and counsel for the AFA.

Wallout was preceded by the

AFRA charge that two groups of delegates to the AAAA internation-

al board—SAG and AFRA—had

strings attached to them through provision that their delegates have an

Equity okay. Ken Thompson, for

Seeds for Foster's dissemination of

production, was opposed to the agreement had been terminated in February. Miss

Emily Holt, for AFRA, similarly

stated the arrangement had been terminated.

Paul Turner, AAAA counsel,

branded the walkout a "subterfuge" and charged AFRA was resorting to an "empty legal quibble to justify its stand." Halpin announced he would prefer charges against the AAAA with the A F of L, claim-

ing charter violations.

Bernard J. Reis, CPA, accountant for the AAAA investigating com-

mittee, was on the stand yesterday

afternoon.

Industry Short Wave Com.

To Hold Meeting Today

A meeting of the ways and means committee of advertising and pub-
lications head, Charles D. Unruh, because of his continuing engagement, will be held today at the MPPOA of-

fice, according to E. McCarthy is chair-

man of the committee.

WB PLANS 5 BRITISH
MULTIPLE QUOTA PIX

(Continued from Page 1)

stronger pictures aimed at captur-
ing virtually world-wide grosses, it was disclosed by Hal B. Wallis, WB's associate executive in charge of production at Burt( ), as he arrived from Europe of the Norm-

and's, his organization's wife, Louise Fazenda, and their son, Rent.

Wallis said that there has been no merger of First National and Warner exchanges in England, as far as he has heard, but charac-
terized the reported step as "a logical

one."

While in London, Wallis confer-

ded with Sam Sax, Warner's pro-
duction chief, in charge of production with respect to scripts, two of which Wallis brought back with him for approval. One is "This Man Reu-
ter," an original by Valentine Wil-

liams, which, reports have said,

may be allocated to Paul Muni; the

other is the story of Samuel Curnard.

The Warner policy, Wallis said, will be the making of multiple quota pix, probably five as a mini-

mum for the new season, each utiliz-

ing Hollywood stars and players, and each with budgets commen-

surate with top Hollywood attrac-

tions.

Wallis said that "Confessions of a Nazi Spy" is doing a huge busi-

ess in England, and may gross more than a million in the U. K. alone. He informally estimated the picture would clock at least that sum in other sections of the world despite the fact that some coun-
tries are not prospects for the pic-

true.

He also asserted that "Confes-

sions of a Nazi Spy" opened simulta-

neously in three Paris houses last week was huge business, and that "Dark Victory" is very big in the U. K. and on the Continent.

Warner, he added, may make another film in contemporary Ger-

many, "Underground."

The Warner offices and studio

staffs overseas, Wallis said, are

looking forward to the impending visit of Jack L. Warner, vice-presi-

dent in charge of production.

Foreign audiences, he cited, are

highly responsive to biographical,

films, and several outstanding pro-

ductions will be made at Teddington and Burbank.

Wallis left for the Coast last night.

Gehring In Chi. to Work

on B & K Product Deal

William C. Gehring, central divi-

sion sales manager for 20th-Fox, is

in the home office yesterday for Chi-

cago to attend confabs on the SIDNEY R. KENT DRIVE and work out a new deal with B & K for 20th-Fox

product for the new season.

To returns early next week.
The pride of New York’s theatre district as it rides the crest of the six-day heat wave and is HELD OVER for...

3rd week at Roxy!

SECOND FIDDLE

The show that Licked the World’s Fair!
COPYRIGHT CHANGES IS GOAL OF MPPDA

(continued from Page 1)

and obligations are fully set forth in the document itself and nothing left to the national laws of each country," Kilroe said yesterday. "These rights should be forever and completely eliminated. Under the present Convention, the remedies are left to the laws of the country in which the rights are claimed. If the United States adheres to the Berne Convention before the U. S. Copyright Act is revised, it will play a great hand with many large industries." Kilroe will obtain the viewpoints of the representatives of the English-speaking countries, France, Italy and other European countries on many important propositions for adhering to the Berne Convention. These include:

1. Limitation of restrictions in the moral rights clause. (Without the right to re-arrange, adapt and change the stories and music, the pix industry cannot operate, Kilroe points out. Thousands of stories and plays would have to be cast aside since changes for censorship or other reasons could not be made.)

2. Elimination of oral copyright clause.

3. Reservation of certain rights in works which are now in the public domain in the U. S. to the Berne Convention.

4. In accordance with American law, the clause which now uses the word "latter" in the declaration, including the writer of the screen story.

Kilroe, acknowledged as one of the world's authorities on copyright law, made a similar survey of copyright and Berne Convention conditions in Europe in 1936. The Twentieth-Fox, as copyright adviser to the Fox, will be interested in the following:

A. Participation in the preparation and argument of the appeal in the Privy Council in England in the "Man Who Broke the Bank at Monte Carlo" case, involving question of the right to use titles in Canace.

B. Twentieth-Fox has sued in Holland a Dutch motion picture producer for making a motion picture based on the novel "Daddy Long Legs," pixon rights

Spain "Opening Up"

Even though the Spanish market currently is only a small outlet for U. S. Điều, it has the great task of rehabilitating the country in which the "man that cannot be fooled" was made. Spain shows signs of "opening up" for the picture business and will develop slowly but surely into a profitable market. Mary Pickford's planned upon her return from Europe yesterday aboard the Normandie.

Frank Capra, Robert Riskin to Form Own Producing Co.

(continued from Page 1)

been decided upon at the present time.

Riskin, who recently resigned from Samuel Goldwyn, Inc., Ltd., leaves Hollywood today for a vacation in New York and Europe, while Capra remains here to ready, "Mr. Smith Goes to Washington," recently completed for Columbia release.

The team of Capra and Riskin worked together on such successes as "It Happened One Night," "Mr. Deeds Goes to Town," "Lost Horizon," and "You Can't Take It With You."

Montreal German Club Fined on Film Charges

Montreal—German Harmonia Club was fined $500 and costs by Judge Guerin in Police Court for showing the allegedly Nazi film "Pour le Merite," in the club April 25 without permission from the Provincial Board of Censors. An additional fine of $50 and costs was levied on the Club for failure to collect the amusement tax from the spectators who were charged admission.

Copyright to be at Fore at Broadcasters' Convention

Atlantic City—That the question of copyright will be one of the main topics to engage the attention of the National Association of Broadcasters in convention here seems certain following the meeting yesterday of on-the-air-owned stations, with Campbell Arnow of WTAR presiding. An effort was made last night at the copyright committee supper meeting to iron out some of the squawks that have arisen. General was that the present Ascap contract might possibly be revised. Registration code was finished last night and it is expected that it will be adopted basically as written despite antipathy to it.

Scandinavia Rejects U. S. 'B's for French Features

(continued from Page 1)

returned to New York yesterday on the Normandie, accompanied by his wife, Myrna Loy.

Hornblow said that top-quality Hollywood productions are still dominant in the Scandinavian field, but audiences,—and consequently exhibitors, as the result of patriotic tastes,—have veered away from American "B" films because the better type of French picture is more amusing.

Accordingly, on dual bills, it has become a common occurrence to see a French horror picture paired up with a big French attraction.

Hornblow stated that he and Miss Loy will leave New York today for Hollywood to receive the final cutting of "Cat and the Canary," and complete work on the script of his picture "Triumph of Pain," while Miss Loy will commence work on the third of "The Thin Man" series for M-G-M.

"Nurse Edith Cavell" Will Be Music Hall August Pix

"Nurse Edith Cavell," the Wilcox-RKO feature, is scheduled to open the second week of August in Radio City Music Hall, it was announced yesterday by Producer Herbert Wilcox as he arrived on the Normandie from England, where he spent two days on a virtual "commuting" trip from the U. S. to make arrangements for the finishing of this high production which will be filmed in Scotland and based upon the Scottish Revolution, with Anna Neagle in the star role.

Wilcox leaves New York today for RKO Radio's Coast studios to put music in "Nurse Edith Cavell." He said that he plans to make two features in Hollywood and two in England during the next few months.

In mid-August he returns to London.

G. H. Wilkinson, Pioneer Conn. Exhibitor, Honored

New Haven — Honoring him as Connecticut's "pioneer exhibitor," in the entire New Haven Five, midget and out-of-town film men and friends join in a testimonial luncheon to George H. Wilkinson, of the Wilkinson Theater, Wallingford, at Race Brook Country Club today. A testimonial scroll, inscribed with the names of those present, as well as other gifts, will be presented to the exhibitor. Harry F. Shaw, Loew-Poli Division Manager, will act as master of ceremonies.

NEELY EXPECTS ACTION ON HIS BILL THIS WEEK

(continued from Page 1)

this week. It is now the first order of business for the Senate and action is likely by Wednesday, Neely said. The only order of business scheduled to precede it is the Senate's consideration of legislation which was given the right of way by Neely.

He has no desire to interfere with such necessary legislation or other important measures, Neely said, but is determined to force a showdown as soon as possible. Neely does not expect the debate to last over two days at most, he said.

Besides Senator White several other Senators are expected to make speeches on the floor in opposition.

Neely said he would not demand a record vote if a voice vote was convincing enough to leave no doubt of the sentiment of the Upper House. Reports were circulated in Washington that the opposition may seek a record vote.

While Wednesday is the "best guess" for action the bill may come up today if the security legislation does not go into extended discussion.

Quebec Theaters Reopen After 5 Weeks' "Strike"

(continued from Page 1)

Quebec theaters opened yesterday afternoon. Audiences were estimated at about 10,000 at a normal summer day.

Legally the tax is still in effect, but Premier Maurice Duplessis has instructed the Council to withhold its application and he promised speedy legislation to wipe it off the public books. The tax was hastily rushed from Montreal over the week-end and quickly passed by the legislature.

Theater operators issued a message thanking the Premier and Mayor Lucien Bore for cooperating to repeal the tax.

Sales Managers to Resume Clearance Talks Tomorrow

(continued from Page 1)

but no definite agreement was reached. The meeting was adjourned until tomorrow when the sales chiefs will resume their studies of the issue.

Beryl Mercer Ill

Santa Monica, Cal.—Beryl Mercer, noted for her screen character roles, is seriously ill here following on operation.

STORKS!

Al Streimer, of Randforce Amusement Co., is the father of a six-pound, 13 ounce baby girl born today to his wife, Marion, Saturday morning at Madison Park Hospital. This makes Moe Streimer, of Randforce Amusement Co., his first grandchild.
LOOPING THE LOOP WITH YOUR HEART... IT'S TAILSPIN TOMMY WITH NEW DAREDEVIL THRILLS

MACHINE GUNS BLAZE IN THE NO-MAN'S LAND OF THE AIR

TAILSPIN TOMMY

YOUR PAL OF THE SKYWAYS

"STUNT PILOT"

with

JOHN TRENT

as "TAILSPIN TOMMY"

MARJORIE REYNOLDS

as "BETTY LOU"

MILBURN STONE

as "SKEETER"

"Packed with air thrills and action"—Hollywood Reporter

"Thrills and chills, excitement for all"—Motion Picture Daily

"Climbs to high level as action melodrama"—Boxoffice

"Good bet for action fans"—National Boxoffice Digest

"Worthy sequel to the initial film"—Motion Picture Herald

Produced by PAUL MALVERN - Directed by GEORGE WAGGNER
Screenplay by SCOTT DARLING and JOSEPH WEST
Original Story by HAL FORREST

A MONOGRAM PICTURE
"FOUR FEATHERS" is the outstanding film on this week's endorsed list. A spectacle replete with thrills, something that will make you re-live emotionally all the adventure that takes place on the screen. It will have you gasping over its excitement, flinching during its horrific moments, breathlessly awaiting its unfolding and spellbound by its eyefilling pageantry. The Technicolor in this film is something that must be commented upon...fascinatingly beautiful. One is almost dazzled by the visual allure of the piece and if the story were less engrossing it might prove the most outstanding angle.

However, "FOUR FEATHERS" also boasts a grand story...so full of stirring scenes that it would be impossible to recall them all for you. For sheer spectacle, the charge of the Dervishes and Fuzzy Wuzzies on the British camp is outstanding. The hordes of men, the countless number of animals involved are things to take your breath away. Then there are scenes of battle at the fort, that terrible prison and torture chamber of the cruel native tribes. Other interesting bits show the method used to haul the Army boats up the Nile. All these interludes are surrounded by dazzling color and show. Almost every moment of this picture is filled with something that is bound to tear your emotions apart. We have endorsed "FOUR FEATHERS" for a family audience. Make it the reason for a family expedition to the theatre. You will be intrigued by a glorious two hours of adventure.

ALEXANDER KORDA presents

FOUR FEATHERS

with RALPH RICHARDSON • C. AUBREY SMITH • JOHN CLEMENTS • JUNE DUPREZ

Directed by ZOLTAN KORDA
IN TECHNICOLOR
RELEASED THRU UNITED ARTISTS
Texas Allied Urges Members Not to Sign Code Individually

INDUSTRY TO OBSERVE ITS GOLDEN JUBILEE OCT. 1-7

Northwest Allied Going Through With Buying Combine

Letter Going to Exhibs. Asking Them to Delay Buying Till Sept. 1

BY HARVEY GOLDSBEN
FILM DAILY Staff Correspondent

Minneapolis—Northwest Allied is going through with its plan for the formation of a giant film buying combine, according to reports here yesterday coincident with the association's convention.

Report of the buying combine step, which was expected to be one of the matters scheduled for action at the national organization's recent national conceave, indicates that Northwest Allied is determined to put this plan in force if possible, later to be

(Continued on Page 7)

BUYING POOL IN OKLA. REPORTED AS SHELVED

Oklahoma City — The proposed buying pool plan, upon which great interest was manifest in this area a few weeks ago, is shelved definitely for this time being. Film Industry has learned. The complete plan was presented to a number of independent exhibitors none of whom expressed an interest in joining it at the present time.

Any action on the pool will be

(Continued on Page 6)

Secondary Picketing Ruled Illegal in N. Y. by Court

Albany—Picketing of a business establishment because it purchased a product made by members of a rival union or by non-union labor was declared illegal by the Court

(Continued on Page 6)

Richard Ettelson Dies:
Funeral Services Today

Richard Ettelson, 46, president of Consolidated Theaters, Inc., New Jersey circuit, died yesterday morning.

(Continued on Page 6)

Oklahoma Allied Reported Disgruntled
With Course Charted by National Body

BY ERNEST W. FAIR
FILM DAILY Staff Correspondent

Oklahoma City—Allied Theater Owners of Oklahoma, recently organized affiliate of Allied States, is reported showing signs of rebellion against the national organization.

Unit's leaders yesterday were described as "none too pleased" with the results of the Minneapolis convention last month. Some members have openly expressed their preference to sever all connection with Allied States and remain an entirely independent unit. It is understood this matter will come up for attention at the new association's first state convention here in Oklahoma City in September.

UA CLOSES PRODUCT DEAL WITH WARNERS

Warner Circuit of Theaters has closed a deal with United Artists for the latter's entire program to be released during the next two years. UA's board of directors was advised yesterday by Murray Silverstone, head of world-wide operations. Negotiations were completed by Harry Gold, vice-president

(Continued on Page 6)

Roosevelt Quits UA Board; James Mulvey Returns to It

Resignation of James Roosevelt as a member of United Artists board of directors and the appointment of Fred Storm as Samuel Goldwyn's studio publicity director were re

(Continued on Page 6)

Functional Obsolescence as Assessment Cut Plea

Contending that functional obsolescence, ignored by the city in its theatrical assessments for tax purposes, is as much a factor in value as depreciation due to age, Louis

(Continued on Page 6)

Texas Allied Endorses Code Rejection, Recommends No Individual Signing

Argue Fox Theaters Show Cause Order on July 21

Petition of stockholders and creditors of Fox Theaters Corp. for the removal of Milton C. Weisman and Kenneth Stenreich as trustees under the liquidation plan has resulted in an order to show cause signed by

(Continued on Page 4)

N. J. ALLIED OKAYS REJECTION OF CODE

Asbury Park, N. J.—Allied The

(Continued on Page 7)

Kenneth Clark of MPPDA Heads Com. of Adv. Directors on Arrangements

Filmland will appropriately observe this coming autumn the industry's Golden Jubilee, commemorating the commercial birth of motion pictures 50 years ago when the Kinetoscope was demonstrated by Dickson to his chief, Thomas A. Edison, at West Orange on October 4, 1899.

Decision to hold films' half-century of existence fete was made yesterday morning when the directors of publicity and advertising of MPPDA member companies, together with foreign department publicity chiefs, ratified the suggestion which has been under contemplation since June 29, last, when

(Continued on Page 7)

LAUNCH SHORT-WAVE BROADCASTS NEXT WK.

NBC and CBS will officially launch next week, as regular broadcast features to Europe and South America via short wave, the programs which have for the past two weeks been carried on experimentally by these stations in co-operation with MPPDA member companies, represented by a committee

(Continued on Page 4)

Hear New Eng. Interstate Buying Into Yamins Houses

Reports that the Interstate Circuit of New England was acquiring an interest in two of Nathan Yamins' theaters in Fall River, Mass.,

(Continued on Page 6)

Para. Plans Wide Exploitation For Outstanding '39-40 Pix

Paramount will get behind its outstanding films of the season with a wide exploitation campaign, it was

(Continued on Page 5)
Court Upholds Regents' Ban on "Birth of a Baby"

Albany—Action of Board of Regents in refusing to license "The Birth of a Baby" for general exhibition was upheld yesterday by the Appellate Division, 3 to 2. Majority opinion was read by Judge G. V. Schenck, who said there was a difference of opinion on the order in which the court should intervene. The Regents' determination.

Majority opinion held that exhibition of the picture in places of public amusement composed of adults and children would serve no useful purpose although it may appeal to the morbid and curious.

Fifty dollar costs and disbursements were assessed against Sam Citron and the American Committee on Maternal Welfare, Inc., who made the appeal.

Dissenting memorandum by Judges Bill and Hefforan favored reconsideration of the Regents' determination, holding the picture would give "vital and needed information to pregnant women" and that it was "prepared in a dignified and reverent manner."
"AS GREAT AS 'MONTE CRISTO'!" IS THE UNANIMOUS VERDICT OF THE PREVIEW CRITICS ON EDWARD SMALL'S PRODUCTION OF ALEXANDER DUMAS' MASTERPIECE. WATCH FOR THE BOX-OFFICE'S CONFIRMATION AT THE WORLD PREMIERE ENGAGEMENT, THURSDAY, JULY 13th, AT RADIO CITY MUSIC HALL.

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

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

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

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

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

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

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

EDWARD SMALL presents
The Alexander Dumas Classic

THE MAN in the IRON MASK

a James Whale Production starring
LOUIS HAYWARD and JOAN BENNETT
with Warren William • Joseph Schildkraut • Alan Hale
Directed by James Whale • Screenplay by George Bruce
RELEASED THRU UNITED ARTISTS
LAUNCH SHORT-WAVE BROADCASTS NEXT WK.

(Continued from Page 1)

composed of Charles E. McCarthy, chairman; Dave Blum, Albert Dean, Kenneth Clark and Kenneth Thompson.

Announcement to this effect was made yesterday at MPPDA, following a meeting there during the morning of the directors of publicity of Hays Office member organizations, and directors of publicity for companies’ foreign departments.

Programs will be broadcast in six languages—English, French, German, Italian, Spanish and Portuguese—on four 15-minute periods per week. The exact schedule is to be announced later by the stations.

Both networks are currently broadcasting in these tongues to foreign lands, and the film industry’s news, which will be of an informative and promotional nature, will go on short wave on specific afternoons so that Europe’s night audiences, and South America’s late afternoon and evening audiences can tune in.

Foreign departments of film companies will cull and suggest material, which will then be prepared by Kenneth Clark, of the Hays Office, and then turned over in polished form to NBC and CBS. Both networks, it was learned yesterday, have expressed gratification with adept manner in which Clark’s scripts have been handled.

Material of a general listener-interest type is being used, pictures and fan information being timed to create the maximum interest just ahead or distribution in foreign lands. Accent, too, will be placed on U. S. stars and players going abroad: screen fashions, and other data of interest to pixgoers.

Programs are non-commercial.

Guercio Hospitalized

Chicago—James V. Guercio, member of the film staff of Guercio and Barnshel, theater equipment distributors, is undergoing treatment at the Veteran Speedway Hospital.

TUESDAY

WEDNESDAY

Texas Allied Urges Non-Signing of Code

(Continued from Page 1)

lied States Ass’n in rejecting the Code.

The Texas unit is the first one to urge its members to refuse to sign the Code individually, assuming some speculation as to whether or not this will be the policy to be accepted generally by Allied and its member units.

Col. H. A. Cole, head of Texas Allied, is also president of the national organization.

A 50-minute phonograph record of the discussions on the Code at the national Allied convention in Minneapolis was heard by the directors of Texas Allied before it endorsed the parent body’s rejection of the Code. Included on the phonograph record is a rebuttal of the Code by William F. Rodgers, head of the distributors’ code committee.

Argue Fox Theater Show Cause Order on July 21

(Continued from Page 5)

Federal Judge John P. Knox, it was learned yesterday at his office, Order is returnable July 21 at 10 a.m. Objectors or those of creditors are to appear before the appointment of temporary receiver to take over assets of the company, and will seek a restraining order to prevent transactions by the trustees until a referee, to be named, reports on objections to the final accounting of Weisman as receiver. Judge Knox must determine whether the funds of the company are to be used to pay expenses of a hearing by a referee and for commissions for a temporary receiver.

Philadelphia Allied Unit

Sets Up- State Meetings

Philadelphia—Allied Independent Theater Owners of Eastern Pennsylvania inaugurates a series of up-state organization meetings on July 18 when a session is scheduled for Harrisburg.

Other meetings will be held as follows: July 19, Shamokin; 20, Allentown; 25, Hazleton; 26, Wilkes- Barre; 27, Scranton.

WEDDING BELLS

Pittsburgh—Donald D. Mungello, who operates theaters in Burgettstown and Slowian, Pa., and Miss Lois Dittmar, of Burgettstown, will be married on July 24.

Indianapolis—Herman G. Morgan, Jr., Affiliated Theaters, Inc., and Mary Jeannette Seiler, will be married Aug. 25 in the Third Christian Church here. They will spend their honeymoon in Wisconsin.
Andy Hardy Gets Spring Fever
with Lewis Stone, Mickey Rooney
MG-M 85 MINS.

GREAT-COMEDY PERFORMANCE BY MICKY, NINEY IN FILM INTRODUCING NEW GLAMOUR GIRL.

This latest in the Hardy series rings the bell not only because of the exceptionally fine human story and the featured work of Mickey Rooney, but because of the appearance of a girl named Helen Gilbert in the role of a schoolteacher, who looms up as one of the most charming personalities to come to the screen in a long, long time. This story has plenty of incident, combining the usual formula of a dramatic episode in the life of the family, and the smaller crisis in the personal affairs of Mickey. The family matter involves Lewis Stone as the father in a crooked deal with two sharpers. He plans to take him up on the other of the two crooks, and turn the crooks over for a few thousand dollars on a fake real estate deal. But the Judge manages to pull the crooks off, and Mickey meets a soft touch of spring fever, and falls desperately in love with the new teacher of dramas at the school. She is a very understanding, person, and handles the situation with great finesse and diplomacy, with the help of the Judge who don’t seem to want to see his boy hurt. There is good comedy in the rehearsal and final showing of an amateur school play which Mickey writes and in which he also plays the leading male part with his steady girl, Ann Rutherford, as the romantic interest, she being a native girl on the island of Tahiti, and Mickey a rear admiral of the U. S. Navy. The finale has Mickey realizing that his love for the teacher can never be consummated, and coming to earth and his regular girl. Rooney does a grand job, his versatility for a youngster being something to wonder at. But Helen Gilbert, as a new glamour girl will have the customers talking. She has charm, personality, marvelous looks, and real acting ability.


CREDITS: Director, W. S. Van Dyke. Ill. Screenplay, Kay Van Riper; Cameraman, Lester White; Editor, Edward Cahn.

DIRECTION, Excellent. PHOTOGRAPHY, The Best.

Parke's Plans Wide Exploitation for Outstanding '39-40 Pix

(Continued From Page 1) disclosed yesterday by Robert M. Gillham, ad-publicity director. Beppo Gestro, company's lead-off pix, will have a press preview at the Carthay Circle, Los Angeles, next Tuesday, with approximately 50 subsequent screenings to be staged throughout the country. Pix will also be shown at the PFC convention at Niagara Falls later in the month. Trade screenings will be handled by Alce Moss, Al Wilke, C. N. Odell, Clift Lewis, Terry De Lapp, Harlan Hobbs, Rutus Blair, Carl Kreuger.

For Bob Burns' "Leading Citizen," plans include screenings for the 48 Governors, Coast-to-Coast broadcast by Burns from Van Buren Building, a better tour by Irvin Cobb, story's author. For Bing Crosby's "The Star," Coast broadcast honoring Gus Edwards, staged by his former bud prolongs, and contests by select most talented orphans in keys for a "Cinderella" trip to Hollywood. Premiere of "Geronimo," will be staged on the Apache reservation in Arizona, and Parke plans to have 250 Hollywood and New York newspaper correspondents present as its guests. Pix will start in Salt Lake City and Denver with special campaign totals of 20 test runs are contemplated.

To exploit "Rulers of the Son," Parke will send 40-foot replicas of the Siuruis and Dog Star across the country, and "Dreams of Dixie" will have its world premiere. Jove and Stanley Rous will be the premieres for "Jamaica Inn" at the Rivoli here and will be tied in with a Hollywood-N.Y.-L.A. network broadcast. Similar three-city Trans-Atlantic broadcast also will mark premiere of "Jamaica Inn" at the Rivoli here in the early Fall. Premiere of "Are Husbands Necessary?" scheduled for Nassau, Bahamas, in mid-September and Parke will send scribes from the Atlantic Seaboard to the premiere.

For "Disputed Passage," Lloyd C. Douglas, its author, will make a key city lecture tour prior to pix's release.

They Asked for It! with William Lundigan, Joy Hedges, Michael Whalen

Universal 61 MINS.

COMEDY-DRAMA... WITH RURAL SETTING... RATES FAIR SUMMER ENTERTAINMENT.

Rural drama with comedy sidelines. It tells of a country editor, played by William Lundigan, who is having a tough time trying to keep his local sheet going. His assistant, and general utility worker is Joy Hedges. They have as friends Michael Whalen and Thomas Beck, young lawyer and medico respectively. To kick some life into the death sheet, they hop up an apparently natural old farmer with a story supplying funny plot play. They build this up with the help of the sheriff, who falls for the gal, and to the kick follows when the daughter of the dead farmer confesses to the murder. But this is then topped by the newspaper editor's discovery that a gang of trucking thieves using the old farmer's boat to done the killing. The yarn gets by as a light summer conversation with emphasis on the comedy, but the failure of the newspaper atmosphere is far too removed from reality to carry any weight of conviction.


CREDITS: Director, Frank McDonald. Author, James B. Lowell. Screenplay, Arthur T. Norman; Cameraman, Stanley Cortez; Editor, Philip Cahn.

DIRECTION, Fair. PHOTOGRAPHY, Good.

"Hell's Kitchen" with Stanley Fields, "Dead End" Kids

WARNERS 81 MINS.

RAMBLING DRAMAS OF BOYS' REFORMATORY CARRIES ONLY MILD THRILLS.

A confused drama of a boy's shelter run by a crooked boss, but boys aligned in the guise of a racketeer trying to reform in order to make good his probationary stint, moving in and running the home. Fields carries the picture all the way with his good natured comedy characterization, trying to make the boys in the home go another and avoid going up to the big house for a stretch. Grant Mitchell as the hypocritical head of the institution, collecting funds from philanthropic citizens and using the money for his own purposes, does a fine piece of work. The "Dead End" kids seem to be greatly overworked in spots, and their emotionalism does not always register as sincere. The story is obviously patterned after "Boys Town." With its self-government by the kids being suggested by Fields when he muscles in on the crooked head of the institution and regulates him to secondary position. But Mitchell works a scheme with a rival racketeer of Fields, and frames him into a parole violation via a hockey game in New York between the "Dead End" Kids and another reformatory team. But the latter are professional ringers, and the game is a smash-bang affair dropped in for the thrills and excitement, but kids SHAPE against the pros playing against the kids and nobody protesting till it is practically over. A couple more like this and the Kids will be washed up. It rates just so-so on a double-bill. Margaret Lindsay and Ronald Reagan furnish the romantic interest. Selling angles: the "Realistic" and "The Fields comedy as a reformed gangster.


DIRECTION, Weak. PHOTOGRAPHY, Okay.

Dallas Variety Club Industry Workers Picnic Saturday

Dallas—A picnic to be given by the Variety Club at Vickery Park Saturday for the employees of all the film companies, Interstate Circuit, Robb & Rowley, Jefferson Amusement Co. and the Griffith Amusement Co. promises to be one of the big events of the season. Harry Sachs is general chairman, Hyman Charinsky's orchestra will play for dancing in the evening.

Levy Doubling for GN

Omaha—Lou Levy, Grand National branch manager for Coliseum Films, Moines, now has the Omaha exchange under his wing, Freddie Horn, GN manager, has joined the Coliseum sales staff.
BUYING POOL IN OKLA. REPORTED AS SHELVED

(Continued from Page 1)

held back until the government’s trust suit against the majors and the Griffiths in U. S. District Court here has been decided and probably nothing will be done about it unless the membership of Allied Theaters of Oklahoma, affiliated with Allied States, backs the plan 100 per cent, it is reported.

Previously, the organization rejected such a plan and while it urged members to consider the buying pool if they desired to do so, its leaders would give no endorsement.

Roosevelt Quits UA Board; James Mulvey Returns to It

(Continued from Page 1)

veiled yesterday following a meeting of the company’s directors.

The annuncements were made at an informal cocktail party on the 67th floor of the RCA Building.

In making the announcement of his resignation from the board, Roosevelt said that James Mulvey, who formerly held the director’s post on the board, would be reinstated. Roosevelt explained that his professional duties required so much of his time that he could not adequately fill the duties of a director. He left last night by air for Hollywood.

Storm for the last seven years has been with the United Press in Washington, covering the White House. His appointment becomes effective next Monday. After a few weeks in New York, where he will study home office routine, he will take up his permanent residence on the Coast. Ben Washburn continues as Goldwyn’s eastern publicity representative.

Hear New Eng. Interstate Buying Into Yamins Houses

(Continued from Page 1)

were in circulation yesterday. Houses allegedly involved are the Durfee and the Empire.

It was also reported that Julius Joelson, who operates seven theaters in Massachusetts, would operate the house now under construction in Fall River as competition to Yamins, who has five theaters in the town.

Contested reports to the effect that Yamins was relinquishing his interest in some of his theaters were denied by him two months ago.

Cupid to Rescue

Chicago—“Lil’ ol’ Dave Cupid, no less, is coming to the rescue.” So states the box office for the Indiana-Illinois Circuit, according to a recent press release.

Pathebuilding building of stage weddings is common, but Cupid is to general circuit rush by managers to line up prospective brides and grooms.

FILM CODE ANALYZED

By LOUB NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the first installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 19) by Louis Nizer, former assistant to the Commissioner of the Bureau of the Arts and Radio. The analysis is designed to clarify the provisions of the Code in non-legalistic language so as to make them readily understandable to all people in the film industry.

In preparation of the fact that the Distributors Negotiating Committee proposes to make the Code effective for the 1939-40 season, THE FILM DAILY deems Mr. Nizer’s interpretive presentation of the Code’s provisions of outstanding interest. Presumably the daily installments, now devoted to the Rules of Arbitration, is recommended.

Installment No. 15

RULES OF ARBITRATION

I. EXCHANGE TERRITORIES

Arbitration of disputes under the Trade Practice Code or under the Rules of Arbitration shall be governed by these rules. Arbitration shall be conducted in the following Exchange territories:

— DAILY PANEL OF NEUTRAL ARBITRATORS

In each Exchange territory there shall be appointed a panel of not less than five nor more than ten neutral arbitrators.

Who Appoints Panel: All distributors and affiliated exhibitors and organized exhibitor groups which have signed the Trade Practice Code and which carry on their business in such Exchange territory, shall, by unanimous action, appoint the panel. An organized exhibitor group may participate in such appointment if it has members who have signed the Trade Practice Code and are operating theaters.

Compensation: Neutral arbitrators may be compensated for their services.

Qualifications: Neutral arbitrators shall preferably have an understanding and knowledge of the motion picture industry but shall not be associated with either distributor or exhibitor interests.

Functional Obsolescence as Assessment Cut Plea

(Continued from Page 1)

Nizer, of Phillips & Nizer, argued in behalf of sectional actions instituted by RKO for six Manhattan theaters before the Tri-Denomental Tax Board yesterday.

RKO is asking for a total reduction of $3,088,000 in assessments aggregating $19,694,000. Former figures include a claimed inequality in land assessment of $1,736,000. Theaters involved are the Palace, 65th St., Colonial, Coliseum, Alhambra and 86th St.

Attorney Nizer argued that although erected to accommodate vaudeville, the six houses no longer played “flesh,” making the stages, dressing rooms, fies, lighting equipment, etc., unusable. In the instance of the 65th St. theater, counsel said, the “waste” space totaled 406,000 cubic feet.

Pointing out that even the Palace, once vaude’s ace house, had been forced to surrender to films, Nizer argued that its $1,560,000 assessment should be cut by $885,000. The present value of the Palace and other five houses, he contended, was the cost of replacement less the obsolescence value.

Appearing as witnesses for RKO were Major Leslie E. Thompson, who testified that vaude had dropped 87 per cent from 1929 to 1938, and that RKO’s playing time in the Atlantic City — At the luncheon session of the National Broadcasters Assoc.’s yesterday, Carl E. Milliken, MPPDA secretary, gave a talk on “Self Regulation in America” in which he cited the motion pictures and radio industries share the same type of problems, paralleling each other, as they do, in particular place in both world and national home life. He explained the formation and working of the MPPDA and praised the work of Will H. Hays, its proxy.

He stated that both the movies and radio need a code and self-regulation as a matter of self-preservation.

UA CLOSES PRODUCT DEAL WITH WARNERS

(Continued from Page 1)

of UA, and Clayton Bond and Edward Hinchey, film buyers for the Warner houses.

The agreement, for two years, involves all UA product and all Warner houses and represents a sum running well into the millions.

The Warner-UA deal was described by Silverstone as being the largest ever concluded between the two organizations.

Attending the board meeting yesterday, in addition to Silverstone, were Mary Pickfied, Charles Schwartz, Captain Dennis O’Brien, James Roosevelt and Emanuel Silverstone.

Richard Ettelson Dies; Funeral Services Today

(Continued from Page 1)

ing at his home, 25 Idaho St., Passaic, where funeral services will be held today at 1 p.m.

For several months he had been ill, and up to the time his health failed took a prominent part in exhibition affairs in his territory, where he operated four houses,—the Butler, in Butler; Ritz, Garfield; Colonial, Pompton Lakes; and the Rialto in Westfield.

Deceased was brother-in-law of H. Fabian, president of Fabian Theaters, and is survived by three children,—Adrian, a son, and two daughters, Harriet and Doris.

Secondary Picketing Ruled Illegal in N. Y. by Court

(Continued from Page 1)

of Appeals yesterday. This so-called "secondary boycott" has been charged as a source of discomfort to exhibitors whose theaters may have been selling non-union made candy or whose signs were made by rival union painters.

The decision was considered of importance because of conflicting decisions rendered in the lower courts.

Frisina Advances Pedrucci

Springfield, Ill.—Randolph Pedruci has been named assistant booker for the Frisina circuit, with headquarters today at the Roxy Theater building here. His place as manager at Shelbyville, has been taken by Charles E. Bennati of Gillespie. Pio Pedruci was named manager at Gillespie.

23 Using Premiums

Chicago — Twenty-three theaters are using premiums in this territory. Number using triple bills has increased one to five. The Little Rosewood Theater, an indie, continues to use four features.

Wednesday, July 12, 1939
the sub-committee of the Advertising Advisory Council felt that recognition of a suitable character should be given to the anniversary now being observed by all companies' new season product, together with stimulating grosses of exhibition outlets everywhere in the nation.

Committee which will handle details of the Golden Jubilee consists of Kenneth Clark, public relations chief for MPPDA, chairman; Harry Goldberg, Warners; William Ferguson, M-G-M; Ben Grimm, RKO-Radio; Lou Pollock, Universal; and Joel Swenson, of MPPDA's public relations staff.

By the first week in August, a manual will be ready for dispatch to all circuits and theaters, setting forth ways and means of observing the anniversary and building business.

Between Aug. 15 and Sept. 1, Will H. Hays will formally proclaim the Golden Jubilee, and it is planned to have observances continue through National Book Week (the second week in November) for tie-ups.

The committee points out that the big emphasis will be on the Oct. 6 date.

A feature of the celebration plans, embracing every wing of the industry, is that any and all participation will be entirely voluntary, and the result will be that there will be no cost to the exhibitor except that which he freely wishes to incur in exploiting the Golden Jubilee in his own locale.

Invitations to circuits, exhibitors, trade organizations, civic groups, and others, directly or indirectly associated with filmland, will be issued, asking their co-operation, and the press of the country also will be lined up to disseminate news of the event.

Press material will be supplied by the committee and then co-ordinated by Joel Swenson.

The manual will contain suggestions as to the exhibition field; historical stories; publicity and exploitation ideas; profitable tie-ups, and will contain material of a helpful, promotional nature.

Committee representatives said yesterday that the Golden Jubilee public relations campaign for the 1939-40 season “with a bang.”

(Continued from Page 1)
He had a swell start. Born in the gutter, graduated to be a city savage! Life wore thin the way he lived it... his arms that reached for love embraced sudden death instead! HE HAD TO BE HARD!

Released July 21st
Allied May Spurn Commerce Dept. Parley Invitation

HAYS ASKS “REASONABLE FREEDOM” FOR INDUSTRY

Neb.-W. Ia. MPTO Defers Code Action Until the Fall

“Freedom of the Screen”
—Defined by Hays

“Freedom of the screen means opportunity to attend a theater with the knowledge that the entertainment to be presented will not negative the influence of the school, the church and the home; the certainty that pictures bearing the seal of self-regulation will not violate the canons of common decency; the freedom from any but the creative artist’s best efforts, that banality shall not masquerade as art or entertainment. It means the freedom from fear that pictures treating of crime and violence may influence the youth of the family toward a criminal career; freedom from subversive propaganda on the screen that may be destructive to every patriotic influence.”

JACK SKIRBALL QUITS GRAND NATIONAL POST

Resignation of Jack H. Skirball as vice-president in charge of production and as a director of Grand National was announced yesterday in a joint statement by Skirball

By PRESCOTT BENNETT
Washington Bureau of THE FILM DAILY

Washington—Allied States will not participate in the series of industry conferences inaugurated by the Department of Commerce while the Neely bill is pending in the Senate and it is “extremely doubtful” if Col. H. A. Cole, Allied’s

U. S. DISTRIBS. FIGHT SWISS QUOTA MEASURE

Berne (By Cable)—Representatives of U. S. film distributors are attempting here to head off quota legislation which is held to be virtually certain of passage in some form, and quickly. For some time subsequent to the

Sales Heads Again Adjourn Trade Practice Conference

Sales heads of the major companies will resume their trade practice talks discussions today after a meeting yesterday which took up most of the afternoon. Progress made towards revising provisions pertaining to arbitration of clearance was not revealed.

$6,000,000 Warner Loan Agreement is Completed

Report made by Warner Bros. Pictures, Inc., to SEC and made public yesterday discloses that bank
NBC Seeking Major Sports Events for Coming Telecasts

Officials of NBC's television division are making special efforts to line up sport and other special events for telecasts during the coming two months. Tennis matches, auto races and New York City's "Five College" where its prospective fire fighters are trained are among the events being considered for future telecasts. Dramatic and vaudeville entertainment for evening programs will also be continued, Thomas H. Hutchinson, television director for NBC, states.

Five for Cine-Alliance; "U" Will Release One

Paris (By Cable) — Cine-Alliance directed by G. M. Rabinovitch, will produce during the current year six features, including one with Danielle Darrieux which will have dialogue in both French and English and will be distributed in the U. S. and England by Universal.

Adelphi Anti-Trust Case Going Over Toll Autumn

Chicago — Adelphi theater anti-trust action against B & K and the majors, scheduled to come up before Federal Judge Wilkerson today, is expected to be postponed until Fall as counsel are on vacations.

Belgian Technicians Coming

Brussels (By Cable) — The Association of Cinema Technicians will sail for Canada and New York on Sept. 16. They will arrive in New York for eight days and attend the World's Fair premiere of the Belgian picture, "Bruxa," dealing with the conquest of the Congo, at the Belgian Pavilion.

Lachman to Direct in U. K.

Paris (By Cable) — Harry Lachman, the American director who is here directing "La Belle Marinire, Missirri," will shortly go to England to direct for 20th Century-Fox "They Came on the Night."

Capt. Norton Recovering

London (By Cable) — Capt. Richard Norton is recovering in the Yeovil Hospital from a fractured rib, broken to the chest and mouth sustained in a motor accident.

Oaks Floyd Dead

Pittsburgh — Oaks Floyd, brother and partner of Glenn Floyd who operates theaters in Follansbee, W. Va., and Monaca, died of a heart attack.

"Hitler, Beast of Berlin" To Be Made As PPC Special

West Coast Bureau of THE FILM DAILY

Hollywood—Ben N.Judell, Producers Pictures Corp., will make "Hitler—the Beast of Berlin" as a docu-reel to repackage the film of a series of eight "Tales of Billy, the Kid" with George Huston as Billy. In August, Judell will start "The Man with the Machine," a film. The new pictures are part of the "Hitler-Belgian" series.

Another Para. Partner May Succeed Trendle in UDTC

Detroit — Leonard Goldenson is making a survey of the local film theater situation following George Trendle’s resignation as president of United Detroit Theaters. He returns to New York about Saturday and will meet with Bayaban, president of Paramount.

It is considered likely that a Paramount partner from another territory may step in. Goldenson said, "There is no intention of making any changes in the present personnel."

M-G-M and Fox Midwest Talk New Product Deal

New product deal between M-G-M and Fox Midwest has been talked here. Harris P. Wolfberg, M-G-M district manager, and Frank Hemans, Kansas City branch manager, arrived in New York yesterday for the confabs.

First French Technicolor Pix

Paris (By Cable) — First French picture filmed in Technicolor will be "Main Street of Paris" (temporary title, "Running the River"), which J. C. Bernard is now directing. Technicolor camera crew was sent over from London. The film is to cover the story of shopping at the New York World's Fair.

52's Board Refers Pact

At board meeting of Sound Technicians' Local 52, IATSE, on Tuesday night, the directorate decided to leave the entire matter of the agreement covering working conditions at all New York studios to a special membership meeting which will be called within the next two weeks.

COMING AND GOING

Harold Lloyd is here from the Coast. Frank H. Nusler, M-G-M manager in Kansas City, will wear a white suit and top hat with his Wulbrock, district manager, are in New York.


Oscar S. Oldknow, vice-president of National Theater Supply, has returned to the Coast from New York after two weeks' caching office conferences.

Ray Collins, head of Exhibitors' supply, accompanied by his wife, sister, daughter and niece, has motored here from St. Louis for a two-weeks' vacation and to take in the World's Fair.

Robert Rieskin, to be associated with Frank Capra in Frank Capra Productions, arrives here from the Coast tomorrow for a few days' stop enroute to Europe for a vacation.

Frank Donovan, RKO production manager, returned by the New York office Tuesday from San Valley, Ia., where a Spotscope on trout fishing was filmed.

Fred C. Detmars, camera technician with the permanent Technicolor camera crew at the East Coast Studio, has left for California where he will be assigned on temporary duty to M-G-M for work on "Northwest Passage."

Col. Merges to Simplify Corporation Structure

Alleny Certificates have been filed in office of the Secretary of State here under which Columbia Pictures Corp., parent company, has merged into itself Columbia Pictures Corp. of California, Ltd., and Columbia Pictures Distributing Co., Inc.

Move is made to simplify Columbia's corporate structure.

Warner Theaters Quit Chi. Exhib. Association

Chicago— Warner circuit has resigned from the Chicago Exhibitors Association, it was learned yesterday.

Arstein Suit Dismissed

Federal Judge Edward A. Conger, in an opinion handed down yesterday, dismissed after trial all counts of the suit of Ira B. Arstein against Ascap, Warner Pictures, Inc., NBC, CBS, and a large number of music publishing firms. The Court stated that Arstein's contention that the defendants had plagiarized a large number of his songs was not supported by the evidence.

The THEATRE

"A MUST GO ENJOY IT." — Walter Withers

GYP SY ROSE LEE'S Enormous Force with Music

I MUST LOVE SOMEONE with JAMES RENNIE—IRIS ADORIAN

THEATRE ADMISSION IS DISCREDITED FOR WHITE VANDALS—W 48th St. F's 8:10

Sats. Wed. & Sat.
A swimming contest was conducted to find Louisville's Tarzan. City winner received a Tarzan Trophy and a trip to Indianapolis, Indiana, to compete in the Kentucky-Indiana State Finals. The State winner received a trip to the New York World's Fair with all expenses paid.

The Cambria Theatre, arranged with Cole Brothers and Art Mix Circus to have their elephants carry picture banners in the circus parade. A Tarzan Call Contest was exploited over the theatre's PA system with winner receiving a cash prize of $10 and runners-up free movie tickets.

Caged lion exhibit displayed in front of Loew's Theatre for four days prior to and during picture opening. Jungle atmosphere prevailed with animal skins strung around marquee. "California Jack" was in charge of the exhibit and answered questions relating to his travels in the African wilds. Man in gorilla costume rode a bicycle on the streets for three days. Band paraded to theatre on opening day.

The St. James Theatre sponsored the first major swim meet of the season, at this noted resort, for its engagement of "Tarzan Finds a Son!" Awards consisted of a gold trophy, a trip to the New York World's Fair and 13 other prizes. The Tarzan Swim Meet was held at the Natatorium and was exploited by the Asbury Park Evening Press.

Through arrangement with the Indiana Theatre, and the Washington Democrat, a state-wide contest for a Tarzan type of swimmer was put over. The stunt had the cooperation of the mayor and the president of the local chamber of commerce. Voting coupons appeared in the paper and readers were urged to cast their votes for the young man they felt was best qualified to represent Washington in the Indianapolis finals. One of the prizes in this big promotion undertaking was a trip to the New York World's Fair. The contest was widely published in many cities in the States of Indiana and Kentucky.

Loew's State Theatre prepared a big jungle float for its play dates. Mounted elephants, tigers and lions were shown together with a man dressed in animal skins, who gave the Tarzan Yell. Mounted animals were also displayed in the lobby and an atmospheric jungle front attracted plenty of attention.

The Strand Theatre exploited a Tarzan Camera Contest. Contestants were instructed to take pictures of children with any kind of an animal. Three fine cameras were awarded winners who bore the closest resemblance to Johnny Sheffield.

The Vondee and Artcraft Theatres, respectively, tied in with the Washington (Indiana) state-wide Tarzan swim contest.

Due to promotion enterprise Harrisburg had a long line of standees waiting for the opening performance. M-G-M's Tarzan Float covered part of Pennsylvania after its ballyhoo for the Capitol Theatre (N.Y.) engagement. Tarzana, the movie chimpanzee, was a feature of the animal float and attracted large crowds in Harrisburg, Scranton, Wilkes-Barre. Comerford Theatres played the picture in the last two cities. All newspapers cooperated with art and stories on Tarzana.

Loew's State Theatre searched for a local "Tarzan, Jr." on the basis of athletic development and resemblance to Johnny Sheffield. The winner and his mother were guests of Johnny Weissmuller at the World's Fair and the stunt broke the city's newspapers.

Loew-Poli Theatre backed the engagement with one of the biggest campaigns ever seen on a jungle picture attaining coverage by using all ideas, missing no bets!

The Vancouver Sun conducted a contest along the line of—"Have You a Little Tarzan in Your Home?" Youngsters who most closely resembled Johnny Sheffield, "Tarzan Jr.", or who most closely approximated a set of physical measurements, were eligible to enter. Cash prizes and a free trip to the New York World's Fair were the prizes. The Orpheum Theatre participated.

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"TARZAN FINDS A SON!" with the one and only JOHNNY WEISSMULLER · Maureen O'Sullivan and John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day · Screen Play by Cyril Hume · Based upon the Characters Created by Edgar Rice Burroughs · Directed by Richard Thorpe · Produced by Sam Zimbalist
ALLIED MAY SPURN D OF C'S PARLEY BID

(Continued from Page 1)

prexy, or other Allied representatives will respond to the Department's invitation.

The Film Daily was so advised yesterday by Abram P. Myers, Al- lied's board chairman and general counsel, who denied that Colonel Cole would come to Washington for a meeting with Dr. Willard Thorp of the D of C next Wednesday.

Assigning the Commerce meeting as an effort on the part of the majors to forestall action on Neely's bill, Myers said: "That's the sense of proceeding with investigation of the motion picture industry by the Commerce Department when the Justice Department has been investigating all along? The majors wanted to play one Department against the other, but after secre-
tary Hopkins' letter to Senator Neely, they have lost interest."

The Allied General Counsel expressed doubt if the majors will fol-

low up the conferences inasmuch as Hopkins wrote Neely that the meet-
ings were not intended to interfere with consideration of the block-book-
ing bill.

The Neely bill may come up for Senate consideration today; measure is automatically the unfinished business of the upper house after the disposition of the social security amendments.

Minority Leader Alben Barkley told Neely that there has been no effort to sidetrack the bill and that, personally, he "not only has no intention but no desire in any way to interfere with its consideration."

Tully Promoted

Rico D. Tully, former National Supervisor, has been appointed Branch Manager and Director of Research of the Portland, Ore. area, effective immediately. He is to re-
place F. B. Gamble, forced to resign because of ill health.

R F Transfers Briggs

R. L. Briggs, former supervisor and research salesman for the Port-
land, Ore., Branch of Ross Federal, has been transferred to the Seattle Branch, where he will act as re-
search salesman.

ALONG THE RIALTO

WITH PHIL M. DALY

MAN IN the Iron Mask parodies to offices of the various film editors and reviewers on the metropolitan press and the editors of the trade papers. ... it was a strong novelty plug for the United Artists' picture of the same title, with the production opening at the Music Hall.... the Masked Man had a large crowd trilling him all over the streets, and clogging up corridors of buildings as he made his way about town.

INVITATIONS have been sent to all film men in the New Haven district... to attend the fourth annual Connecticut MPTO golf tournament... at Beechbrook Country Club on Aug-
ust 1... the activities will begin with a nine-hole qualifying round at 10 a.m., with luncheon at 1 p.m... followed by an 18-
hole tournament play... entertainment and awarding of prizes in the evening... the committee on arrangements consists of Irving C. Jacocks, Jr., Ed Levy, Edgar Refflie, Lou Anger, Leo Bonoff, Harold Eskin, B. E. Hoffman, Adolph G. Johnson, Arthur Lockwood, Sam Rosen, Harry F. Shau, Max Tabauckman...

THAT stunt of the "enitre" performance at "The Mikado" at the Palace Theater went off in fine order... a special trailer explained that the encroars of the pop numbers would be given, the first time such a thing had been tried on the screen... there were four encores... with an extra projection machine cutting in with duplications of the big singing numbers... it went very smoothly, and the audience seemed to enjoy the novelty. it was the idea of Louis Pollock of Universal's publicity dept.... Johnnie O'Connor of the RKO Theaters arranged for the Palace tryout...

LARGE and attractive window card is being distributed to some 5,000 dealers throughout the country by the House of Westmore... in a tuep with Warners on "Daughters Courageous"... the large chain stores are in on the tie-up... the card plugs the Westmore cosmetics which these stores handle, and fea-
tures the three Lane Sisters and Gale Page, using different kinds of makeup to suit their particular coloring and hair styles.

As a charter member of the Sidewalk Superintendents' Club of Rockefeller Center... we are proud to announce that the club has entered upon its final duties, supervising the fourteenth and last building of the Center... the blasting is now going on forward on the Sixth Ave.
side at the corner of 48th St.... the club's headquarters have been shitted fourteen times... we members of course meeting on the side-
walk in front of each new construction job... a charter member of this Club can easily be recognized anywhere... his head is constant-
ly shitting from side to side, following the movements of the Lorinda Diesel giant shovel as it scoops up the rocks and dirt, swings around and dumps the load in a waiting truck, and then swings back again... members can never land jobs in Hollywood studios, for their heads are constantly saying "No" instead of "Yes".

IT is true that a grandchild was born to Moe Streimer of United Artists... please ignore all previous notices, as this notice is Official... there is an emergency banquet thrown at the Tavern yesterday was by way of a celebration, and most of the United Artists home office staff seemed to be there... there was some tale of sending the luncheon bill to Moe... President J. Don Alexander of the Alexander Film Company reports that the export department handled by Charles Light will double this year the foreign sales over the 1938 figure... and the 1939 sales doubled those of 1937... which gives you a slight idea as to the sort of job Charlie Light is doing in over 30 foreign countries on ad films.

DATE BOOK

July 24: Clyde Eckhardt silver anniversary din-
er, Casino Room, Congress Hotel, Chicago.

July 24: Cincinnati Variety Club outing, Sum-
ner Club.

July 24-27: Famous Players Canadian man-
ger, General Block Hotel, Niagara Falls, Ont.

July 27: IOA all-industry outing, Indian Point.

July 28: Cleveland Variety Club 4th tourna-
ment, Brookfield Country Club.


Aug. 1: Schine Enterprises convention, Glo-
versville.

Aug. 4-7: Granat Enterprises convention, Des-
moines.

Aug. 8-16: National Theaters regional conven-
tion, Kansas City.


Aug. 14-16: National Theaters regional conven-
tion, Los Angeles.

Aug. 21: Cincinnati Variety Club golf tour-
ament, Summit Hills Country Club.

Sept. 1-3: International Film Festival, Cannes, France.

Sept. 14-16: Biological Photographers Associa-
tion convention, Motion Institute for Industrial Research, Pittsburgh.


Oct. 16-19: SMPF Fall convention, Hotel Penn-
sylvania, Philadelphia.

Nov. 29: Motion Picture Associate's dinner dance, Hotel Astor.

Big-Screen Television For 3 More London Houses

London (By Cable)—Baird televi-
sion installations are to be made in three more London theaters—the Gaumont, Haymarket, the Gaumont Palace, Hammersmith, and the Gau-
mont Palace at Lewisham—showing the number of theaters having Baird large-screen tele installations in London.

Seophrany recently announced it would install telc screen in the Swiss Cottage, Odeon, also a subur-
ban house.

CEA Silent on Maxwell's Proposal for Production

London (By Cable)—CEA official-
don maintained strict silence yester-
day on the proposal by John Max-
well that the exhib, organization line up 1,000 theaters and form a day production company. Maxwell is pre-
pared, he says, to finance an ap-
proved scheme of this nature.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Los Angeles—Betty Warner, younger daughter of Harry M. War-
er, was married here yesterday to Milton Sprengel, screen writer.
"The Bear That Couldn't Sleep"  (Rudolph Ising Cartoon) M-G-M 9 mins.

Class
Mr. Bruin goes in to his cabin for his Winter sleep. Then the interruptions start, with the roof leaking on his bed, treadmill and a new fire eckling and popping. Then some rats get down his pajamas, and the kids starts to snuggle. Mr. Bruin wakes up and goes to the bathroom and the door of his hut slams shut. By the time he manages to get back to his cabin, Spring has arrived, and he has to desert his bed again. Done in Technicolor.

 Paramount Pictorial  (No. P-8-11) 10 mins.
Good Entertainment
Comprising a trio of stories about water, this one-reeler has a very definite pictorial and scenic value as Summer screen fare. Footage is good entertainment, dealing as it does with exotic sheets attending the ars of a boatman along the romantic and history-laden waterways of Old England. Audience is then transported to the Philippines where is depicted the strange but ingenious method of supplying fish commercially to the inhabitants. Instead of waiting until the fish have matured in the sea, they are collected while still young and raised to the maximum size in fish-farm pools. Concluding sequence is down at the base of a U.S. resort, and shows efficient patrolling by life guards, latter's duties, and a staged rescue.

"Riding the Crest"  (Sportscope) RKO Radio  9 mins.

Fine camera shots of the fun at Waikiki. Starts with the maneuvering of sailboats through the dangerous coral reefs and the surf. Then the native boys riding the combers on their surfboards. The shots are very good, being closeups that follow the riders in from the time they start till they ride safely through the final crest to the beach. Very exciting. The surf board technique is shown in detail, and it proves to be quite a complicated art, and dangerous. Some nice stunting with a tandem surfboard, and also canoeing, complete a most interesting study of the famous Hawaiian beach. Produced by Frederic Ullman, Jr. Supervised by Frank Donovan.


Human
The sprightly yarn of Mr. Miller, an incurable optimist, who is always looking up his job or business to try something new. Wife and the boy and girl try to hum him, figuring he must make a million he is always talking about.

"Lucky Pigs"  (Color Rhapsody) Columbia 7 mins.

Good satire on the income tax, with Mama and Papa Pig winning the big sweeps prize. They start a house-building with a mansion and all that goes with it. But when the tax man starts to collect, they are right back in the pig pen with the little piggies, where they all started. Produced by Charles Mintz. In Technicolor.

"Devil Drivers"  (Sportscope) RKO Radio  8 mins.

Racing Thrills
The road racing in various parts of Europe is covered in some excitement and plenty of some well-made and melodic folk short featuring Richard Himmer and his Orchestra. Leo Robin and Stahl are composers of "The Prom Waltz" number sung by Allen, who also renders "Alone at the Station." The Patricis Gilmore highlight is "Listen My Heart." Tab reed has swing climax with a torrid composition "Gettin' Off." Himmer's music is marred for a moment, but to please Lucille Ricks directed the short.

"The Technique of Tennis"  (News World of Sports) Columbia 10 mins.

Inside Stuff
Good study of a. Confront the lovers of the sport, with Lloyd Budge, brother of the famous Don, showing the various tricks of the trade as he instructs some pretty girls who are there for atmosphere. The proper swing, the grip, the footwork, backhand, serve, footwork, timing, all are treated cleverly. The finale has Lloyd giving a demonstration of all-round skill.

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"Life Begins for Andy Panda"  (Walter Lantz) Universal  8 mins.

Andy Panda, a cub, makes an auspicious debut in the cartoon world. The subject opens with fellow denizens of the forest offering various names for the newly-born cub, off-screen Pops and Mamma Panda, but the parents decide on the name of Andy. Andy Panda warns Andy not to wander from the forest, but Andy insists he wants to get in a news reel. He steals away from the forest and is chased by some hunters. Papa and Mama try to rescue Andy, but it is a little skunk who is after the hunters and it is really Andy who saves his parents.

"Swingette"  (Pathé Realism) RKO Radio  8 mins.

Classy Dance
Arthur Murray presents his ball room dancers in some very modern tarsplicho that combines class with swing, done in the ritzy atmosphere of the Crystal Ballroom of the Ritz-Carlton. The audience is invited to join in, and no doubt the audience in the theaters on viewing it would be glad to join also, if they can find room in the aisles. The music and the steps are very catchy. Produced by Louis B. Mayer, Jr. Supervised by Frank Donovan.

"Farewell Vienna"  (Paragraphic) Paramount  10 mins.
Fine Symphony
Five orchestral presentation of the famous National Philharmonic Orchestra, playing an original composition, "Farewell Vienna," written by Frederick Feher, the conductor. Some fine waltz melodies make this a number that should please the audience generally. The photographic presentation has been admirably handled.

FOR REEL SHIPPING ECONOMY PHONE RAILWAY EXPRESS

You get complete, day and night, nationwide film shipping service right to your door at new economical rates. Reductions apply to shipments of 21 lbs. or less regardless of distance shipped and up to 50 lbs. for shorter distances. We even charge for pick-up and delivery in all cities and principal towns and for insurance up to $50.00. For 3-mile-a-minute deliveries—use AIR EXPRESS—2500 miles overnight—at low cost too! Merely phone the nearest RAILWAY EXPRESS office for quick action.

1830 . . . A Century of Service . . . 1939
FILM CODE ANALYZED

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the sixteenth installment of a comprehensive survey of the Code, in the series of articles by Louis Nizer, member of the law firm of Phillips & Nizer, and author on the law of screens, stage and radio. The analysis is designed to clarify the provisions of the Code in non-legalistic language so as to make them readily understandable to all people in the film industry. In view of the recent call by Frank R. Cusack, president of the National Association of THEATRE OWNERS for the 1939-40 season, THE FILM DAILY devotes Mr. Nizer’s interpretative presentation on an outstanding, timely service of inestimable value to the trade. Preservation of the daily installments, now devoted to the briefs of Arbitration, is recommended.

Installation No. 16

III. PERMANENT ARBITRATION BOARD

(1) Appointment of Panels: In addition to the panel of neutral arbitrators, there shall be a panel of ten arbitrators appointed by distributors and affiliated exhibitors, and another panel of ten arbitrators appointed by all organized exhibitor groups, in the exchange territory. In this manner, there will be created three distinct panels in each exchange territory:

(a) Five to ten neutral arbitrators appointed by distributors, affiliated exhibitors and organized exhibitor groups.
(b) Ten arbitrators appointed by distributors and affiliated exhibitors.
(c) Ten arbitrators appointed by organized exhibitor groups.

Who May Appoint Panels: Distributors, affiliated exhibitors and organized exhibitor groups may name members of these boards in concert with the Trade Practice Code and which carry on their business at the time of the appointment.

An organized exhibitor group may participate if it has members who have signed the Trade Practice Code and who are operating theatres in accordance with the Code.

Unanimous Appointment: The ten arbitrators appointed by the distributors and affiliated exhibitors must be selected by unanimous action of that group. Similarly, the ten arbitrators appointed by the organized exhibitor groups must be selected by unanimous action.

No Compensation: The arbitrators on the two panels thus appointed, unlike the neutral arbitrators, shall receive no compensation.

Associated With Industry: The arbitrators on these two panels, unlike the neutral arbitrators, will be associated with some branch of the motion picture industry.

(Seventeenth installment will appear tomorrow.)

N. W. Allied to Pay Steffes $15,000 a Year for 3 Years

(Continued from Page 1)

at $15,000 per year. The board of directors is to decide date of the September meeting within 10 days. President Steffes was instructed to appoint a committee to work on the buying combine plan in preparation for the meeting.

The Northwest box office situation was thoroughly discussed and resolutions to close all member theaters in the Twin Cities were defeated, but indications were that about 10 houses would close by August.

Other resolutions included: thanking Steffes for his services, condemning film advertising companies for multiple business ads and single screen units, empowering officers to take court action to collect dues, ordering officers to notify members to watch renewal dates on National Screen Service contracts.

Steffes ridiculed trade papers which have accused many parts of discussions in Northwest Allied, stating no attempt was made to get out state members to the meeting, and that all was harmony among those present.

Para’s “L’Empire Français”

Paris—(By Cable) Paramount has completed a documentary film entitled “L’Empire Français,” under the direction of Philippe Este, with Monogram by Fred O’Donnell and sound by George Putlitz. Pict deal with France’s colonial empire.

B. & K Using “Name” Bands

Chicago—“Name” bands policy is being pushed for the Balaban & Katz circuit. The policy is set for week of July 28 and Gene Krupa the week of Aug. 11.

Neb. and W. Ia. MPTO: Defeer Action on Code

(Continued from Page 1)

points, will the man we can get rise of the bad ones?"

During a heated three-hour session, exhibths aired their views of the Code. They suggested the Code for the betterment of the industry and then turn around and violate the main points otherwise, said they. They propose. However, general features covering arbitration and cancellation received favorable comment.

Exhibths were especially vehement over reported attempts to distribute to increase rentals for the 1939-40 product in order to cover the jump from 10 to 20 per cent in cancellations. Williams pointed out that conditions in Nebraska and Western Iowa, about to reap the first good crop in six years, did not warrant any "additional burden on the exhibitor at present."

Indie exhibths from this area were well represented at the session.

Jack Skibbizi Resigns

His Grand National Post

(Continued from Page 1)

and E. W. Hammons, president.

Skibbizi’s personal qualities of devotion to his entire attention to his independent producing company, Arcadia Pictures. He will remain in New York about a week before resuming production on the Coast. Skibbizi had been associated with Hammons since the founding of Educational Pictures, having been a franchise holder for the Ohio territory before becoming sales manager seven years ago.

Both Hammons and Skibbizi stressed several points that the latter’s resignation from GN was due to an “entirely amicable basis and was in no way due to any differences of opinion whatever.”

Skibbizi said: “For some time past, it has been my desire to devote all my time to my own independent production. My resignation will enable me to put these plans into effect.”

Hammons said: “I have known for a long time that Mr. Skibbizi’s desire to go into Independent production, and I am most appreciative of the fact that he has withheld his resignation until such time as the company’s Independent production plan have been definitely arranged for.”

Cincy V. C. Sets Events

Cincinnati—UA’s Harris Ludel- son, M-G-M’s Bill Devaney, Andy Niedenthal and Irving Sochin are the committee for the Variety Club’s annual picnic to be held July 24, at West Hills Country Club. Variety Club’s Golf Tournament is set for Aug. 21, at the same place. Variety Club members are invited to join with Andy Niedenthal and Maurice White, assistants.
REVIEWS OF NEW FILMS

U. S. DISTRICT

“Wyoming Outlaw”
with John Wayne, Ray Corrigan, Raymond Hatton

Republic
62 Mins.

DISTINGUISHED BY FINE DRAMATIC PERFORMANCE OF DONALD BARRY AS THE OUTLAW.

The Three Mosquitoes are secondary to Donald Barry, who plays the part of the outlaw. This young actor, who has appeared in few productions this year, including “Calling Dr. Kildare,” gives an impressive performance. He is very much on the style of John Garfield, but to this reviewer even more forceful and dominant in his dramatic moments. When the posse corners him in the hills, there are innumerable closeups of him that prove him to be one of the finest. Seldom has a western been grimmed with such a fine performance. The Mosquitoes have their share of honor, in a fast-moving story crowded with five incident. Their efforts are centered in showing us a crooked local politician who has sold his soul for federal jobs. It is a pitiful task to the impoverished ranchers. The son of one of these is Barry, who, embittered at the out- rages, turns against society. The incident parallels those of the late Wyoming outlaw who was featured on the front pages, coming to town to rob a bank, and being shot by one of his boyhood pals. All the same is also the finale of the current story. Only the outlaw uses the crooked politician as his shield, and both die.


CREDITS: Producer, William Berke; Director, George Sherman; Author, Jack Natteford; Screenplay, Betty Burbridge, Jack Natteford, William Meramon; Photography, Reggie Lanning; Editor, Travis Martinelli.

DIRECTION, Good. PHOTOGRAPHY, Fine.

Pitts-Roth to Build

Suffolk, Va.—Pitts-Roth Theater Corp. will start work here this week on a 1,000-seat house that will incorporate every modern feature available for theaters. Theater will be air-conditioned and will have a 10 lane bowling alley in the basement.

Two More Close In Detroit

Detroit—Two more downtown theaters have closed—the Times Square and the National. National closing was expected, and house is slated to reopen in the fall, but the Times Square, the subject of recent litigation, closed without warning.

John S. Cooper Dead

Pittsburgh—John S. Cooper, recently disposed of his interest in the Strand Theater, St. Michael’s Pa., to his partner, M. Younridge because of poor health, died at Mercy Hospital, Altoona.

“Lenin in 1918”
with Boris V. Schuchkin, Nikolai Cherkassov

Amkino
130 Mins.

WELL PRESENTED STORY OF A TURBULENT RUSSIAN PERIOD.

Gifted with a talented cast, this latest release from the Moscow studios carries on the Russian film makers’ history of the great patriot of the USSR. The characteriza- tions are characteristically skillfully delineated by the cast and able direction keeps the film interesting at all times. If any fault can be found with the film, it lies in the fact that the scenarios have gone so far out of their way in places to idealize Lenin that they lose the dramatic trend of the story. The Russ fans will like this one very much.


CREDITS: Produced by Mosfilm; Director, Mikhail Romm. Presented at the Cameo Theater with Russian dialogue and English subtitles.

DIRECTION, Good. PHOTOGRAPHY, Good.

“Kustens Glada Kavaljeree”
(The Happy Cavaliers)
with Carl Barkendal, Ing Vetterlund

Stambian Talking Pictures
85 Mins.

AMUSING COMEDY WITH SWEDISH ASTVITES WILL ENTERTAIN SCANDINAVIAN FANS.

Broad humor is featured in this new Swedish comedy and it has been projected on the screen neatly. A cast of favorite Swedish actors will amuse the Nordic au- dience as they pursue their merry way through the film. Entst’s titles support- the dialogue. The story concerns two boys who are recruited without protest for naval training, and a crooker who is anti- militaristic. The end of the film finds the "skej" converted as patriots, but not before the sumpt of comic situations has been ex- hausted.


CREDITS: Europa Film Production; Director, Rainer Averfand. Presented at the 45th St. Theater with Swedish dialogue and Entst’s titles.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Mrs. Jack Kisch Hurt

Chicago—Mrs. Jack Kirsch, wife of the former of Illinois Allied, is reported resting comfortably following injury in a motor crash near Michigan City.

Cheapsening of South Amer., Money Upsetting Pix Market

(Continued from Page 1)

establishment of the Swiss Film Chamber here on Oct. 27, last, which body was invested by the Department of the Interior with the right to issue licenses. Numerous reports have been periodic reports that quota legislation might be enacted to reduce the number of Hollywood features, although U. S. pix are appraised as indispensable to the Swiss market.

Should the quota legislation materialize, it will be the eventual outgrowth of an existing law empowering the Government to establish import restrictions on various commodities, films included.

Theater Supply Gain Seen

Cincinnati—Herman Hunt, Na- tional Theater Supply, predicates 1939 third quarter business will show a comparable increase over last year, and also over the first and second quarters of this year. While busi- ness for the first quarter of 1939 fell off somewhat, the second quarter showed a substantial gain over last year.
Industry on its Own in Fighting Ohio Tax Litigation

New State Tax Board Head Thinks Levy Should be Collected

Columbus, O.—Film industry will be strongly opposing its own in defending the two taxpayers’ suits involving non-payment of Ohio’s 3 per cent sales tax on film rentals from Jan. 1, 1935 to date when they come up Saturday, it was indicated here yesterday.

William S. Evatt, newly appointed head of the Ohio Tax Board, clearly forecast its future policy by saying, “It would seem that the tax should be collected.”

Evatt stated that he had no plans to defend the exemption action of the previous commission, adding that he had instructed the Attorney General to present only the “essential facts” to the court.

Any other defense, said Evatt, must come from the industry.

At stake is an aggregate tax approximating $1,200,000. While the action is directed against the film distributors, in the event of an adverse decision, the later will, under the provisions of exhibit contracts, stand in the shoes of the theater accounts.

Caster and Price Will Open Two in September

Cincinnati — Gene Caster and Floyd Price are erecting two new theaters for early September opening. One at East Charleston, W. Va., will be called The State, and will have 600 seats. The other house, located at Lewisburg, will be named The Lewis, and will have 618 seats. Both houses will be completely equipped by National Theater Supplies, including new Simplex sound equipment.

Manos Buys Theater Block

Pittsburgh—Mike Manos, who operates the Manos Circuit of Theaters, purchased the building in which the Palace Theater, Tarentum, is situated at sheriff sale this week. Whether or not he will operate the theater in conjunction with his other movie houses or arrange for the present lessee, William L. Brown, to continue operating it, has not yet been decided.

Buffalo V. C. Golf Tourney

Buffalo — Golf tournament and dance will be held at the Wilmont Golf and Country Club here Monday by the Variety Club. Ed Lehman is in charge of the affair.

Title Change Flops

Rex, Wise—Altering the makeup of “Rexanne” and “Wise and Klaw” to “Wonder Man and Love Walked In,” in its opening advertised by the New Granada Theater, local subsequent impressions of the plays, did not attract the audiences.

Nanos Funeral Held

St. Louis, Mo.—Funeral services were held at the St. Nicholas Greek Orthodox Church yesterday for Louis Ahues Nanos, co-owner of the Criterion Theater.

Sills Back to Films

Ted Sills, for several years director of programs and vice-president in charge of production of Grembach Productions, Inc., and Joan V. Grembach, Inc., radio producers, has re-signed, effective as of Monday last. Following a short vacation, he will re-enter the motion picture field.
Marked Growth in Percentage Selling in Chi. Sector

NEW THEATER BUILDING GAINS, REMODELING DROPS

Circuit Tax Proposals Die in Wis.; Fear Admish Levy

Assembly Defeats Amendment, Then Passes the Omnibus Bill

Madison, Wis.—Pix industry in this state is reported not yet out of the woods despite Assembly rejection of an amendment to the omnibus measure providing for circuit taxation plus an income tax on circuit gross earnings, both within and outside Wisconsin.

The bill passed the Assembly without amendment, the lower house also

(Continued on Page 5)

F & M SUES LAWYERS, ASKS FEE’S RETURN

St. Louis—Fanchon & Marco, Inc., and two Missouri-incorporated subsidiaries in a suit just filed in the St. Louis Circuit Court against John A. Leamy, Sr., prominent local attorney and two of his associates, Lambert E. Walther and Harold F. (Continued on Page 10)

Siegels Coming to N. Y. for Republic Confabs

M. J. Siegel, president of Republic Productions, Inc., and Sol C. Siegel, in charge of production, leave the Coast tonight for New York to confer with James R. Grainger, Morris Goodman, and other Republic officials, together with Herbert J. Yates. The Siegels are expected to arrive on Monday.

Yesterday, Grainger left the home

(Continued on Page 6)

Knox Leaving Erpi Post on Physician’s Advice

Harry Gard Knox, for the past nine years vice-prexy in charge of engineering of Erpi, has on the advice of his physician, tendered his resignation to take effect tomorrow.

Knox plans to take a year's rest, during which time he will, however, be retained by Erpi in a consulting capacity.

Trade Code Revisions Still Incomplete

As Major Sales Heads Adjourn Meetings

Conferences on the trade code revisions will be resumed today or early next week by the sales managers of the two participating major companies. Meeting held yesterday did not wind up the huddles after an all-afternoon session. The sales chiefs started their conferences Monday and, with the exception of Tuesday, have met every day this week.

GRAND NATIONAL WILL DEFENSE SUBSTITUTION SEEK AGE PRODUCERS

Revamping of Grand National's production schedule is expected to be in order shortly after the company's stockholders today give their anticipated approval of the two proposed re-financing plans. It is understood that E. W. Hammons, president, will go to the Coast in about 10 days to map out a new production program.

Company execs, believe there will

(Continued on Page 10)

New York Allied Will Press Membership Drive

Exhibitors joining Allied of New York after Sept. 1 will be required to pay an initiation fee of $50, it was learned yesterday. For that reason, a concerted membership drive is to be launched between now

(Continued on Page 8)

Wobber, Gehring, Talley at Eckhardt's Dinner

Herman Wobber, 20th-Fox sales chief; Bill Gehring, central division manager; Truman Talley, head of Fox Movietone, and Lew Lehr will go to Chicago July 24 to attend the

(Continued on Page 10)

Percentage Selling Gains in Chicago Area Despite Indie Exhib. Opposition

Neely Bill Goes Before Senate at Noon Today

Washington Bureau of THE FILM DAILY

Washington—Senator Matthew M. Neely's anti-block-booking bill is first order of business when the Senate meets at noon today. Neely's bill remained unfinished business while the Senate yesterday debated and finally adopted last night So-

(Continued on Page 10)

By JOSEPH ESLEI

FILM DAILY Staff Correspondent

Chicago—New Season selling in this territory ranges from "good" to "excellent," according to local exchange managers. In the face of those reports, leading indies here profess to be in a non-buying mood, with percentage deals a special target.

Emil Stern, vice-prexy of Easa-

(Continued on Page 9)

$8,404,000 for Construction in 37 States in First Six Months

Total expenditure for new theater construction in the 37 States East of the Rockies shows, for the first six months of 1939, a gain over the corresponding period of 1938, according to a comprehensive survey by John Eberson, prominent film theater architect.

Outlay, check reveals, is slightly in excess of $8,404,000, whereas, during the first half of last year, investment was approximately $8,125,000.

While new theater construction advanced, on the other hand alteration volume declined slightly, the Eberson survey discloses. In the first six

(Continued on Page 5)

JOHN HERTZ ACQUIRES PARA. COMMON STOCK

Washington Bureau of THE FILM DAILY

Washington—John D. Hertz has filed a report with the SEC stating he has acquired 1,000 shares of Paramount Pictures common stock, it was revealed today in the SEC semi-monthly summary of security transactions and holdings. This repre-

(Continued on Page 8)

Para. Central American Biz Running 15% Ahead

Paramount's business in Central America so far this year is approximately 15 percent ahead of the same period last year, according to Henry Gordon, manager of the territory, who is in New York. Gordon esti-

(Continued on Page 10)

Report Major Demurring to Play-Financing Fact

While a complete draft of the Wharton-Wilk agreement on film financing of Broadway plays has not been submitted to producers, at least

(Continued on Page 8)
Monday reportedly in co-agents with James R. Grainger, Republican party, in Eastern Circuit boyars. He is expected back on Monday.

JAMES W. STUART, arrested in York yesterday in connection with the Fair Memorial shoots for "Mr. Smith Goes to Washington," will be released today. He was released by his father, who returns here to Columbus, Ohio's Coast.

ED SCHNITZER, Warner Eastern district manager, has been transferred from a business trip to New Haven and Boston.

M. J. SIGEL, president of Republican Productions, Inc., and SOL D. STICHLER, in charge of production, left the Coast last night for New York, where he left for the first day of shooting at Pathe's "Eich Dawn I Die" at the Strand.

FRED ULLMAN, Pathe News vice-president, leaves tonight for RKO's Coast studios to arrange new music for next season's spectacles and RKO's "Musical Magazine".

HERMAN FUCHS, RKO Pathe News music editor, leaves tonight for RKO's Coast studios to arrange new music for next season's newsreels and short subjects.

GEORGE SHERMAN, director, having just completed the new Gene Autry picture, "Colored Sunset," is in New York for a 10-day visit.

BRUCE CARROLL leaves Atlantic City for Mar-blehead, Mass., from whence he sails with Mr. & Mrs. Franklin D. Roosevelt, Jr., for a two-month vacation.

BRUNO ZWICKER sails next Wednesday on the Queen Mary for London and Paris, accompanied by SIMON STERN, financial head at Inter-Star Film Corp., of New York, to buy for RKO.


GEORGE AUTY arrives from Hollywood next Thursday.

LOUIS D. FROHLICH, film attorney, is back in New York following a short stay out of town. DONALD CRISP, having completed his role in Warner's "The Lady and the Knight," left the Burbank studios last night for New York on route for a three-months vacation in Europe.

WILLIAM C. GEHRING of 20th-Century-Fox left Chicago last night last night after centering with B. & D on new season product.

AL CHRISTIE is at the St. Moritz. He returns to Hollywood in two weeks.

President's closed circuit boyars. He is expected back on Monday.

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“IT’S ALL M-G-M!”

Let us consider a few items from the current (hot-weather) issue of Variety:

Baltimore—“General let-down here this week with only bright spot CHIPS at Century.”

Kansas City—“CHIPS top flight, one of best of the year. Last week MAISIE a pleasant surprise.”

Chicago—“CHIPS holding to strong pace looks set for a stay at Apollo.”

“HARDYS RIDE HIGH repeat flicker better than average take. Last week SOCIETY LAWYER came in with surprising gross.”

Pittsburgh—“Penn’s leading the way with MAISIE reacting to slick campaign. CHIPS frisky, better than holding its own in 3rd week downtown, having moved to Warners. Only second picture in history to move here after playing 2 stanzas at Penn.”

New York—“CHIPS powerful play at Astor. Huge profit being shown here. 9th Week.”

“Capitol ON BORROWED TIME more action here.”

Portland—“ON BORROWED TIME good. Last week MAISIE nice.”

San Francisco—“ON BORROWED TIME will grab sizable gross. It’s giving the best take in some time. MR. CHIPS sprinting toward excellent biz. Looks good for 6 weeks here. Last week equalled first week. Almost unheard of here.”

Lincoln, Neb.—“The town’s sweltering. DR. KILDARE, O. K. Last week MAISIE good.”

Washington, D. C.—“MR. CHIPS leading town, a socko, way out front with beauteous gross.”

Boston—“CHIPS holdover very good and the town’s standout. First week smasher.” (Holdover day and date at State and Orpheum).
LOS ANGELES—“Straight picture houses not faring well, except CHIPS now in 9th week.”

TORONTO—“WONDERFUL WORLD excellent. Last week DR. KILDARE fine.”

INDIANAPOLIS—“TARZAN sweet. Others off. Topping the town with socko gross.”

MINNEAPOLIS—“CHIPS big, garnering the box-office laurels. Effective advertising campaign got fine opening.”

LOUISVILLE—“MR. CHIPS is setting the b.o. pace. Last week MAISIE exceeded expectations, snaring good gross.”

DENVER—“MR. CHIPS Big and holds. Last week MAISIE good.”

PHILADELPHIA—“CHIPS stacking 'em up to lofty gross. Nifty second week.”

DETROIT—“TARZAN looks tops!”

PROVIDENCE—“MR. CHIPS strongest in town.”

TO THE RESCUE!

Those glowing M-G-M box-office reports reprinted above are just the beginning. Look what’s ahead:

July 21st. “ANDY HARDY GETS SPRING FEVER” Sensational opening at State and Chinese Theatres, Los Angeles, topping all previous Hardys and combined total reaching “Maytime” business! Lewis Stone, Mickey Rooney and all the folks! The Lucky Seventh Hardy Hit!

July 28th. National Release “GOODBYE MR. CHIPS” The delight of the dog days! Keep extra time wide open!

Aug. 4th. “MIRACLES FOR SALE” A sleeper! Watch for it! Summer showmanship special!

Aug. 11th. ROBERT TAYLOR, HEDY LAMARR in “LADY OF THE TROPICS” (need we say more!)

Aug. 18th. “THESE GLAMOUR GIRLS” Lew Ayres and a screenful of beauties, including Lana Turner, Anita Louise and others in a sure-fire box-office show!

—and then on August 25 comes the biggest sensation since “Snow White”:

“THE WIZARD OF OZ” Watch for further announcements about M-G-M’s Technicolor Wonder Show playing hundreds of day-and-date engagements simultaneous with giant ad campaign!

“Summer! When a feller needs a friend! There’s always THE FRIENDLY COMPANY!”

(continuing Variety Box-Office Reports from preceding page)

SUMMER BOOM!

He’s off again on his annual hot-weather spree! Whee!

SUMMER SLUMP
Wis. Circuit Tax Proposals Killed

(Continued from Page 1)

eliminating a proposal to divert $7,-
500,000 from the highway fund to
40 general state purposes to avoid new
and tax boosts.

This action, it was reported last
night, paves the way for a new tax
measure to make up the deficit which
may include a theater admission tax.

Earlier in the session, a proposal for
a three per cent admission tax was
withdrawn, following determined
fight by pict interests.

Pacific National Theaters
Receiver Asks in Del.

Wilmingtom, Del.—A bill asking
appointment of a receiver for the
dissolved Pacific National Theaters,
Inc., which operated motion picture
theaters in California, rather than
appointment of the directors as trust-
ees in dissolution was filed in the
New Castle County Court of Chan-
cery here by Margaret M. Stevens
and W. Ernest Choats, stockholders,
of San Diego, Cal.

The corporation was dissolved in
April, 1937. Howard F. Duane rep-
resents the complainants.

Pacific National, the complainants
assert, has since its dissolution been
engaged in distributing to and am-
ong its shareholders one share of
preferred stock of Preferred Thea-
ters Corp., and five cents in cash
for each share of stock of Pacific
National Theaters, Inc.

The complainants assert they have
not received such distributive shares
or dividends which they claim have
been paid on the Preferred Theaters
stock.

An action brought by the
same complainants against these
defendants is pending in the Los
Angeles County Superior Court.

WEDDING Bells

West Coast Bureau of THE FILM DAILY
Hollywood—Paula Stone, screen
actress, daughter of the late veteran
film and stage actor, Fred Stone, plans
to marry Duke Daly, orches-
ter, on Sunday next, but de-
clines to state where the cer-
emony will be performed. Daly
arrived here from Boston by plane at
mid-week.

Hardy, Ark.—Mrs. Margaret F.
Harkey, owner and manager of the
Ozark Amusement Co. here, and
State Senator Gene Highbooth, also
of Hardy, were married recently.

Chicago—Frank Berez, booker for
RKO Chicago offices, will be married
next month to Miss Judy of Berwyn

Happy Birthday

Best wishes FROM THE FILM DAILY
TO the following on their birthdays:
JULY 14
M. J. Siegel
Zita Johann
Olivia de Borde
Gloria Dickson
Louis F. Blumenthal
Lena Roth
John S. Twist
Sam Schneider
Raymond Hackett
JULY 16
Barbara Stanwyck
Ginger Rogers
Gus Harris

THEATER BUILDING UP;
REMODELING DROPS

(Continued from Page 1)

months of 1938, alterations were
affected at a cost of $12,000,000,
while the corresponding period this
year found investment total $11,-
388,000.

Taking into consideration the en-
tire amount of money spent for both
new construction and alterations
during 1939's first half, as against
new construction plus alterations
during the first half of 1938, the cur-
rent year period is only $107,000
behind a year ago.

Emerson declares that, with pro-
posed new construction during the re-
mainder of the year, as well as con-
templated and scheduled alterations,
1939 may exceed 1938. Many houses
in the 37 States East of the Rockies
are in obvious need of alterations, he
points out, and, further, alert exhibi-
tion interests are more conscious
than ever of the economic benefits
which accrue from building of more
numerous and more modern houses
to take care of growing commu-
nity needs.

RKO Radio May Erect
New Chicago Exchange

Chicago—Plans are under consid-
eration for the construction of a
new film exchange building for
RKO in this city. A. A. Shubert,
director of exchange operations, was
here recently in connection with the
project.

Richard Gledhill Dies

Funeral services will be held to-
day or tomorrow for Richard Gled-
hill, upstate salesman for 20th Ce-
tury-Fox, who died Wednesday of a
heart attack. Gledhill was at the
wheel of his car at Dobbs Ferry
when he collapsed.

A veteran of 25 years in the film
business, Gledhill had been with
20th-Fox for the last 12 years. Ser-
vice will be held at the Stephen
Merritt chapel, 104 W. 73rd St.
HOLLYWOOD

By RALPH WILK

Johnson Role for Trace

"THE Man On America's Con-
science," an original story writ-
ten by Alvin Meyers and Lowell
Broadax, has been sold to M-G-M for
Spencer Tracy. Both Meyers and
Brodaux have been signed to work
on the screenplay. It is the story of
Andrew Johnson, President, who
succeeded Lincoln and the only
President to be impeached.
Paul Kohner agented the deal.

Metro In Story Drive

In a drive for new screen ma-
terial, M-G-M has purchased seven
additional new stories during the
last month. Story buys include
"Twenty-Mule Team," an original
by Owen Atkinson and Robert
Duaac, in which Wallace Beery is
tied to star; "A Call on the Pres-
ident," a short story by Damon Run-
yon which appeared first in the
Saturday Evening Post; "A Gent-
leman of Some Importance," by
William C. White; "Bonanza," by
Harv Rodakiewicz; "The Days Be-
fore Lent," by Hamilton Baseo;
"The Ghost Book," by Chandler
Sprague, and "The Search for the
Youngs," by Charles W. Mungan.

Two Stories for Shorts

Metro also made two purchases
for its short subject department:

Pix Upholding Democracy
Will Get Award at Fair

West Coast Bureau of THE FILM DAILY

Hollywood—Feature film of the
year, making the outstanding con-
tribution to the ideal of the dem-
ocracy, as selected by a convention
of delegates from guilds and indus-
ty associations, will be given an
award at the San Francisco Fair.
Attorney General Frank Murphy
will present the award for the Motion
Picture Democratic Committee.

Elliott Nugent is Chairman of the
Award Arrangements Committee.

Sponsors include John Cromwell,
Melvyn Douglas, Phillip Dunne, John
Ford, Brian Foy, John Garfield,
Frances Goodrich, Raymond Grif-
ith, Albert Hackett, Miriam Hop-
kins, William K. Howard, Nunnally
Johnson, Garson Kanin, Major Phil-
lip Kiefer, Alfred Newman, J.
Walter Ruben, Gall Sonderraagard,
Milton Sperling, Gloria Stuart,
Franchot Tone, and Harry Tugend.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 210

SYDNEY SALKOW, Director at Republic. Was born in New York City and
attended Columbia, where he won his degree in Law. After graduation he
was assistant director of "The Last Mile," "Subway Express," and "Harlem,"
Broadway productions, and also served as production assistant for
Erlanger. He directed "Bloodstream," "Geraniums In My Window" and other
Broadway plays. He came to Hollywood as assistant to Benjamin Glazer
at Paramount. At Paramount, he co-directed "Lady Be Careful" and "Sailor
Beware," and was also under contract as a writer for two years, and
co-scenarized "Rhythm On The Range" starring Bing Crosby. "Exclusives." He directed sev-
eral pictures at Universal, and is now directing at Republic where he guided such pictures as
"Storm Over Bengal," "Woman Doctor," "Zero Hour," and "Entranced Cottage." His greatest
worry is how to grow a beard.

"Slot Machine Racket," an original
unpublished story by Eric L. Ergen-
bright, and "The Life of Hugo Gro-
" by Joseph Ansen.

"Air Scouts" Completes Series

Paul Malvern, producer of the
tailspin Tommy" series at Mono-
gram, has announced "Air Scouts"
as the fourth and last in the series
for the 1939-39 program.

Ritter, Burnett, Keene Tour

West Coast Bureau of THE FILM DAILY

Hollywood—Martin Wagner, of
William Morris Agency, has set
Eric Ritter and his Musical Tor-
ados for a ten-week tour through
the south, opening in Memphis Sat-
urday, and booked through Atlanta,
and other southern cities.

Wagner also set Smiley Burn-
nette and his Rhythm Wranglers for
a six week tour of one nighters through
the mid west. Burnett opens in Indianapolis today, Tom
Keene and his Dade Ranch Jam-
boree was set by Wagner and is
completing the tenth of his 15-
week tour through New England.
Wagner is arranging to send out
several well-known picture names
for PA's.

White Takes Over Two

Cincinnati—Maurice White, proxy
of United Theaters, has taken over
the Hippodrome and Strand the-
ers, Newport, Ky., from The
Frankel Amusement Co. The new
venture is listed as H & S Amuse-
ment Co.

Two New Series

West Coast Bureau of THE FILM DAILY

Hollywood—Two series will follow 20th-Fox in producing 2-episodes for 1939-40. The
series will be "The Hitch-hiker" and "The City of Fear.

"Swane River" Added to 20th-Fox Color Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth-Fox has
decided to dip still another in the
dye vat. Chosen for Technicolor
production is "Swane River." The
Stephen Foster-E. P. Christie bio-
graphical story in which Don
Ameche will play Foster, Al
Jolson, Christie, the minstrel king,
and Nancy Kelly the lead, with
Sidney Lanfield directing.

Misplaced "S"

They had the "S" in the wrong place.
Parasol and "Sails" will be re-
 leased as "Rulers of the Sea.

Set Mori Case Hearing

Philadelphia—Hearing on Mori
case pleas for injunctive relief will
be held next Wednesday in Federal
Court here before Judge William H.
Kirkpatrick. This is the first step
following initial filing of suit.

Set Ginger Vehicles

Two Ginger Rogers starrers veh-
icles planned for EKO Radio, lec-
tures for 1939-40 will be "Mr.
Imrose Path," Broadway stage play,
and "Enchanted Cottage," stage play
which also was made as a silent
film some years ago.

"Primrose Path," which was
based on George Abbott's dramati-
"Strom Over Bengal," "Woman Doctor," "Zero Hour," and "Entranced Cottage." His greatest

...
Now starting on a World-beating rampage!

Seattle, Rochester, Toronto, Syracuse report pre-release openings topping 20th's biggest since "Jesse James"—and, in New York, its 3rd triumphant Roxy week!

SECOND
FIDDLER

The show that licked the World's Fair!
"They Shall Have Music"
with Jascha Heifetz, Andrea Leeds, Joel McCrea
United Artists 105 Mins.

GRAND HUMAN STORY OF UNDER-PRIVILEGED KIDS WITH HEIFETZ AND HIS VIOLIN A MUSICAL TREAT.

This Samuel Goldwyn production has been cleverly geared to strike a wide audience appeal, and has succeeded admirably. First, there is Jascha Heifetz, the great violin virtuoso, who makes five appearances as he demonstrates in close-ups his marvellous technique in playing some of the most celebrated numbers in his repertoire. This great treat to music lovers is something for every exhibitor to shout about, for it will bring to his theater people who have never been there before. On the popular side, there is a good dose of story material cunningly loaded with the good old joke, but done with class and dignity. The cast is exceptionally fine throughout. Andrea Leeds is the daughter of the great violinist and music master, who is devoting his life to helping underprivileged children on the East Side of New York to secure a musical education. In an old house he has leased, he teaches the youngsters with the help of a few assistants, with his daughter as business manager. Joel McCrea comes along to help Andrea when financial difficulties arise, and the prospect of the music store that he has rented the musical instruments is demanding pay or he will take them back. And this on the eve of a concert the professor's symphony orchestra is giving. Gene Re- 
nolds, who has been seen in a couple of modest pictures, does a grand role as the youngster from a poor East Side family who is turned from being a hoodlum by his in- herent love of music. The old music master gives him a new outlook on life, and he is instrumental in bringing Jascha Heifetz into the life of the little community group of musicians through a series of enter- taining series of events that culminates in the great musician playing at the chil- dren's concert, saving the music school going to the rocks, and bringing the produc- tion a bang-up heart-warming climax that will have your audiences laughing and cry- ing by turns. Brennan is superb as the old music master. This Reynolds boy looks as one of the real comers among the young- sters, for he shows genuine feeling in his actions, voice and expressions. Director Archie Mayo has done splendidly in com- bining the artistry of Heifetz and the human interest appeal of the youngsters' musical efforts into a moving drama that is simple but highly dramatic in the telling, with charac- ters evolving appealingly; Heifetz to the musical groups; the human interest story to the regular trade; and the amazing work of the Junior Symphony Orchestra.

paul California Junior Symphony Orchestra.

CREDITS: Producer, Samuel Goldwyn; Asso- ciate Producer, Robert Riskin; Director, Archie Mayo; Author, Irmgard von CUBE; 57 Mins.

SOLIDLY ENTERTAINING WESTERN WHOSE STORY, ACTION AND SONGS CARRY HIGH APEAL.

Although his acting rating is deserved by this dramatic and musical western which holds suspence, and consequently audience interest from beginning to end, due to in-telligent direction by Joseph Kane, who is also associate producer of the opus, a well- paced script; convincing acting; and con- tinuously skillful photography, which at times is unusually picturesque, embodying both well-chosen terrain and, for a prairie pie, the novelty of seascapes. Equipped as it is with so many solid elements, not the least of which is Roy Rogers' personality, hard riding, and ability to deliver songs of the segment, this picture has beauty of voice and pleasing poise, fans who like outdoor stories with plenty of action are bound to find this film enchanting. The letter is aptly from the pixeors prior to last year by her initial screen name, Lynn Roberts, is easy on the eye. Her acting is excellent. Her asset is a convincing reason for the hero Roy riding away with her aboard a prairie schooner as all of tomorrow is over—and at sough- ning there is a goodly share, plus fisticuffs, flying hooves et al. The yarn tells of the invasion of California by settlers from the East, whose advent is recent by the Span- ish landowners. Roy Rogers is working for an elderly Don. Latter, whose daughter, played effectively by Katherine DeMille, is in love with Rogers, suspects the youth of hav- ing taken part in theft of gold derived from sale of the hacienda's cartie. A half-bread, interpreted by Jack La Rue, is eventually found to be the guilty one, and the informer of the bandits. But the apple of Rogers' eye, whom he wins at the finale, is Mary Hart who has come westward with her uncle, George "Gabby" Hayes, Rogers' side-kick. Katherine DeMille takes the jibing with un- common sacrifice and resignation.

CAST: Roy Rogers, Mary Hart, George "Gabby" Hayes, Rogers' side-kick, Katherine DeMille, Frank Paglia, Harry Woods, Paul Marian, Ethel Wales, Merrill McCormick. Associate Producer and Director, Joseph Kane; Original Screenplay, Norman Houston; Gerald Geraghty; Production Manager, Al Wilson; Cameraman, William Nobles; Edi- tor, Edward Mann; Musical Director, Cy Frier.

DIRECTION, Tip-Top. PHOTOGRAPHY, Skillful. Report Major Demurring to Play-Financing Pact

(Continued from Page 1)

one major company is said to be dis- satisfied with two of the proposed pro- visions of the pact and is threatening to be those calling for a down payment of $15,000 on the screen rights and five per cent of the box office in any case. The pact is based on weekly grosses of the legit run, ranging from 10 per cent in the first $5,000 to 20 per cent on $10,000 or more. Screenplay, John Howard Lawson; Camera- man, Greg Toland; Editor, Sherman Todd.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.
WB Selling Up 12% in Midwest; Metro Gains in Mich.

Upswing Reported in Frisco; Cleveland, New Haven Deals Are Slow

(Continued from Page 1)

ishments, and Van Nomikos, circuit operators in Illinois and Iowa, are among those opposing percentage deals offered. Yet marked growth in percentage selling in this territory is indicated.

Warners, it is stated, will have at least eight percentage films, a new move for WB here. Henry Herbel, district manager, reports a 12 cent sales gain in the Michigan territory. Mr. Herbel generally indicated this territory, following a recent swing through the central keys.

Both of the leading films will be sold on a 40 cent basis and the balance of the percentage films will be sold on a 30 cent basis. From the current level of the remainder of the season product will be on a flat rental basis, according to Mr. Herbel.

Branch checkout brought the following comments on selling:


Metro Sales Said 20% Ahead in the Michigan Territory

Detroit—Reports on new season selling in this territory differ sharply.

While exhibitors, contacted by The Film Daily, generally indicated that business has been reluctant to close deals, major exchanges were highly optimistic and enthusiastic over showings to date.

Frank J. Downey, Metro branch manager, declared the exchange was “very satisfied” with current business. As a result, major exchanges at the present time are pushing selling among up-state exhibitors, with circuit deal negotiations also under way. It will be August, however, before majority of the latter are closed up.

At Butterfield Circuit offices, center of the largest single booking order in the territory, informal conferences between circuit executives and the branch managers and other distributor representatives have been under way, so that these have only paved the way for new contracts. Most exchanges have not scheduled for their large organizations, but the branch offices have been on the phone with individual exhibitors as usual, and have sold new product to the larger deals in Europe. What is the price. Yours.—We give up.

Where Is Who?

Info. department of this paper has received a card with the following text: "D. G. Hoxie, 23,25 W. 42nd St., New York. May I have the pleasure of doing business with you?" What is the price. Yours.—We give up.

"Pymigation" Voted Best British Picture of the Year in Film Weekly’s Poll

London (By Cable) — "Pymigation" was voted the best British production released in 1938 in the poll conducted by the Film Weekly. The other nine best were, in the order each received: "The Loveless"; "That Lady Vanessa"; "A Year at Oxford"; "The Drum"; "Bank Holiday"; "Housebreaker"; "The Edge of the World"; "This Man is a Man"; and "Sixty Glorious Years." Ralph Richardson won the prize for the best male performance for his acting in "South Riding" with Leslie Howard second for his role in "Pymigation." Miss Wendy Hiller, who has obtained the highest percentage of performances for her film, was first for her work in "Pymigation" and Anne Nettles second place for her acting of Queen Victoria in "Sixty Glorious Years.

Few Contracts Negotiated in Cleveland Territory

Cleveland—Local exchanges have negotiated few 1939-40 film contracts in this territory. M-G-M reports that the major independent circuits last year contracted for a two-year period.

Universal locally closed a deal with J. R. Osborne and George Otte for the entire Dipson circuit, which includes its Ohio, Pennsylvania and West Virginia houses. J. L. Schmets, 20th-Fox branch manager, reports his office has closed a 1939-40 deal with Mr. N. Skibball for all of his houses.

New Season Product Gets Good Support in Mid-East

Cincinnati—New season product is receiving excellent support from exhibitors in the Mid-East territory. Allan Morris, Columbia exchange manager, advises, "We are far ahead of last year in contracts sold and situations closed. Every circuit in the territory has been closed."

Equally enthusiastic is 20th-Fox’s J. J. Brady, who states, "We are ahead of all previous years." Statement is echoed by Joe Oulahan, Para’s manager.

UA’s Harris Dudelson reports excellent reaction to the new lineup: "Deals are coming in nicely," he says.

E. M. Booth, M-G-M manager, comments, "We are well satisfied with the deals being closed."

The Detroit exchange states 1939-40 deals running materially ahead. Max Margolis of Republic and Monroe Johnson of Paramount also stated sales better than average were proving exhibitor confidence.

Form Telenews Corp. in Chi.

Chicago—The Telenews Corp. has been organized by R. P. Fierhsheim, Frank Greenberg and L. Wolfson to manage and operate newsreel theaters. The Chicago offices are at 1 N. LaSalle.

Franchise to Excellent

Detroit—Excellent Pictures is taking over the Michigan franchise for Producers Pictures Corp., branch manager William Flemion, disclosed.

Bingo Rush On

New Haven—Organizations all over the state are beginning to feel the pinch in the coming rush to acquire the local license to run Bingo, Ferris, New Haven, and it is necessary to secure the local permission of Beards of Common to run Bingo. Few organizations have completed the requirements before August.
F & M SUES LAWYERS, ASKS FEE'S RETURN

(Continued From Page 1)

Hecker, seek to recover $4,200 alleged to have been paid as a legal fee. Plaintiffs also ask the court to order the three defendants from selling or transferring a series of notes totaling $42,800, and to order their return.

Petition alleges that the Fanchon & Marco firms agreed to pay an additional fee of $25,000 to James F. Aylward, Kansas City attorney and Democratic Party leader in Missouri, after they were told that a Missouri anti-trust action against them could not be brought. The $25,000 fee for legal services had been paid.

Fanchon & Marco, Inc., the petitioners, said in their complaint filed in 1954 when negotiations were under way for the leases and operation of the Ambassador, Grand Central and Missouri theaters. To effect this, Lehey organized two St. Louis corporations, the St. Louis Ambassador Theater, Inc., and the St. Louis Missouri Theater, Inc., with a total authorized capital of $105,000, it is said.

These companies operated at a loss due to the refusal of the majors to rent films to the Fanchon & Marco interests, the petition continues. Allen L. Snyder, one of those who entered the agreement with F & M and who had advanced $25,000, declined to make further advances and requested the return of the money he had paid. Aylward, the petition continued. On advice of Lehey, it is alleged Snyder's stock was purchased for $25,000.

In all the proceedings, Lehey advised F & M a complaint should be made to the Attorney General of Missouri. The Federal anti-trust proceedings be instituted against the majors for their refusal to furnish films to the three houses. Lehey, the petition also states, also asked Aylward to retain. Acting on this advice the plaintiffs stated they employed Aylward and paid him a $5,000 retainer.

It is then alleged that while conferences looking toward court action were in progress, F & M entered into direct negotiations with the majors which promised to settle the difficulties. At this point the P & M interests allege they directed Lehey to stop the filing of any anti-trust suits in Missouri, as such action

P.S.—Also Films

Lancena, M. H. — Colonial Theater, 1,230-seater, currently offers.

Tickets on electric refrigerator and electric range to be given away by a local appliance dealer.

Auction on stage, in which professional auctioneer will put antiques, furniture, dishes, etc., on block for patrons.

Special children's show featuring group of funny men & women from a S. Government reservations.

P.S.—Oh, yes, house also plays films.

GRAND NATIONAL WILL SEEK AUGE PRODUCERS

(Continued from Page 1)

be enough proxies on hand at day’s meeting to ratify both the MPPDA loan and the Felt & Co. deal. The combined deals are expected to amount to more than $1,000,000 to $1,500,000, according to the report.

It is reported that a number of top-flight producers may be brought in to distribute the GN films; financial details are completed.

Defense Substitution Sought in Ohio Pix Rental Tax Cases

(Continued from Page 1)

asserted in THE FILM DAILY yesterday, “if there is to be a defense, it must originate with the industry, because I am the opinion the tax should be collected.”

Carlton S. Dargusch, ITO of Ohio counsel, also advised, no counsel has been selected by the MPPDA. told THE FILM DAILY they will petition the Court of Appeals tomorrow for permission to name “individual parties” as defendants, thus continuing the current action.

Dargusch will use Frank J. Ferguson, cashier of the Avondale Theater here, but as yet Barton has not decided which of the MPPDA officials will be named in this highly important test case.

Para. Central American Biz Running 15% Ahead

(Continued from Page 1)

states that the percentage will be higher before the end of the year.

Gordon said that American companies, in general, are experiencing an increase in business in the territory, which includes all of Central America, South America, the West Indies and Panama, where, he said, American pictures continue to hold the spotlight of popularity.

(Continued from Page 1)

formal opening of the company's new exchange there and to attend the testimonial dinner for Clyde Eckhardt at the Congress Hotel. Reception at the exchange is set for 1-5 p.m.

would make further negotiations difficult.

The petition then charges that Lehey failed to stop such action that the anti-trust suits were filed, and that he then advised the settlement of the $25,000 fee for Aylward after which the suits were dismissed.

The $42,200 Fanchon & Marco are seeking to recover is alleged to be the amount they paid on a $75,000 fee for Lehey and his associates for their legal services. The series of notes were to cover the balance of this fee.

Australian Radio in Fight Against Rights Ass'n

(Continued from Page 1)

Sydney (By Cable) — Australian exhibitors, in their fight against music fees charged by the Performing Rights Society, are using license-free records which are being manufactured by the Australian Record Co. for use in theaters. Records are sold outright to theaters for approximately $1, subject to a 25 per cent discount and stamped with the official seal of the MPEA of N. S. W.

The British CEA some years back was successfully tried a similar project in Great Britain.

Edwin Carewe Rallies West Coast Bureau of THE FILM DAILY

Hollywood—Reported by physicians as “much improved,” Edwin Carewe, veteran film director who collapsed of a heart attack on July 5, has been permitted to leave a local hospital for his home.

Gulf States’ Alibis

New Orleans—Let not originality and imagination be defeated, no matter in what cause they be used. Here are the latest alibis for weak box-office in the Gulf States:

1. Saw the perfume, (too many castnames on week-ends.)
2. Public beaches. (They'd rather swim and romp than watch romantic.)
3. Hot weather before rain. Rain. Cool weather after the rain.
4. The Golden Gate Exposition and the World of Tomorrow.
ARCHITECTS

John Eberson
Architect
1560 Broadway
New York City

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New York

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*** Daily News

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WALKINS 9-1655

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‘Under the Southern Cross’

by ANTONIO VERDI

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UNITED STATES AIR CONDITIONING CORP.

MINNEAPOLIS, MINNESOTA
Here is what actually happened at first two openings of Edward Small's "THE MAN IN THE IRON MASK"

NEW YORK...Radio City Music Hall

4,000 tickets sold in less than 30 minutes after doors opened.

Box-office closed for 20 minutes as lines stretched almost to Fifth Avenue.

Music Hall played to more money than the combined gross of four other first-run theatres.

At press time picture is headed for biggest opening day in the past six months.

SAN FRANCISCO...United Artists Theatre

Manager Herman Cohen wires as follows:

"MAN IN IRON MASK OPENED IN OUR THEATRE TONIGHT TO REALLY SENSATIONAL BUSINESS. AS YOU KNOW THIS PICTURE IS PLAYING SINGLE BILL AGAINST DOUBLE FEATURES IN ALL SAN FRANCISCO THEATRES AND AT HIGHER PRICES THAN ANY OTHER MOTION PICTURE THEATRE HERE. WE OPENED OUR BOX OFFICE AT SEVEN P.M. WITH HUNDREDS WAITING IN LINE AND WERE COMPLETELY SOLD OUT IN ONE HOUR AND CONTINUED TO DO THIS SAME KIND OF BUSINESS. AUDIENCE REACTION WONDERFUL AND WE ARE CONFIDENT OF LONG RUN."

Released thru
UNITED ARTISTS
Industry Spent $895,556 Plugging "Greatest Year"

SENATE TO VOTE ON NEELY MEASURE THIS AFTERNOON

Loew's Reports $8,173,000 Net Earnings for 40 Weeks

Industry Drive Still Has $92,567 On Hand; $988,143 Was Contributed

Amendments to Bill Offered and Adopted at Debate; Senator White Attacks Measure as Another Step Towards State Socialism

Washington—The Neely Bill, which was debated in the Senate Friday afternoon, will come up for a vote this afternoon. This was assured following the calling of a recess late Friday when it was announced that the debate on the issue would be resumed today.

Baltimore Theater Su1ng Six Majors

Baltimore—Charging restraint of trade and violation of Section 1 of the Sherman Anti-Trust Act, the Westway Theater, Inc., has filed a suit in Federal Court here against six major companies, four individuals and one theater company. The (Continued from Page 4)

STOCKHOLDERS OKAY GN FINANCING PLANS

Approval Friday by Educational stockholders of the proposed RPC loan and the plan of Felt & Co. to arrange a financing deal for Grand National virtually assured GN of going forward as a producing-distributing organization and of re-establishment (Continued from Page 13)

AFA Plans Court Fight As AAAA Sets Up Rival

Restraining action will be sought today to prevent the newly-formed American Guild of Variety Artists from interfering with the normal processes of the American Federation of Actors, it was declared on the (Continued from Page 11)

British Exhibs. Fear Home Tele May Cut Draw '25%

Bristol, Eng. (By Cable)—Fears that home television sets might cut audience at motion picture theaters by 25 per cent was expressed (Continued from Page 12)
## The Broadway Parade

<table>
<thead>
<tr>
<th>Picture and Distributor</th>
<th>Theatre</th>
</tr>
</thead>
<tbody>
<tr>
<td>Godfrey, Mr. Chips (Metro-Goldwyn-Mayor)</td>
<td>10th week</td>
</tr>
<tr>
<td>Man About Town (Paramount Pictures)</td>
<td>2nd week</td>
</tr>
<tr>
<td>Second Fiddle (20th Century-Fox)</td>
<td>3rd week</td>
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<tr>
<td>Olivia de Harnafic (United Artists)</td>
<td>4th week</td>
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<tr>
<td>Bulldog Drummond’s Bride (Paramount Pictures)</td>
<td>5th week</td>
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<tr>
<td>The Man in the Iron Mask (United Artists)</td>
<td>6th week</td>
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<td>Music Hall</td>
<td>7th week</td>
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<td>Strang</td>
<td>8th week</td>
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<td>Garland</td>
<td>9th week</td>
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<td>Waterfront (Warner Bros., Pictures)</td>
<td>10th week</td>
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<td>Globe</td>
<td>11th week</td>
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<tr>
<td>A Girl Merry (Producers Releasing Corporation)</td>
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<tr>
<td>The Mikado (Universal Pictures-G &amp; S Prods.)</td>
<td>13th week</td>
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### Foreign Language Features

- Leinin in 1918 (Amkino) - 4th week
- Orage (Merion Pictures) - 5th week

### Opening Features

- Andy Hardy Gets Spring Fever (Metro-Goldwyn-Mayor) - July 18
- The Magnificent Fraud (Paramount Pictures) - July 19
- This Man Is News (Paramount Pictures) - July 20
- They Shall Have Music (United Artists-Goldwyn) - July 21
- Winter Carnival (United Artists-Warner Bros.) - July 22
- Frontier Marshal (20th Century-Fox) - July 23
- Remake Music (Paramount Pictures) - July 24
- Daughters of Courage (Warner Bros. Pictures) - July 25
- Mr. Moto Takes a Vacation (20th Century-Fox) - July 26
- Palace

### Firms Files Suit Demanding $750,000 Balm

Fannie Brice Files Suit against Bank for $750,000 in connection with her man's murder. The suit was filed in the New York County Supreme Court in the name of Fannie Brice, the former wife of the late George M. Cohan, who was shot down in the front seat of his car in Hollywood, California, on March 31. The notice of complaint, filed by her attorney, Charles L. Schine, seeking an injunction against the bank to prevent it from disposing of any property belonging to her late husband. Schine, who was retained by Brice in connection with the divorce proceedings, was also retained by Cohan's widow in connection with the settlement of her late husband's estate. The complaint charges that the bank is in possession of property belonging to Brice and that it has failed to file a notice of lien on the property. The bank has denied the charges and has requested a hearing on the matter.

## The Financial Section

### Quotations as of Friday

<table>
<thead>
<tr>
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<td>Warner Bros.</td>
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</table>

### New York Curb Market

- N.Y. & Q.V.
- Mech. Corp.
- Electric Corp.
- Union National

### Pathe Film 7 f.p., Bid

- Fox Tha. 1st 92
- Loew's 1st 65
- Metro 9
- Roxy 9

### Progress Film Library

- Stock shots of every possible description
- 727 Seventh Ave., N.Y. C. (Bryant 3-2900)

### The Theatre

**Monday, July 17, 1939**

**Coming and Going**

**John Jones**, vice-pres. of Jones, Lush & Schieller, and his wife are motoring from Chicago to the Coast for their summer vacation.

**Jules Curley**, Warner advertising manager in charge of Warner's West Coast office, recently spent two weeks at Cape Cod.

**E. M. Bland*, office manager for Allied Theatres, Chicago, is back from Colorado and spent a week on vacation.**

**Stanley Hande**, Altec staff rep., has returned to his hotel after a long tour through the Middle- and South-West.

**David Parks**, American screen comedien well-known in England but comparatively unknown here, is in New York for a home town engagement at the Bowery Theatre.

**Dr. Herbert Graf**, stage director for the Metropolitan Opera, returned from the weekend ahead of a trip to Europe.

**Jesse L. Saks**, accompanied by TERRY TURECK in Dallas, has been signed by Warner Bros. to direct a new project.

**Miss Rita Cane**, radio personality of the old-time variety, has returned to the Coast from a trip to Warner Bros. in Hollywood and is expected to make an appearance in the Radio City Music Hall this week.

**Leon Gurrol**, famous A-g-man, sailed for New York Saturday after attending London Film Congress and Paris premiere of "Confessions of a Nazi Spy."

**Mike MOODEN**, New Zealand theatre manager, has returned from London, where he was attending an international congress of European film industries.

**Richard Rowland**, a local writer here, has just returned from his trip to the East Coast where he conferred on the East Coast.

**Dana Courts**, general sales manager in Australia for Universal, has returned from Australia and is coming to New York shortly for conferences here.

**Russel Crouse**, having completed the Para. script, "The Life of W.C. Fields," is also expected to complete the Para. script, "The Life of W.C. Fields," before the end of the week.

**Bob Leiber**, who has completed his three-year RKO contract, is currently working on a musical for the Central City Opera Company.

**Allen Willkie**, Paramount's home office publicity manager, left New York last night for Boston. He is expected to send news of the company's activities to the newspapers and will confer with local theater managers.

**E. C. Grainger**, general manager of Fieber & Scher circuit, leaves New York for a two-week business trip to the company's offices in Los Angeles, California.

**Greer Garson**, actress, arrived in New York for a two-week business trip to the company's offices in Los Angeles, California.

**Henry Weinerman**, United Artists, arrived in New York last week for a conference with the company's executives.

**E. C. Grainger**, general manager of Fieber & Scher circuit, leaves New York for a two-week business trip to the company's offices in Los Angeles, California.

**Fred E. Green**, circuit manager in England for Paramount, arrived in New York for a conference with local theater managers.

**Ray WOODWARD**, long associated with films in the Northwest, arrived in New York last week for a vacation trip to the Coast and to confer with his office executives.

**Ray WOODWARD**, long associated with films in the Northwest, arrived in New York last week for a vacation trip to the Coast and to confer with his office executives.

**The Theatre**

"A Must Go Enjoy It!—" 

*John Wilson*, shooting for "Babe," has just returned from shooting in the desert.

**I Gypo Rose Lee**

**James Kenna**, manager of the White Fence, has just returned from MIKE'S ROYAL THEATRE, with whom he worked on "White Fence."
"Boss, Paramount sure is liftin' those summer mortgages off the nation's show houses with 'MAN ABOUT TOWN'!"

"You said a mouthful, Rochester. 'MAN ABOUT TOWN' is terrific — topping 'Union Pacific' in many key runs — and speaking of tops — the two top pictures now in release are Paramount's 'UNION PACIFIC' and 'MAN ABOUT TOWN' . . . and there are more to come — 'MAGNIFICENT FRAUD' . . . 'OUR LEADING CITIZEN' . . . 'THE STAR MAKER' . . . 'BEAU GESTE'. It's a Paramount year!"
company's share of net profits for the
40 weeks was $8,173,066 as compared with
$8,332,675 for the same period of
1938, when the contingency re-
serve was $500,000 lower at $1,120,-
000.
Even after this substantial in-
crease in reserves in the current
year, the company's share of net
profits for the 40 weeks was equiva-
lent to $4.62 per share on the aver-
age number of shares of common
stock outstanding in the hands of
the public, as compared with earn-
ings of $4.50 per share on the out-
standing common shares during the
same period of 1938.

Mono. English Program
To Include 32 Features

London (By Cable) — Monogram
English program for 1939-40 will
consist of 32 features to be distribu-
ted through Pathe Pictures, Ltd.,
signed W. Ray Johnston at a press
cocktail party late last week.
Top bracket will be increased from
six to 10 pictures, headed by a Jackie
Cooper unified production. "Tom
Brown's Schooldays," English clas-
sic, is being considered for Cooper's
first. (This story has been previously
announced by Graham-Towne for re-
lease through RKO.)
"Rip Van Winkle," also in the top
flight, is being planned as a color
film, with negotiations under way to
star Jean Hersholt.
Budgets on the new program have
been increased by 50 per cent on
top allocation films and 33 per cent
on others.
While Johnston is in London, he
will screen several Pathe productions
to consider if they will be added to the
1939-40 American program, fol-
lowing release of Pathe's "Dangerous
Fingers" on the current schedule.

Chi. Palace Reopening
Chicago—Tentative plans call for
reopening of the RKO Palace the-
ater here on August 25.

Happy
BIRTHDAY

JULY 17
James Cagney
Frank Whitbeck
Jack Conway
Al Bowdy
Herchel Stuart

Along the Range

(Continued from Page 1)

BACHELOR

• • • TWENTY-NINE years of continuous operation of a the-
aeter is a long time...so Homer Mulkey, owner of the Palms
Theater in Clarendon, Texas, will celebrate this anniversary with a bar-
becue at the Blocker ranch near Clarendon. . . . at which the bookers of
the various Dallas film exchanges will be the honored guests......a
committee of arrangements, who will handle transportation to and
from Clarendon, consists of Harold Brooks, Metro...... T. F. Tidewell, 20th
Century-Fox....... and Maxie Sexton, Republican.....Mulkey says that
he is honoring the bookers because they are the ones who render the
real service to the exhibs......the host is the dean of the exhibitors in
the Lone Star State.

• • • A NEW angle is all you need in any biz......and
Harry Conover has dug one up for his new model agency on Van-
derbilt Avenue.....formerly a model himself, and tagged "the
most photographed man in America," Harry is out to explode the
"beautiful but dumb" theory......he believes in personal repre-
sentation on a quality basis rather than mass production, and will
only handle models who possess enough talent to go places if
given the opportunity......Harry is under 30 and only opened his
agency four months ago, but already he has acquired a rep for his keen
judgment in selecting types......he also has acquired a neat
tag for his girls, who are known as "Conover's Cover Girls"

• • • BACHELOR drops into matrimony sea......Tom Gerard
of the Metro publicity was married last Friday afternoon at the Municipal
Building to Natalie Hammerstein, his sec......a surprise to everybody
......even Louella Parsons missed it......and Walter Winchell, the
other pre-nuptial polipistor in print......the happy couple will make
their home in Rockville Center......where Tom will play golf and
Natalie will keep the home fires burning.

• • • RESIGNING......from Warners home office......Roy
Winkler, the head layout man......after a vacation, he will join
Lord & Thomas. ..... Twenty-two Governors of as many
states have been lined up by Paramount's publicity staff to attend
special previews of Bob Burns' new film, "Our Leading Citizen"
......it took a N. Y. Sun headline writer to make an Irishman
out of the Senator's sponsor of anti-block-booking legislation.
"Senator Mc Neely Attacks Block Booking System"......read the headline.

• • • FIVE-YEAR contract signed by Johnny Pierce, former Gold-
wyn and RKO dance director, with Leo Morrison......Pierce has been
signed to stage the dances in the forthcoming show, "Houseboat On
the Stys," before leaving for the Coast. ..... Jerry Livingston, young
composer-conductor who recently completed a series of shorts for War-
ners, is now appearing nightly with his orchestra at Mother Kelly's Miami Room
in our hamlet.

• • • AS Karl Krug, picture editor of the Pittsburgh Sun-
Telegraph, said in a note to us......"It couldn't happen again in a
hundred years"......the remark is called forth by a swell human
interest yarn that Krug blyined in his paper......concerning the
death of "Uncle Charlie" Melton, an old professor in the famous
Randolph-Macon Academy for boys in Front Royal, Va. .......
whose life paralleled that of Mr. Chips......and in the same mail
announcing the death of this old schoolmaster beloved by thou-
sands of oldtimers and youngsters he taught through the years,
but of the notice of the transfer of "Goodbye, Mr. Chips" from
Loew's Penn to Warners' Fifth Avenue in Pittsburgh.

INDUSTRY CAMPAIGN EXPENSES $895,55

(Continued from Page 5)

local Bank & Trust Co. a total of $9,
587.01.
Participants in the campaign co-
tributed $768,143.06, which repres-
ented the total receipts excluding
those from the sales of appear-
ances. Producers and distributors p
in $500,000 affiliated exhibitors contri-
uted $250,000 and the independent
gave $237,664.76. Sales taxes col-
lected to be paid to city and state
agencies amounted to $678,30.

Newspaper advertising was the
heaviest individual expense, costing
$740,216.56. Other disbursements,
according to the statement, were
Movie Quiz contest prizes, $250,006;
Monogram Quiz contest expenses,
$5,240.59; Exhibitors' contest prizes
and expenses, $2,143.58; short subject, "The World is Ours,
$25,097.71; campaign press book,
$12,482.76; New York office salaries
$39,301; travel, equalization and local committee expenses, $34,
645.28; Hollywood office salaries an
expenses, $7,837.73; salaries and ex-
penses of traveling publicity promot-
ors, $5,021.55.
A loss of $3,021.46 is realized on
campaign accessories, which are sold
in the Movie Quiz booklets. Other ac-
cessory sales showed a profit of $1,
100.00.

It is pointed out in the state-
ment that there are certain liabilities
which have not yet been liquidated
principally "because of the failure of
the parties to reach a mutually
agreeable settlement of the be-

The unpaid invoices aggregate $19,490.53
which include an order for 25,000
press books, legal services rendered
by Phillips & Nizer, a page adver-
sesment in the New York Sun pre-
pared by Donahue & Co and ex-
penses by Paramount in the prepara-
tion of a trailer and sales tax col-
lected on accessories.

Wedding Bells

Miss Ruth Golden, daughter of
Edward A. Golden, vice-president of
Monogram, announced her engage-
ment on July 11, to Laurence Witton
of New York City. At present, Miss
Golden is in Hollywood visiting her
brother and sister-in-law, Mr. and
Mrs. Robert S. Golden.

Manitowoc, Wis. — Miss Margaret
Buchner was married in San Fran-
cisco to Ronald C. McDonnell, who
is associated with the advertising
sales division of Paramount. The
newlyweds will visit the bride's par-
ents here on their honeymoon.

Albuquerque, N. M. — Alvin Eyman,
assistant manager of Albuquerque
Theaters, Inc. and Miss Patricia
Warford of Denver were married
here Sunday at the Monte Vista
Christian Church.
**TIME** GETS GREAT PRESS REVIEWS!

*Use them!*

"One of the outstanding pictures of the current season."
--- KATE CAMERON, N.Y. Daily News

"One of the most unusual pictures to come to the screen."
--- M. P. HERALD

"A daring and unusual photoplay... Immensely novel and intriguing... Fascinatingly different from the general run of screen offerings."
--- HOWARD BARNES, N.Y. Herald Tribune

"For people who value the unexpected in movies, 'On Borrowed Time' will be an absolute command performance..."
--- ARCHER WINSTEN, N.Y. Post

"A beautiful and exhilarating picture... High above the run-of-the-mill movie entertainment. You will be proud of it."
--- BLAND JOHANESON, Daily Mirror

"Very definitely a 'must'. Right up near the top of the 10 best pictures of 1939. There won't be very many more to beat it."
--- LEO MISHKIN, Morning Telegraph

"Beautiful entertainment...vital, alive and penetrating..."
--- WILLIAM SCHENKEL, N.Y. World-Telegram

"Far off the beaten path... keeps its audiences chuckling... well worth seeing."
--- EILEEN CREELMAN, N.Y. Sun

"Surely this is one of the first-rate movies, a kind too seldom seen."
--- ARTHUR POLLOCK, Brooklyn Eagle

"Tremendous emotional appeal... Warm, heart-appealing drama."
--- SHOWMEN'S TRADE REVIEW

"Retains the richness of human and spiritual qualities of the original... Warm and sincere."
--- VARIETY

"A highly successful play, equally appealing as a picture... deft, engaging, unusual."
--- M. P. DAILY

"A beautifully human story... excellent."
--- FILM DAILY

"A laudable entry for Academy honors."
--- HOLLYWOOD REPORTER

"Will move and delight you."
--- JIMMIE FIDLER

"Metro has produced a beautiful film which should meet with wide acclaim... Unusual entertainment."
--- BOX OFFICE

---

**A SMART OSTRICH!**

He keeps his head out of the sand and sees what's going on!

M-G-M's magnificent film "On Borrowed Time" is the answer To the public demand for Something different on the screen! Early engagements are Excellent at the box-office And excellent for the standing of The exhibitor and his theatre In the community!

That's important!

Promote "On Borrowed Time" With all your showman skill!
It pays back in dividends today And good-will all year!


---

**IMPORTANT!**

Chet Bahn in Film Daily says:

"Insist that your patrons see the picture from the start. Unless caught from the opening scene the essential mood of the story may be lost."

---

Here's how to do it in ads and lobby!
The Bumsteads take the whole nation on a roaring vacation... in the newest, best and funniest of their sensational string of family comedy hits!

Based upon the comic strip created by CHIC YOUNG

Played by the same inimitable trio of "naturals",

PENNY SINGLETON · ARTHUR LAKE · LARRY SIMMS
as Blondie · as Dagwood · as Baby Dumpling

DONALD MEEK · DANNY MUMMERT · DAISY

Screen play by Richard Flournoy · Directed by Frank R. Strayer

A COLUMBIA PICTURE
ASCAP FILES BILL UNDER NEW F.L.A. LAW

(Continued from Page 1)

one of the top—Jacksonville, Pensacola or New Orleans.

Washington — Following conferences concluded this week between U. S. Senator Burton K. Wheeler, (Dem., Montana), and representatives of broadcasting interests in that State, together with Ascap officials, during which the legislator suggested that the House of Representatives might be considering a bill to withdraw the Ascap monopoly in that State, thePreferred Trade Practices Committee, the State Board of Ascap, member of the law firm of Phillips & Nizer, and authority on the law of screen, stage and radio. The analysis is designed to provide a basis for the presentation of the Code in non-legalistic, features 27 minutes of screen entertainment. The show starts at 12:30 p.m. and tickets are available free from four local co-operating restaurants.

Free Lunch, Too? 

Green Bay, Wis.—Latest showdown with the major league rushing game coming to Milwaukee was staged every Wednesday and Thursday noon at the Orpheum Theater here, lasting 27 minutes of screen entertainment. The show starts at 12:30 p.m. and tickets are available free from four local co-operating restaurants.

Cooling Off Mecca Lab

Meca Film Lab, at 630 Ninth Ave., is being air-conditioned by Frigidaire. Cooling includes projection and cutting rooms.

Baltimore Theater—Suing Six Majors

(Continued from Page 1)

suit involves clearance, the plaintiffs, contending that before the theater was built, the distributors had as- sumed that the house would have first-run product but that the Edgewood Theater was demanding and getting 14 days’ protection of the Westway.

Those named in the suit were: 20th Century-Fox, Columbia, Loew’s, Inc., Paramount, United Artists, Vitagraph, Universal, Lyndhurst Corp., Frank H. Durkee, C. Elmer Nolte, Sr., Walter Pacy and Harry Reddish.

The plaintiffs assert that three of the distributors had assured them that the Westway would be treated as a “first-run neighborhood theater with its associates, who operate the nearby Edgewood, demanded 14 days’ clearance over the Westway and that the latter has been unable to get fundamental features without the 14-day delay.

The Federal Court is asked to grant a preliminary injunction restraining the defendants from granting to the Edgewood a 14-day clearance and making features available to the Westway on equal terms; a preliminary injunction restraining the defendants from making available to the Westway whatever mor feature pictures than the Edgewood can properly use; declare the entire transaction illegal and perpetually enjoin the defendants from further such practices.

The suit was brought by Leo Hom- mond, vice-president of Westway, through his attorneys, Edgar Allan Poe and Edgar Allan Poe, Jr.

From Second to First-Run

Dallas — Interstate’s theater changed from a second-run policy to a first-run policy, and a need for such a theater on the lower part of theater row. The Melba Theater was transformed into a second-run theater.

Clarence Reiter Dead

Menominee, Mich.—Clarence Ed- ward Reiter, 31, projectionist at Marinette, Wis., and Menominee thea- ters, is dead here. He is survived by his parents, wife, three children and three sisters.

Mrs. Emil Oster Dead

West Coast Bureau of THE FILM DAILY Hollywood—Margaret Emil Oster, wife of the head of the Columbia camera department, died following an operation for the removal of a brain tumor.

(Comedy) Dog Matinee

Feud du Lac, Wis.—A pet dog matinee on a happy note was recently staged by the Garrick Theater here with 25 pet dogs doing various tricks, and some dogs doing nothing at all. Admission was a dime, which included a free doggie for every boy and girl attending.

FILM CODE ANALYZED

By Louis Nizer

EDITOR’S NOTE: THE FILM DAILY today presents the eighteenth installment of a comprehensive interpretation of the proposed Trade Practice Code of the ASCAP. Mr. Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the law of screen, stage and radio. The analysis is designed to provide a basis for the presentation of the Code in non-legalistic, features 27 minutes of screen entertainment. The show starts at 12:30 p.m. and tickets are available free from four local co-operating restaurants.

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Date Her Up....

**JULY 28th!**

*Ann Sheridan...*

in her first starring role in 1939's colossal carnival of joy. She'll melt any snowman's... or showman's heart!
THE GAYEST, GRANDEST HIT OF THE SUMMER SEASON!

WALTER WANGER presents

Ann Sheridan

in

WINTER CARNIVAL

Actually photographed during the world-famous Dartmouth Winter Carnival

with RICHARD CARLSON

HELEN PARRISH • ROBERT ARMSTRONG • VIRGINIA GILMORE

Directed by CHARLES RIESNER • Released thru UNITED ARTISTS

Here comes Ann Sheridan

... Oh, Boy!

He may be made of ice...

but his heart's on fire!

Hang on to your hat, Snowman... here you go!

Just a puddle... but it's pleasure!
Senate Resumes Neely Debate, Votes This Afternoon

Amendments Adopted; White Sees Step Towards State Socialism
Washington Bureau of THE FILM DAILY
(Continued from Page 1)
said that amendments were intended to protect the interests of the 500 opponents, who argued that the wording was too loose.

White Assails Measure

This was one of the main points in the arguments presented by Sen. Wallace H. White, Jr., R., Me. He assailed the bill which, he said, provided criminal penalties but failed to bring out clearly just what would constitute a violation of the Act. He said that a law with criminal penal-
ties should be so explicit that there should be no question. He attacked the measure as being another step toward state socialism and told the Senate that the industry has its own problems and that Government should not interfere.

His measure has been in the three of "Paullhus on motion morals" for the past six months, Neely declared as he led off the debate. The measure, attacks two indefensible trade prac-
tices—block-booking and blind-selling—said, "The opposition has advanced no new arguments since the Senate passed a similar measure last term, Neely declared, and should take similar action now.

The bill's sponsor then attacked opponent witnesses, with one excep-
tion, at the hearings as spokesmen for the Hays office, whose expenses he said, were paid either directly or indirectly to MPDA. Senator Dow-
ney of California was the only opposi-
tion witness whose testimony did not reflect the opinion of the Hays of-

One of the merits of the bill is that it does not extend or establish censorship," Neely said. He then cited the Justice Department suit which also attacked the trade prac-
tices of the industry as and declared, "I think the bill is complete and that the theater owners will work to defeat it. It is bad for the industry and will not be advantageous for the American producer."

Intelligence by Statute

Replying to a question from Sen. Holman as to whether Congress could legislate intelligence into common to patronize obscene pic-
tures, Neely said Yes, "by placing control in the hands of the decent citizens." Calling it Smith evoked considerable at-
tention from both the galleries and the floor in his short hery speech. "Common sense and decency is al-
ready having its effect on the motion picture industry," he said. Admitting that there might be a few present trade practices, he declared, "I don't see any need to burn down the house to get them.

Block-booking and blind-selling are not the evils they are painted, Smith said. On the question of financial setback for

(Continued from Page 1)

THE WEEK IN REVIEW

Industry's Golden Jubilee—WB British Plans

By GEORGE H. MORRIS

HAYS PLEA: Speaking for the Coast to concieve of National Assn. of Broadcasters in Atlantic City via radio hookup, Will H. Hays, film indu-

(Continued from Page 1)

COURT FIGHT BY AFA

LOOMS AGAINST AAAA

week-end by Ralph Whitehead, exec-
tive secretary of the J.W.B, who contends that the effort to draw members of the federation, A.F. of L. affiliate, into the new guild would be regarded by him as interference.

AAA granted a charter to the American Guild of Variety Artists on Cantry afternoon with jurisdic-
tion over principals and chorus of vaudeville, presentation houses, night clubs, road shows, and carnivals. Action followed revocation of the charter of American Federation of Actors after the members of the Inter-
national Board of AAAA were polled on charges made against the AFA. Charges had been the sub-
tject of three days of open hearings.

Ediss Canter was appointed tem-
porary proxy of the American Guild of Variety Artists as chairman of the temporary governing board will com-
prise Ralph Morgan and Kenneth Ediss, proxy and executive secretary repre-
sentatives of SAG; Bert Ly-
tell and Paul Dulliez, first vice-presi-
dent and executive secretary repre-
sentatives of the WBB; and Ralph Dulliez and Richard March, first vice-

SWISS QUOTA: Cable from Berne divulged U. S. distrub. repre-
sentatives fighting to head off im-

802 Sets Band Concerts

Through the joint co-operation of the Guardia, John S. Burke, of the Friedsam Foundation, and Local 802, A F of M, a series of 18 band concerts will be inaugurated tomor-
row at the Sarah Deane Roosevelt Playground. This series, to be given by the Hollywood band of 802, will be held at the various municipal pools of New York.

Capt. Oldfield Called

Lincoln, Neb. — Barney Oldfield, Sunday Journal and Star motion pic-
ture columnist and KFPR chatter nightly, takes Aug. 6-19 off and re-
ports to the National Guard encamp-
ment in Ashland, Neb., to take the role of captain, and handles the state's press during the two weeks of prac-
tical soldiering in the field.

Yiddish Production Starts

Maurice Schwarts, Yiddish star, has completed negotiations with the Mayman Film Co. wherein the former will make a screen version of his stage productions, "Tevya," penned by Sholem Alei-
chem. As in the stage version, Schwartz will portray the title role. Miriam Riselle will have the female lead with a cast of 200 assisting. Sholem Secunda, Yiddish composer, has fashioned the incidental musical score. Production is under way at the Biograph studios under the direction of Schwarts.

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tical soldiering in the field.
reviews of the new films

“unexpected father”
with Baby Sandy, Shirley Ross, Dennis O’Keefe, Mischa Auer
Universal
73 mins.

“News is Made at Night”
with Preston Foster, Lynn Barry
20th Century-Fox
93 mins.

“Gigil”
with Jayne Mansfield, Minnelli
M-G-M
72 mins.

“Western Caravans”
with Charles Starrett
Columbia
59 mins.

strong action film has swell pitched battle between settlers and Indians.
A stirring action picture with a pip of a stage battle in the town for a climax, as the ranchers and newly arrived settlers fight it out.

Baby Sandy is in the running this time, for the little girl is set to camp against the other, and when the big bow-wow comes, to rustle the cattle by the wholesale. This plan works right up to the time when the battle starts, but a rider arrives with news that the rustlers have started their work. Realizing that the sheriff was right all the time, and that the rustlers are their real enemies, the two forces combine, and polish off the gang in thrill fashion. It is good action all the way, with plenty of human incidents and a fair share of comedy. The strength of the Pioneers contribute their western harmonies. Irene Meredith is fine as the leading lady. Dick Curtis as the head rustler is a strong character they will love to his.

Cast: Charles Starrett, Iris Meredith, Dick Curtis, Russell Simpson, Hall Taffallere, Hank Helg, Bob Nolan, Sammy McKim, Edmond Cobb, Ethan Leadlow, Sons of the Pioneers.

CREDITS: Director, Sam Nelson; Screenplay, Louis B. Leaming, George Cameron, George Cooper; Editor, William Lyon.

Producers, Good.

buys RCA tele. equipment for St. Paul station
Arrangements for the immediate installation of a television picture system for demonstrating television to the public of St. Paul and of the surrounding territory, were completed by Stanley Hubbard, president of station KSTP, with the Engineering Products Division of the RCA Manufacturing Company. Equipment is similar to that now in use in the New York World’s Fair and at the Golden Gate Exposition.

Several other station owners from other sections of the country who attended the recent NAB convention at Atlantic City, where the RCA television units were on exhibit, will soon purchase similar equipment for their territory, it was said.

II DUDE NEEDING ITALIAN FILM SQUAWKS;
New Opening for U. S. Pix Foreseen

Hollywood—Premier Mussolini is personally needy the clamor of Italian pix audiences for a return to screens there of U. S. product, since picgoers have been balking the old German and French films, plus criticizing native pictures. The general interest here by Hal W. Wallis, Warners’ associate production chief, who has returned to his post from his recent tour of Switzerland, also stated that it may not be long before “Fritters” from Rome are put out for return to Italy of Hollywood attractions. He added that Warners are to have an exclusive picture based on the novel of Alfred Nobel, provider of awards for achievements in peace, literature and science.

Loder. Nigel Bruce and Matthew Boulton. George Fitzmaurice, director. Story deals with international espionage in the diamond mines of South Africa.


At RKO: “Three Sons,” with Edward Ellis in the leading role, Kent Taylor and Virginia Vale-Robert Stanton, the two youngsters selected in the second of Jesse L. Lasky’s “Little Women” series. The theme is the Cloud of Death, Robert Siai; director, Jack Hively, with screenplay by John Twain.

“Rebecca” immediately after the big fire and starts with a small store and finally the big one’s going to lute in later at the department stores in the world. He has three sons who he hopes will take over the business but they prove bitter disappointments to him.


At Monogram: “Sky Pilot,” third in the series of Tallipin Tommy productions which Paul Malvern is producing. Howard Bredertton, director, John Trent, star.

At Republic: “Street Cowboy,” a Roy Rogers western with George Givot and Raymond Hatton. Joe Kane, producer and director.

STOCKHOLDERS OKAY GN FINANCING PLANS
(Continued from Page 1)ing itself in the industry. Approximately $1,000,000 will be made available through the combined RFC-Felt deals, although the Felt plan may spell difficulties when the RFC is completed.
The RFC loan is reported to involve between $400,000 and $500,000, while Felt & Co. can furnish $550,000. As soon as the financing details are completed, the company will make an additional mortgage, held by the RFC, which amounts to about $200,000, while an initial payment of $50,000 will be paid on account.
It is believed that the RFC will take over the mortgage on the Educational Studios in Hollywood.
With financing problems solved, E. W. Hammons, president, is expected to re-build the production and distribution structure of his organization. It is reported that between 50 and 60 salaried men will be placed on the payroll of the various exchanges. Hammons and Irving Felt are slated to go to London in about a month to set up a production setup. Felt executives will take an active part in the operation of the studios, which are to be held by Felt, himself, on Friday.
Grand National, it is reported, will not participate actively in the production but will make its funds available to worthwhile producers who will supply the GN programs. Thus, GN will become a financing organization. At the same time, it is understood that GN will seek several independent pictures for immediate distribution.

"U" to Defend Darrieux Pact "in All Countries"

Universal at the week-end released a statement to the effect that its contract, executed in 1927, gives the company the "exclusive rights to the artistic services of Danielle Darrieux for all English-speaking films and an option on French-speaking films."

Concluded the statement:
"Universal never having been party to any legal process affecting Danielle Darrieux, no legal decision or award of any kind can have been made which affects the rights of Universal and the company is determined to defend its rights by all legal means in all countries."

N. J. Gold Mines!

London (By Cable)—It may be news to you in America that there are gold mines in New Jersey, but Ernest W. Friedman, of the Daily Film Reporter, has what he considers proof: a letter from a man in Somerville, N. J., who says he is a gold prospector and wants some information about it. He is now hunting and hopes to show the mining men an exhibit in disguise.

15 Nations to Exhibit at Cannes

Paris (By Cable)—Fifteen nations have already notified the Organization Committee of the International Film Festival that they would participate. Countries are the U. S., Great Britain, Belgium, Holland, Spain, South America, Poland, Switzerland, Roumania, India, Egypt, Russia and the Scandinavian countries.

British Exhib. Fear Home Tele May Cut Draw 25%

(Continued from Page 1)

at the meeting of the Bristol and Bath Branch of the CEA here. Instance was cited of one London family which had not once visited a cinema within three weeks after getting a home tele set.

General opinion was that the novelty of small tele pictures in the home would soon wear off, and that it would be wiser to go along with the television tide rather than to try to hold back the new medium of entertainment.

However, it was decided to take up at the next monthly meeting the appointment of a committee to consider what menace home tele might be considered to hold for the picture industry.

London (By Cable)—The national CEA's television committee, after devoting much attention to the tele operation of the cinema, has drawn up proposals which it will make to the Postmaster General on the subject, after conferring with the distributors' organization, the KRS, to co-ordinate the views of both bodies. The CEA's tele committee advocates keeping an open mind on the general tele policy until the advisory committee of the General Post Office submits its tele report. It is expected that the GPO report will give some indication of the trend in tele development, especially as regards home programs and big screens in theaters.

TMAT Council to Probe WMT Lockout Charges

Springfield, Mass.—An investigation of lockout charges brought by employees of the Paramount Theater, against Western Massachusetts Theaters, Inc., has been authorized by the national executive council of the TMAT Union.

Charles P. Carroll, national chairman of the council, was ordered to Springfield to investigate the charges in a resolution passed by the council. He was authorized by the council to call a general circuit strike, if necessary, establishing strike headquarters in Springfield.

Paramount Theater closed July 5. Harry Storin, manager, charged that Samuel Goldstein, president and general manager of Western Massachusetts Theaters, Inc., was prejudiced against himself and two other members of the TMAT as the result of a union election in which the company was charged with coercion and domination and that the closing of the theater amounts to a lockout.

Temporary lack of money-making pictures for the closing, the theater interests claim, and negotiations are now being made for Fall releases for the house.

Para. Shooting Last Pix For 1939-40 First Quart.

(Continued from Page 1)

duction. Exception noted, "Are Husbands Necessary?" is now before the cameras, with E. H. Griffith directing.


Now in work for release later during the 1939-40 season are: "Dr. Cyclops," featuring Janice Logan and Albert Dekker, directed by Ernest Schoedsack and produced by Dale Van Every; the William A. Wellman production, "The Light That Failed," starring Ronald Colman; "Our Neighbors—The Carpeters," starring Pat O'Brien and Barbara Stanwyck; "Seventeen," starring Jackie Cooper under the direction of Louis King and produced by Stuart Walker; and "Untamed," starring Ray Milland, Patricia Morison and Akim Tamiroff, with George Archainbaud directing and Paul Jones producing.

RULES IATSE CANNOT REVOKE 37 CHARTER

(Continued from Page 1)

on May 5 against IATSE not to revoke charter.

However, Judge Willis ruled that John P. Gateae and Frank Stickel, who took over the affairs of Local 37 on March 12 and who brought counter suit against officers of Local 37 for $10,000 for purpose of administering affairs of No. 37 until the General Executive Board of IATSE determine that the extreme emergency does no longer exist.

Judge Willis pointed out that at the 1936 convention of IATSE a strong change of policy occurred and that the office of President was given strong autocratic powers and that the organization had changed from a simple democracy to a single individual autocracy by centralizing power over persons, property and finance.

It gave the President authority to run every local he would choose to declare in a state of emergency. Judge Willis also pointed out that inasmuch as the IATSE is an unincorporated organization, the courts have no power or rights to rule on this change of policy. He declared that there was no conspiracy to declare the state of extreme emergency as charged by Carpenter and said that Stickel, Gateae and Harold V. Smith were simply agents of President Browne.

YESTERDAY

What were you doing

TODAY

What are you doing

TOMORROW

What will you be doing
"There were crowded houses at the Music Hall yesterday, the biggest opening since Easter; and the film—

Edward Small's
THE MAN IN THE IRON MASK—deserved it!"

Eileen Creelman
New York Evening Sun

Released thru
UNITED ARTISTS
Radical Anti-Trust Procedure Changes May be Urged

SENATE PASSES NEELY MEASURE, 46-28

Penn. Won’t Appeal from Chain Theater Tax Decision

State Will Permit Court’s Knockout to Stand, Reno Declares

Harrisburg, Pa.—No appeal will be taken from the Pennsylvania Supreme Court decision invalidating the chain store and theater tax by the state, Attorney General Claude Reno told THE FILM DAILY yesterday. Levy, which imposed a graduated tax of $1 to $500 on stores and theaters, depending upon number under same ownership, was successfully fought by theater interests and declared unconstitutional on June 19.

WB’S BIGGEST YEAR IN ENGLAND—MILDEN

Warner’s are having biggest revenue year ever via their distribution set-up in England since Warner’s establishment there, it was declared by Max Milder, managing director of Warner Bros. Pictures, Ltd., upon his arrival in New York yesterday aboard the Queen Mary.

Augmenting this statement, Sam (Continued on Page 2)

FPC Execs. Here to Talk Republic Product Deal

Huddles involving Fox West Coast and Republic execs, scheduled to have taken place yesterday, will not materialize until tomorrow. Impending negotiations have as (Continued on Page 7)

Sen. King as P. A.

Washington—The FILM DAILY Washington—During the Neely Bill debate yesterday, Metro’s “Goodbye, Mr. Chips,” English prod., got a nice plug on the Senate floor when Senator King praised it as “a picture the name of which I ought not to mention, because we do not advertise them here, but which I think merits the approval of young and old, churchgoers and those who do not go to church, farmers, preachers, writers and editors, everyone.”

WOULD FILL RKO BOARD

Hearing on Trustee’s Petition Set for Thursday

Application of Irving Trust as RKO’s trustee for permission to call a meeting of the remaining members of the RKO board for the purpose of electing as new directors the names approved by Federal Judge William Bondy will be heard Thursday at 2:30 p.m. Date was set yesterday by the Court.

Petition stated that of the 19 directors elected at the last stockholders’ election, on March 23, 1932, (Continued on Page 5)

FRENCH PIX GAIN IN CUBAN FAVOR

French pictures are gaining in popularity in Cuba, according to Henry Weiner, manager of United Artists’ Havana office, who is in New York on a combination business and vacation trip, Weiner said (Continued on Page 3)

TNEC Report Advocates Civil Remedies For Enforcement of Anti-Trust Laws

AFA Would Enjoin 4 A’s; Court Heals Plea Today

Abraham J. Halprin, counsel for AFA, issued a statement yesterday on behalf of his client that action has been instituted in local Supreme Court against the Associated Actors and Artists of America and the American Guild of Variety Artists, seeking to obtain a judgment va- (Continued on Page 5)

Bill Goes to House, But Without Chance for Action at This Session—King Challenges Its Constitutionality

By MILTON F. LUNCH. Washington Bureau of THE FILM DAILY

Washington—For the second time in as many years, the controversial Neely bill to outlaw compulsory block-booking and blind-selling passed the Senate here yesterday afternoon and was sent to the House. The vote was recorded as 46 to 28.

There is no hope for action in the lower chamber at the present session as Chairman Clarence F. Lea of the Interstate Commerce Committee has stated his group will not act without a public hearing on the measure. With Congress hoping to adjourn next month, the time element bars such a hearing.

Senate approval came on the heels of a savage attack upon the bill. (Continued on Page 6)

EARL HUDSON HEADS UNITED DET. THEATERS

Earl Hudson will be the nominal successor to George Trendle as head of United Detroit Theaters, it was learned yesterday. Hudson former- (Continued on Page 3)

Lesser-Lurie To Form New Producing Company

San Francisco—New producing corporation to be organized by Sol Lesser as a result of his five-year UA franchise will start with a paid (Continued on Page 3)

Stocks Climbing

On a generally rising market, film stocks showed a sharp rise on the New York stock exchange yesterday. Universal leading the upward climb by an advance of 4½ points, closing the first bid at 77 3/8 to 95 1/4. Loew’s common up 13 1/2 to 50, and the phl, gaining 11 1/2 closing at 199. Eastman Kodak gained 11 1/2 points and Warner common 3 1/2 and the phl. 1. Other stocks showed gains of from 1 1/2 to 1 3/4 points.
COMING AND GOING

**In England—Mildred**

(Continued from Page 1)

E. Morris, vice-president in charge of foreign distribution, who, with Joseph S. Hummel, general sales manager for Warner Bros Pictures, Inc., and Karl Marصاح supervise for South America for Warners, met Mildred at the pier and implored her to business in Continental Europe is also "very good." Mildred described his current visit as exclusively a vacation, and that she does not plan on business conferences.

Te declared that "Confessions of a Nazi Spy," now in its fifth week at the Warners Theater, London, is selling up tremendous grosses in the U.K. and is the top drawing attraction in that feature to invade England in the past several weeks.果园 of former estimates that the film will grab a million-dollar gross. Mildred said that it will do $1,500,000.

Further, he denied any knowledge of "impeaching gifts" in WB for foreign personnel, and said that trade reports along this line were without foundation. Mr. Mildred accompanied his her to the U.S. and they will remain here several weeks. He said that he is not contemplating a trip to Burbank.

**AFA Would Enroll 4 A’s; Court Heats Pl eas Today**

(Continued from Page 1)

eating and setting aside decision of so-called Trial Board revoking the chronicles. Resolution vacating the charter, Halprin states, is based solely on claim that AFA failed to exercise its jurisdiction as per the orders of the National Board.

Injunction will be sought to re- 

signature of contracts obtained by AFA with various employers, which contracts have not expired, and interference by solicitation of AFA members, Application, said Halprin, will be presented before Supreme Court today, and will he be heard before Justice Edward J. McGoldrick.

Meanwhile the new American Guild of Variety Artists estimated that over the week-end it had enrolled more than 500 new actors, and Ralph Whitehead, AFA executive secretary, disagreed to the Guild’s claim of success in organizing.

**The Theatre**

**“MUST GO ENJOY IT”** — Walter Winchell

**GYPSY ROSE LEE**

**I MUST LOVE SOMEONE**

with Music

with James Kinnie—Rifl Adrian

with H. Hammel—White

Vanderbilt, 4th St., E. 440

Met., Wed., Sat.

**WB'S BIGGEST YEAR IN ENGLAND—MILDRED**

**DAILY**

Continued

3y

short

scheduled

52

the

+3

General

Panama

Des

89

six

business

103

Asked

Warner

Loew's

Pathe

Cinematographic

Galindo,

W.

Bldw.,

9-7117,

Ad

Boulevard,

9-7110,

212-131

W.

Cinematographic

Francoise,

29 Rose

Mary

Karloff,

Galindo, Dept., 19, SA.

Ouest No. 102,

Tenn.

Del., Boston Ave., Chas.

Herald Del Cinematographis,

Cerritos, 1999.

Ralph Doyle of Paramount's Australian office, returned yesterday from the Monterey from Los Angeles for down under.

Robert R. Sherwood, screen writer and director, arrived yesterday on the Queen Mary from Europe.

Morgan Hobart, manager of Technicolor's New York office, returned to his post yesterday morning following a brief vacation at Westport, Conn.

John Ebers, film theater architect, has returned to his office from here a business trip to Seattle.

George W. Weeks, Monogram vice-presy, and Mel Hullick, company's Western district sales manager, left Los Angeles Sunday night for a tour of Frisco, Portland and Seattle exchange.

Douglas Fairbanks, J.R., accompanied by his former wife, Mary Lee Epling Hartford, arrived in New York last night from Boston. Fairbanks will be guest of honor at the World's Fair opening banquet at the Commodore, for an extended vacation before returning to Hollywood.

Gary Cooper and his wife, the former Sandra Shaw, and their two-year-old daughter, Melissa, arrived in New York from the Coast yesterday morning. Cooper plans to stay east for about six weeks.

Charles P. Scorouas, Fox West Coast, arrived in New York yesterday from Hollywood, accompanied by his assistant, Andy Krappman, and Arch M. Bowles, FWC's Northern California division manager.

Eric Greenberg, manager in England for Columbia, accompanied by his wife, the former Marie Corson, has arrived in New York from London.

A. H. Blank of Des Moines, head of the Fox指甲 MacMillan, Picture, arrived in New York yesterday and is expected here within the week.

Moe and Sol Siegel, Republic production chiefs, arrived in New York yesterday and are busy here.

Max ROTH, Mid-West district manager for Republic, IRVING MANDEL, Chicago, Milwaukee, Minneapolis and Detroit branches, and ROBERT WITHERS, of the Kansas City territory, are here in New York this week on Republican business.

George RAFT, having just completed his successful film, "The Hurricane," arrives here from the Coast this morning. After a short time here he plans to sail for Europe next week.

Jesse J. Lasky has been back in Hollywood from New York and Texas.

John Ebers, film theater architect, has returned to his office from his business trip to Seattle.

George W. Weeks, Monogram vice-president, and Mel Hullick, company's Western district sales manager, left Los Angeles Sunday night for a tour of Frisco, Portland and Seattle.

(Daily, continued)
KUYKENDALL TO HEAD D OF D CONFB GROUP

(Continued from Page 1)

kendall, he said, include Oscar Lam, representing Southeastern Theater owners, Rome, Ga.; Lewin Pizor, UMPTO president, Philadelphia; Stanley Sumner, Cambridge, Mass.; Walt Vincent, New York, and Sidney Jast, Washington. Kuykendall said there may be one or two others added to his list to join in Thursday's conference. The MPTO proxy left for New York last night but will return to Washington tomorrow.

Today Harry Brandt, ITOA head, is scheduled to meet Commerce Dept. bigwigs while tomorrow is being held open for Allied despite Abram F. Myers' dose of cold water on the confab idea last week. It is understood that officially Allied hasn't accepted or declined the Commerce Dept's bid for tomorrow.

Myers told The Film Daily yesterday that Col. H. A. Cole, Allied national proxy, will arrive in Washington today and that he and Cole will then finalize regarding the Commerce Dept. invitation. Indications are that at least Colonel Cole will attend for Allied now that

Earl Hudson Succeeds Trendle as Head of UDTC

(Continued from Page 1)

ly was an executive of First National Pictures and has been with UDTC since 1934. Whether Hudson will fill the post permanently has not been decided. Trendle's resignation as head of the Paramount affiliate becomes effective Aug. 1. Paramount accepted his resignation on July 7.

Variety Club for O. C.

Oklahoma City—Long discussed plans for formation of a local chapter of the Variety Club of America will be brought to definite action Aug. 2 when a group of leading state and city radio men will meet at the Biltmore Hotel at the call of L. C. Griffith, general manager of the Griffith Amusement Co.

ALONG THE DIAL

WITH PHIL M. DALY

- • • • PRIVATE preview performance of Samuel Goldwyn's "They Shall Have Music" at the Rivoli on Broadway... on the evening of July 25... for the benefit of the Greenwich House Music School and the High School of Music and Art... the committee sponsoring the benefit includes Mayor LaGuardia, Mrs. Vincent Astor and Commissioner of Licenses Paul Moss... the entire proceeds will go toward furthering musical education for underprivileged children... this is the basic theme of the production, in which Jascha Heifetz makes his screen debut... Mrs. Franklin D. Roosevelt and Samuel Goldwyn will attend the special preview.

- • • • TODAY is set aside as "Bob Hope Day" at the World's Fair... an elaborate program has been scheduled which will take the Paramount comedian right through the day... starting when a Scottish kiltie band and motor caravane sent by the World's Fair escorts him to the Administration building... there the honored guest will be received by Sir Louis Beale, in charge of the British exhibit. Bob being a native of London... he will judge a beauty contest, be made an Indian chief, and otherwise be in the limelight to help the Fair, the British Flag, Paramount and Bob Hope.

- • • • FIRST annual golf tournament of the Detroit Variety Club will be held on Aug. 21... at Knollwood Country Club... over 100 prizes will be awarded... the event is being managed by John Howard, local Paramount branch manager.

- • • • TEN top-budget pix will be placed in work during August, September and October by Warners... it was decided after conferences between Jack L. Warner and Hal Wallis, the tentative lineup is as follows: "The Sea Hawk," with Errol Flynn... "And It All Came True," with James Stewart, Ann Sheridan... "The Army, the Navy and the Girl," with Wayne Morris, Gale Page... "Beethoven," starring Paul Muni... "City of Iron Men," starring James Cagney... "The Fighting 89th," starring Pat O'Brien... "Forgive Us Our Trespasses," with Fay Bainter and Geraldine Fitzgerald... "Four Wives," with John Garfield and the Lane Sisters... "Gusher," starring Edward G. Robinson... "The Patent Leather Kid," starring George Raft.

- • • • WHILE the boss was away on vacation... the employees of the Albuquerque (New Mexico) Theaters decided to roll up a banner week of business... the theater patrons responded wholeheartedly to the efforts of the 92 employees... the result was that when Chief Arthur E. Engberg returned from his holiday, he found a 20 per cent increase in the B.O. receipts over any week of last summer.

- • • • FILM patrons in a Newark suburban house are getting a big kick out of one of the slides being run off along with the fire exit diagram... the manager dug through his storage trunk and found an old one which reads: "Ladies will please remove their hats during the performance..." some patrons had registered squawks against those bird-cage and flower-pot head adornments of the femmes.

LESKER, LURIE WILL FORM NEW COMPANY

(Continued from Page 1)

in capital of $1,000,000, with Lesser and Louis Lurie, local capitalist, each contributing half, it was disclosed yesterday.

Name for the new company has not as yet been chosen. It was stated. Discussing the setup, Lesser said that the corporation would acquire a 50 per cent interest in Ernest Lubitsch Corp. Lubitsch will direct two of the four pix which the Lesser-Lurie company will contribute to U.A. annually.

Frank Craven will star in the first, a film version of "Our Town," Thornton Wilder's Pulitzer prize play, to be made in Technicolor. New corporation will have Lesser as proxy, Lurie as vice-proxy and treasurer.

French Pictures Gaining Favor in Cuba—Weiner

(Continued from Page 1)

yesterday that a number of German producers, who fled from Berlin for political reasons, have gone to France where they are turning out quality product. These pictures, he said, are well liked by the Cubans and offer the only competition to American productions.

Efforts to make pictures in Cuba have not been successful, although approximately a dozen will be produced there this year. The only company which has had any measure of success in the production field, Weiner said, is Compania Peliculas which already has turned out six pictures since the first of the year. However, the Cuban-made pictures get very little playing time outside of Cuba, he added.

Proposal to increase the tax on the distributors' gross receipts is now before the Cuban legislature. The film companies, Weiner explained, pay a tax of 1½ per cent per month on the gross business, in addition to a 3 per cent yearly tax. The proposed law would boost the yearly tax to 5 per cent, which would be collected in addition to the monthly 1½ per cent levy, making a total of 6½ per cent on the distributors' gross business.

Business in Cuba has shown a decline during the last year, but Weiner said that a slump usually occurs before elections which come up this year.

Broder Forms New Firm

Detroit—Jack Broder, owner of the Rainbo Theater, has incorporated the Time Theater Co., with a capitalization of $50,000, and himself as sole stockholder.

Analysis Tomorrow

Nineteenth installment of the analysis of the Trade Practice Code by Louis Nizer, complete schedules of which will appear in tomorrow's FILM DAILY.
WARNERS MADE IT! WARNERS MADE IT!

Screen Play by Norman Reilly Raine & Warren Duff • With JANE BRYAN

Directed by WM. KEIGHLEY • JACK L. WARNER in Charge of Production
AGNEY MEETS A TROUBLE!

WARNERS MADE IT! WARNERS MADE IT!

EO. BANCROFT • From the Novel by Jerome Odlin • A First Nat'l Picture

HAL B. WALLIS, Executive Producer • DAVID LEWIS, Associate Producer
Sen. King of Utah Led Fight Against the Measure

Text of Amended Measure

Washington Bureau of THE FILM DAILY

July 18, 1938

President distribution method cost about 26 per cent of the gross receipts, King said, adding that under the Neely bill, many producers would go bankrupt.

“If this measure shall be enacted into law its effects will be so de-

terious, so devastating, that many will be thrown out of employment” he declared. He referred also to the letter received by Majority Leader Barkley from William Green, president of the American Federation of Labor opposing the bill on those grounds.

Neely introduced into the record a memorandum from Abram F. Myers, chairman of the board of Allied answering objections made to the bill, which was read:

Record vote on the bill was as follows:

Yeas: Andrews (D. Fla.); Bank (D. Idaho); Below (D. S. D.); Byrd (D. Va.); Byrnes (D. S. Car.); Capper (R. Kan.); Charles (D. D. C.); Clark (D. W. Va.); Colbeck (D. N. J.); Collier (D. N. Y.); Donlan (D. Ohio); Frazier (R. D.); Geyer (D. D.); Gillette (D. Iowa); Greene (D. R. I.); Guffey (D. Ne.); Hayden (D. Pa.); Hayden (D. Ar.); Hill (D. Ala.); Holman (R. Ore.); Hughes (D. Del.); Johnson (D. N. D.); Keys (D. N. M.); Lee (D. Okla.); Lundeen (F. L., N. D.); McKellar (D. Tenn.); Minton (D. Ind.); Morgan (D. Mont.); Neely (D. W. Vir.); Norris (Ind.); Pittman (D. Nev.); Reed (R. Me.); Robison (D. Mich.); Schwellenbach (D. Wash.); Shepard (D. Tex.); Shinsted (F. L.); Shubert (D. Tenn.); Thomas (D. Okla.); Tremaine (D. Utah); Tu- trum (D. Mo.); Tymidy (D. Md.); Walsh (D. Mass.); Wheeler (D. Nev.);

Nays: Adams (D. Colo.); Ashurst (D. Ark.); Barkley (D. Ky.); Radcliffe (R. S. D.); Hale (R. Mo.); Harrison (D. Miss.); Johnson (R. Calif.); King (R. Ne.); Burke (R. Neb.); Clark (D. Mo.); Downey (D. Calif.); Ellender (D. La.); Gibson (R. Vt.); Glass (D. Misc.); Grady (R. Utah); Logan (D. Ky.); Lucas (R. Ind.); McColgan (D. N. Y.); Overton (D. La.); Pe- per (D. Fla.); Radcliffe (D. Md.); Russell (D. Ill.); Taft (R. Ohio); Townsend (R. Del.); Van Nuy (D. Ind.); White (R. Me.).

Gulf Renewals Guild Air Show

Hollywood-Gulf Oil Corp. has re-
ADVOCATE ANTI-TRUST PROCEDURE CHANGES

(Continued from Page 1)

continues with legislation providing for:

1. Amendment of the Clayton anti-trust act to prohibit one
   corporation from acquiring the control of another
   as well as the stock of the latter corporation.

2. Civil remedies for enforcement of the anti-trust laws.
   (Legislation providing for the later has already been intro-
   duced by Senator O'Mahoney, TNEC chairman, as exclusively
   reported earlier. The Film Daily (June 30).

3. Fundamental procedural changes to speed patent law
   litigation.

4. Prohibitions upon patent use for trade restraint.

The so-called monopolies committee
report that the civil remedy
available to the Department of
Justice worth mentioning was an
action in equity to enjoin a
violation or threatened violation of
the anti-trust laws. Although such
action was often useful in certain
cases, the committee found it to be
useless as a preventive.

Two Main Reasons
Forecast

"Additional civil remedies should
produce these effects: a
substantial strengthening of anti-
trust enforcement, and fairer
enforcement of those laws, more
realistically adjusted to the nature
of the problem," the report continued.

The report suggested that viola-
tions of the anti-trust laws be treated
as "a kind of tort against the
national economy and the general
public interest," and that the
government be empowered to bring
action in such cases. The violation of
the anti-trust laws was made
unnecessary, the report said, or at least
made much less likely, by the
filing of corporate offenses to the
United States a sum equal to twice
its total net income for the period of
the violation, while the
individual officer of the corporation
would forfeit a sum to the
government which would be twice his
compensation during the same
period.

Bad Risk for Firms, Officers

"In short," the report said, "these provisions are designed to make a
violation of the anti-trust laws a
very bad business risk both for the
corporation and for its responsible
officers and directors."

"O'Mahoney, explained that such a provision would tend to make the
anti-trust laws "self-enforcing."

The D of J has been forced to
report to the Committee on
"Judicum Bureau of
normal procedure against violations of
the anti-trust laws, the report
continued, and its suggestions
were not proved entirely satisfactory.

The report said that because of
the type of hard-bargaining involved it
had proved practically impossible for the department
to obtain convictions, and as the
final report did not seem to matter in most cases, it

"Neely Support Gratifies Abram F. Myer; Kaykendall Sees the Little Fellow Hurt (Continued from Page 1)


Washington—"After all, the votes talk—that's all I'm interested in." commented Abraham F. Myers, assistant to the President, after the Neely amendment of the motion to pass the Senate. He added: "We are very much gratified by the cooperation of our friends in the Senate.

Neely came from the other exhibitor leader, Procy Ed Kaykendall of the MPTOA: "The vote speaks for itself, but the bill will hurt the circuits of the powerful.

Would Fill RKO's Board; Hear Petition Thursday (Continued from Page 1)

only four remain, of whom General James Harbord and Lunsford P. Yandell will continue as directors of the new company when formed.

It is important, the petition con-
tinued, that the vacancies be im-
mediately filled by those persons
selected. Article seven of the cer-
tificate of incorporation of the pres-
ent company requires that va-
cancies be filled by the board of
directors regardless of whether a
quorum is present at a meeting.

If it is necessary to fill the
vacancies, the court has ordered
those persons who will act as directors of the new
company, it will serve to give
tone to the fight for control of
affairs in the company between
those who will fill the vacancies
and those who will fill the
affirmation the resistance of the
business of the company, it is further stated.

a statement for which was
used by A. Christensen as vice-president,
who the decision of the Cir-
cuit Court on the appeal from the reorg.
plan; now before it, would not
affect the advisability of the move.

Directors, once qualified, it said, will
be able to advise on the moves to
be taken after the decision has been
rendered and as a group, represen-
tative of stockholders and creditors
interests, could take the steps "nec-
essary or appropriate under the
circumstances."

Frankfort Trust Action

Accuses Seven Majors

Frankfort, Ky.—Charging conspir-
acy and restraint of trade, Harry
Schwartz and George Myers, owners
of the Frankfort Amusement Co., have brought suit for $75,000 against seven ma-
or film companies and the Frank-
fort Amusement Co., operating four
theaters in Frankfort. Suit alleged
conspiracy between the amusement
company and the distributors in al-
luding first, second and third-run
films to be distributed to the amuse-
ment company only, and not to the

Defendants are: 20th-Fox, Repub-
lie, of Ohio; Loew's Inc., M-G-M of
Texas, Irving Trust Co., of New
York trustee for RKO, Paramount,
United Artists, and W. J. Hulette.
One of the defendants refused to
settle out-of-court and Ethel Sparks, Winchester, president, vice-
pre., and secretary of the Amusement Co.

E. R. Schremser Dead

Detroit — Edward R. Schremser,
who had directed orchestras in
numerous Detroit theaters, for the
home of his son in Ann Arbor.

"Each Dawn I Die" (Continued from Page 1)

With James Cagney, George Raft
 Warners. 92 Mins. POWERFUL PRISON DRAMA GIVES CAGNEY AND RAFT STRONG ROLES.

This prison drama is distinguished by a strong and logical story that gives James Cagney and George Raft opportunities to go
to town with some heavy dramatics. Both acquire themselves impressively. Cagney is a reporter in the big town who gets a
story for his paper showing that the dis-
}
In 22 key cities "Second Fiddle" has beaten the following 20th Century-Fox Pictures of this season:

KENTUCKY - MY LUCKY STAR
ALEXANDER GRAHAM BELL
SUEZ - SUBMARINE PATROL
ROSE OF WASHINGTON SQUARE
THE LITTLE PRINCESS
YOUNG MR. LINCOLN
D of J “Civil Remedies” Plan to Face Congress Fight

ITOA Chief Gives Opinions But Officials Decline To Reveal Details

Washington Bureau of THE FILM DAILY

Washington—The general problems facing the exhibitors and the industry were presented to Commerce Department officials yesterday by Harry Brandt, president of ITOA of New York. Brandt was accompanied by Lionel Toll, editor of the ITOA house organ. The ITOA representatives met with Dr. Willard L. Thorp, E. A. Tupper and Nathan D. Golden representing the Commerce Department.

At the conclusion of a three hour meeting (Continued on Page 3)

STUDIO PUBLICISTS NAME JUBILEE COM.

West Coast Bureau of THE FILM DAILY

Hollywood—A committee consisting of Gabe Yorke, Howard Strickling, Nat Dyches, Terry De Lapp, Irving Robine and John P. Mills was named yesterday at a meeting of studio publicity executives to coordinate plans and ideas in connection with the Golden Jubilee of the motion picture industry.

Ohio Court Refuses Defense Substitution In Pix Tax Suit

Columbus, O.—The Franklin County Court of Appeals refused petitions of ITO and MPDPA counsel to name Universal Cleveland Theaters, Inc., and Exhibitor Frank J. Ferguson as substitute defendants (Continued on Page 4)

Frisco in October

FOR MPTOA MEETING?

The MPTOA probably will hold its annual convention in San Francisco in October, President Ed Kuykendall said in New York yesterday. He expects to have the issue decided before he leaves within the next few days.

Fair’s Hot Dog Giveaways Has N. Y. Exhibs. Wondering

Announcement by the World’s Fair that it would include $2.25 worth of Fair events, including the admission price, for $1 this week-end did not arouse much comment among the Broadway managers. One top exec. said the plan was a radical departure from policy, inasmuch as show business always found it wise to charge higher prices on week-ends.

“After spending millions on their (Continued on Page 4)

See Gov’t Change in Policy as Key to Pix Industry Code Indifference

Washington Bureau of THE FILM DAILY

Washington—The D of J “Civil remedies” plan to bolster anti-trust law enforcement, embodied in the TNEC—recommended O’Mahoney measure, will encounter strenuous Congressional opposition with a showdown in progress at the next session, it was indicated on Capitol Hill yesterday.

Opponents lining up against the (Continued on Page 17)
Wednesday, July

COmiDG
Wed., July

Vol. 76, No. 12

JOHN W. ALICOATE

Publisher

:

SAM E.
New

MERSEREAU

M.

CHESTER

::::::

BAHN

B.

Manager

General

:

Editor

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Buenos Aires Chas. de Cruz,
Mexico, D.F.
Heraldo Del Cinematografista, Corrientes 1309.

THE

—

—

—

—
—

MORRIS,

from

Warner

vice-prexy,

to

DONALD CRISP sails from New York today
on the President Roosevelt for an extended
vacation abroad.
Warners gave him a three
months' leave of absence after completing his
role in "The Lady and the Knight."
F.

MCCARTHY, Universal exec,
and New Orleans.
He

A.

J.

Atlanta

ing in
to the

h.o.

is

on Monday.

wood.

JAMES PETRILLO, prexy of the Chicago MusiUnion, has returned to Chicago after attending the New York World's Fair.

cians'

prima

donna,

and her husband,

ANDRE KOSTELANETZ, orchestra leader,
arrived in New York from their home at
Mine,

have
Silver

Conn., and are stopping at the Waldorf-

Astoria.

financial

HANK LINET

Net

Am. Seat
Columbia

High Low Close Chg.
14y4 14V4 14% + 7/s
(2y2 %) 103/g ioy4 ioy4
V*

Picts.

—

pfd

Con.
Con.

Fm. Ind
Fm. Ind. pfd...

East.

Kodak

113/8

170y2

11%
45%

Inc

+ 8
+ 2
"% + Vs
453/4 +
%
i/

lll/4
11 i/g
169l/2 1701/2

11%
45%

10%
9% 10
95% 95% 95%
10% 10% 10% +
10% 10'/4 10%—

— %

Pathe Film

2%

RKO

20th Century-Fox ... 21
20th Century-Fox pfd
Univ. Pict. pfd

%

former editor of New Movie
returned to New York after a

FRANK McNELIS,

Magazine, has
weeks' tour of the country.

six

ROBERT BRODER, New York film attorney,
I.
has left Los Angeles for a tour of Canada.
He
will return to New York around Aug. 1.

pfd

51

1%

%
Vz
+ %

%

5%
51

%

5%
51

%

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— %

NEW YORK BOND MARKET
F.

ref.

99%

6s46.

993/4
1023/4

deb. 3%s46. 103%
52
52
Para. B'way 3s55.
Para. Picts. 6s55.
.100% 100i/8
Para. Picts. cv. 3 %s47
89/2
RKO 6s41

Loew's

.

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.

.

.

90%

Warner
Warner

Bros.' cv. 6s39
Bros.' dbs. 6s48

90%

90

99%
103%

— %

52

100% —1-16
90

+ %

90

— %

NEW YORK CURB MARKET
Monogram

Picts

1

Sonotone Corp
Technicolor

%

1

%

16%.

16%

3y2

3%

Universal Corp. vtc...
Universal Picts

% + %
16%+ %
1

—

—

SAFETY LLOYDS

SECURITY

PLANAS, Warner manager

G.

F.

Rico,

home

Puerto

for

has returned to his post after a
office conferences.

week

of

neys

s»

who

cameramen and

technicians.

He

»

i

by John Housemai
co-head of the Mercury group.
First story has not been detei
his return to New York until mid-August. KURT
WEILL, the composer, also working on the film, mined but it is understood thaj
Welles has several under considera
due to return here late this month.
MAXWELL ANDERSON,

playwright who is in
Hollywood working on a musical version of
"Aneas Africanus" for the films, has delayed

accompanied

is

GAHACAN,

HELEN

stage and screen playfrom the West yesterday and will
appear in "Tonight or Never" with the Spring
Lake Beach (N. J.) players on July 26.

tion.

arrived

er,

MOORE,

VICTOR

for
actor,
left yesterday
weeks' fishing trip to Fredericton, N. B.

NEAL HUMPHREY
Exchange

in

of the British Colonial Film
Trinidad, and LIONEL SOODEEN

of the Roodal circuit, Trinidad, were
at Warners' World's Fair headquarters.
P. T. DANA,
Universal, is in
ferences.

ETHEL

Midwestern district manager for
York for home office con-

New

Mono. Albany Exchange

PEFFER

of

League of Theaters
European trip.

MAY ROBSON
New

callers

the staff of the N. Y.
returns tomorrow from a

A.

Opened by Harry Berksor
Vo

has returned to the Coast from

York.

M.

Herbert Drake, who for the las
nine years has been with the Ne-v
York Herald Tribune drama depart
ment, joins the Mercury Theater oi
Aug. 1 in a general managerial ca
pacity, acting as a co-ordinator o:
the Mercury enterprises.

Albany

gram
LIGHTMAN, manager

of

circuit. Memphis, has returned there
to Hollywood studios.

NINO MARTINI
New York

JACK HALEY
New York.

has

returned

to

Malco

the

from a
the

trip

Coast

visit.

has returned to Hollywood from

MAT O'BRIEN, Hal Roach
turned to the Coast from a

treasurer,

New

has

re-

York business

trip.

— Harry

franchise

Berkson, Mono
holder in Buffalo

has opened a Monogram exchange
here at 1076 Broadway.
Local office will be under Berkson's supervision with Gene Lowe and Sam
Milbery as salesmen.
Mitchell Pantzer, booker in Buffalo, is being shifted to Albany.
Howard McPherson replaces Pantzer
at the Buffalo office.

Interstate Circuit, Inc.

& Rowley

in Dallas. If the deal is consummated,
Interstate will acquire the Mirror
and Robb
Rowley Theaters will

yesterday.
Pacts involve Interstate Theaters)
Circuit, Boston, operating 32 thea-;

get the Astor and Bison, two nabes.
The Mirror is the only downtown theater playing first-run pictures that is not controlled by Interstate.
It plays first-run pictures
intermittently when pictures are
available, at other times it plays

ters in

&

New England, and Maine and
New Hampshire Theaters Circuit,!
operating 21 houses in the New England territory.
James R. Grainger, Republic'^
president and general manager in

charge of distribution; Herman

Rif-i

New

England franchise holder;;
and E. Morey, Boston office manager;

kin,

duals.

negotiated the deals.

Cuts Prices
In

20

P.C.

San Francisco Spots Williamsburg Premiere
for

—

San Francisco Almost all San
Francisco-Oakland circuits have put

and Warners and affiliates will reduced summer 'admission rates
go over until next Tuesday.
into effect.
FWC theaters have cut
nrices approximately 20 per cent.
In Oakland-East Bay theaters, FWC
is giving away $750 weekly in special
cash night events, for four
FILM STORAGE CORP.
weeks.
Storage by Reel or Vault
Meanwhile, the RKO Golden Gate
729 Seventh Ave.
Theater is playing to capacity
New York City
houses at regular rates with bands
BRyant 9-5600
and pix star P.A.'s.

jors

ORSON WELLES and JOHN HOUSEMAN of
the Mercury Theater are en route to Hollywood
on a one-picture contract with RKO.

now in the hands of atto:>i
reportedly are putting til
finishing touches to the agreement
Under the proposed plan, Wellt!
will produce his product indep£i
i
ly under the Mercury Theatel „&v
ner.
He is due to arrive in Hollj
wood tomorrow for conferences wit
tracts are

Further deals for its 1939-40 prod-! Ave.
Theaters are uct have just been concluded by Renegotiating a swap of some houses public, the home office announced;
Dallas

FWC
Landis Suit Hearing Off

singing star of "Leave It to Me,"
sailed for Europe yesterday on the Queen Mary.

Rep. Sets Product Deals
Robb & Rowley
Chicago — Henri Elman's, Mono
With New Eng. Circuits gram exchange here is now housed
Talk Dallas House Swap
in its new home at 1248 S. Wabash

3'/2

Scheduled hearing
Philadelphia
today in the Landis theater (Vineland, N. J.) action against the ma-

Morris.

E.

TAMARA,

Orson Welles and RKO Radio ha^i
reached an agreement in princip
whereby Welles will produce one pi!
ture a year for RKO release. Coi

Interstate,

V4

2% +

20% 20%

Sam

following conferences here with

after a

business agent of the ChiUnion, is on a vacation in the

cago Musicians'
North Woods.

and Robb

5%

Warner Bros

Keith B.

publicity depart-

PERRY HOEFFLER, general manager of Great
States Theaters in Quincy, III., has returned to
his
post after a Summer vacation at Crand
Marais, Minn.

do pfd

Paramount
Paramount 1st pfd...
Paramount 2nd pfd..

do

Universal's

SAM RACKETT,

do pfd
Cen. Th. Eq
Loew's,

of

ment, goes to Scranton tomorrow.

NEW YORK STOCK MARKET

leaves

two

BILL HEBERT, publicity director for Selznick International, has returned to the Coast
studios after three weeks' conferences with UA
execs, on "Intermezzo" and with M-C-M officials on "Gone With the Wind."

COLLI, Warner supervisor for Cuba,
Panama, Peru and Central America,
tomorrow for his headquarters in Havana,

Mexico,

visit-

returns

JOSEPH BERNHARD, general manager of
Warner theaters, returned yesterday from Holly-

LILY PONS,

PETER

sails

York July 28 for South America

sales

WILLIAM J. CUSACK, lieutenant in the Chicago police department, has resigned and goes
to Hollywood to join the Paramount studio staff
in an advisory capacity.

coi. Picts. vtc.

G0IDG

flltD

conventions in Rio de Janeiro and
Buenos Aires, and to confer with S. A. exhibs.
on forthcoming big pictures from the company.
hold

DONALD

Welles Agreement to Call
for Pix Annually for RK

lOCents

1939

19,

19, 19-f

"The

Warners has

Bill

John

set July 31 for the

premiere

Litel,

of Vaude Time
Looming In Minnesota

—

Minneapolis Ten weeks of playing time will be offered vaudeville
acts under a plan being completed
by Minnesota Amusement Co. John
Branton, circuit booker, schedules
five acts to play combination shows
in key spots outside of Minneapolis,
St. Paul and Duluth, with inaugural
set for Oct. 4.
Northwest indie
houses, not competing with MAC,
will be offered the flesh shows for
additional time.

of Rights']

of "The Bill of,
Rights," historical featurette. at Wilt
liamsburg, Va., where the historical
document was signed. Crane Wilbur, who has written and directed
many of its historical films and

world

Weeks

10

who has appeared

in

various of them, will attend.
"Bill of Rights" will be given its
Broadway premiere at the Radio
City Music Hall early in August.

THE THEATRE
"A MUST GO ENJOY

IT."

Walter Winchell

GYPSY ROSE LEE
I

«„£*

MUST LOVE SOMEONE

with
JAMES
Air -Conditioned

RENNIE— IRIS ADRIAN
and JACK WHITE

W. 48th St. Evs. 8:40
Mat. Wed. & Sat.

Vanderbilt,


CREDIT "HOME FOLKS" WITH NEELY VICTORY
(Continued from Page 1)
are to the Senate from the "folks back home."

It was pointed out that Allied
and others favoring the bill had
used the strategy of the slogan "Let
Community Decide." In an effort
to put over the thought that ex-
titators were forced to take no-al-
gectionary pictures because of the
block-booking system.

Parent-Teachers and women's
clubs in the communities have long
been converted to the theory, it was
said, that the Neely Bill would elimi-
uate the showing of "undesirable"
pictures, even though the moral
issue has not been a vital one since
the adoption of the production code.
However, observers yesterday ex-
pressed the belief that whether the
moral issue was important or not,
the various organizations used it as
a peg on which to hang their argu-
ments in favor of the measure.

House Block-Booking Hearing Not Likely at this Session
Washington, D.C. -- Hearings on the
Edelston block-booking bill, a com-
panion measure to the Neely bill, are
extremely remote this session, a
House interstate and foreign com-
merce committee spokesman said
yesterday. The committee has other
important national legislation to
consider.

The block-booking rascase must
first go through the House commit-
tee before being brought to the floor.
The Neely bill, passed by the Senate,
cannot be sent direct to the House
floor for action.

Quint Bookings Tops

The number of nation-wide book-
ings on the fourth of the Dionne
Siblings' two-reelers, "Five Times
Five," will top all others of the
series, according to Harry Michal-
son, RKO short subjects sales man-
er. Indications point to a mini-
mum of 10,000 playdates, Michal-
son said yesterday.

ALONG THE DIAMOND WITH PHIL M. DALY

- BIG DAY in the life of Doug Fairbanks, Jr., today . . .
    "Dwogis Fairbanks, Jr. Day" will be observed at the World's Fair . . .
    the party is scheduled for Doug and his recent bride . . . with an elab-
    orate program of entertainment such as few foreign celebrities have
    received at the Fair . . .

- OFFICIAL program will start at 10:30 a.m. when the
    Fairbanks party will be picked up at the Hampshire House on
    Central Park South and escorted to the Fair grounds by a motor
    cavalcade . . . the party will arrive at 11 a.m. by Graver Whalen at
    the Administration building . . . and will be turned over to an
    escort of twenty-five beautiful hostesses who will constitute an
    escort of honor for the entire day . . .

- AFTER the official reception, Fairbanks will head the Chil-
    dren's Parade . . . winding up at 1 p.m. at Frank Buck's Jungle
    Land, where the party will have a special Malayuan luncheon . . . from
    3 to 7 p.m. the party will tour the Fair, escorted by the beautiful girls,
    and Doug will make personal appearances at certain exhibits . . . dinner
    at 7 at the French Pavilion where the Fairbankses will be hosted by the Jack
    Whiting and the William Rhinelander Stewarts . . . at 10:30 the party
    moves to Billy Rose's Aquacade, for a special program of water sports
    in Fairbanks' honor . . . it begins to look as if the Fair is falling back
    on the Hollywood stars to help sustain interest in their show . . . which
    we suppose is to be taken as some sort of admission that whatever
    the type of entertainment, it takes the Film Glamour to really put it over . . .

- AGAIN the newspaper headlines give Darryl Zanuck
    his cue . . . and so he schedules a forthcoming production . . .
    "White Wings in Glory," the idea of the film being based on
    the recent acquisition of the Otto Kahn estate on Long Island
    by the Department of Sanitation as a recreation center for the New
    York workers . . .

- DUE to popular interest . . . the industry's official film,
    "Land of Liberty," will be shown three instead of two times daily . . . in
    the theater of the Federal Building at the World's Fair . . . this pictorial
    history of the U.S.A. contains 1,000 sequences from 125 feature pictures
    . . . the starting times of the shows, beginning today, will be 2, 4:15
    and 6:30 p.m . . .

- UNIQUE honor . . . bestowed upon James Cagney . . .
    by the police of the nation . . . with 5,000 chiefs of police having
    participated in a crime prevention award to Cagney . . . for mak-
    ing the modern gangster a loathsome type of character through his
    screen portrayals . . . the award is announced in the Police Call,
    official police mag . . .

- UNUSUAL gesture from George Bernard Shaw . . . who
    has sent Howard Estabrook a complimentary note on his screen version
    of "The Doctor's Dilemma" for Ernest Pascal . . . this is probably the
    first time in Hollywood history that anyone from the film capital has been
    complimented by Shaw, whose remarks about workers in the American
    motion picture have been pretty blaring from time to time . . .
LARGE-SCREEN TELE AUDIENCES LIMITED

London (By Cable)—Following a statistical survey, it is believed that the number of cinema patrons who might be expected to attend big-screen television shows in the summer, when total weekly cinema attendance may drop to 2,000,000 for the country, three-fourths of which would go to theaters after 6 p.m., that big-screen tele patrons might not be as large as 500,000. He questions whether such an attendance would repay exhibitors for the expense of installing the necessary tele equipment.

Television service to cinemas would be confined mainly to special events, such as the Derby, boat races, boxing and tennis matches, the opening of Parliament, Trooping of the Colors, and the like. These events take place in the daytime. If recorded on film and rediffused to theaters, the tele program would be in competition with the cinemas legitimate purpose—the showing of motion pictures for public entertainment. Regular cinema patrons attending to see films, might not be interested in these special events, subtracting time from the film program. While weekly afternoon attendance during the winter months would be continuous, Rowson states, the expense would include $25 a week for the equipment (according to Major Bell's analysis of the situation), apart from additional charges for a special operator, structural alterations necessitated for the equipment.

Rowson questions the financial returns to exhibitors who put in the big-screen equipment for television. He concludes: “My present opinion is that television in cinemas shows little prospect of becoming a commercial proposition, if confined to news events of the kind referred to, if special programs are devised and transmitted at times which did not compete with the cinema's normal function of showing ordinary entertainments it is possible that a different commercial story could be told.”

WEDDING BELLS

Wilkinson, Del. — Bayard J. Barnes, assistant manager, Warner Bros.' Aldine Theater, and Miss Gladys C. Saldome were married in the Brick-Ev M. E. Church.

Albany, N. Y.—Engagement of Robert Mitchell Rosenthal, manager of Warner's Ritz Theater here to Miss Elise Cohn, daughter of Dr. and Mrs. Isadore Cohn, was announced. Marriage will take place in the Fall.

Wilmingon, Del.—Robert Howatt Ripple, sign artist, Loew's Theater, and Miss June Jow, nately were married in Atlanta, Ga.

FILM CODE ANALYZED

by Louis Nizer

EDITOR'S NOTE: THE FILM DAILY today presents the nineteenth installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer, national adviser of the law firm of Phillips & Nizer, and authority on the law of screen, stage and radio. Preservation of the daily installments, now devoted to the Rules of Arbitration, is recommended.

Installment No. 19

PARTIES TO DISPUTES

There are three categories of disputants: those between distributor and exhibitor, those relating to overbuying; and those relating to clearance.

1. Disputes Between a Distributor and an Exhibitor: All disputes which are subject to arbitration under the Code shall be between a distributor and an exhibitor, and shall be considered a two-party dispute, except those disputes relating to overbuying and clearance.

2. Overbuying Disputes: Overbuying disputes shall be between a complaining exhibitor and an exhibitor complained against and shall be considered a two-party dispute.

Distributor: However, each distributor who has signed the Code and at the time has a contract with the exhibitor complained against, shall be entitled to notice of all hearings and shall have all rights of a party except to designate an arbitrator.

Decision Binding On Distributor: Such distributors shall be bound by the award as if they were parties to the dispute.

3. Clearance Disputes: Those disputes shall involve three parties:

(a) The complaining exhibitor.
(b) The exhibitor complained against.
(c) Distributors as a group who have contracts with complaining exhibitors and grant clearance to the exhibitor complained against.

Notice To Distributors: Each such exhibitor shall receive notice of hearings and shall have all of the rights of a party except the right individually to designate an arbitrator.

Other Exhibitors Affected: If an exhibitor who is not a party to the clearance dispute may be prejudiced by any award made in favor of the complaining exhibitor, any party may file such a written claim with the Arbitration Board.

No Power to Proceed: In such case, the Arbitration Board shall have no power to proceed unless within the time fixed by it, there have been filed written consents by such exhibitors of their willingness to be bound by any award which may be made in such dispute.

Rights of Other Exhibitors: Exhibitors who have filed such written consents, are entitled to notice of all hearings and have a right to be represented at the hearings and to examine or cross-examine all witnesses.

Award Binding: The award of the Arbitration Board shall be binding upon such exhibitors to the same extent as if they had been parties to the dispute.

NBC Gets Television Rights to Two More Feature Pictures

Television rights for one performance each have been obtained by National Broadcasting Co. to "Hell's Angels," produced by Howard Hughes and starring the late Jean Harlow, and "Abraham Lincoln," in which Walter Huston is featured. They will be presented on the air some time in August. Price paid was not disclosed but is understood to be approximately $300 for each film.

NBC's tele directors believe two hours too long for a home tele program and the network will present each picture in two installments on consecutive evenings.

NBC, it is reported, has obtained tele rights to almost 40 features despite the ban of the major producers on the use of films in television. Those obtained are mainly foreign features, documentary pictures and serials made by independent producers.

Fair's Hot Dog Giveaways Has N. Y. Exhibs. Wondering

N. (Continued from Page 1) exhibits," he said, "I wonder what General Motors and others think about hot dog giveaways to induce attendance."

As announced by Grover A. Whalen, president of the Fair corporation, the $1 combination will include:

Admission to the Fair—value 75 cents.

A light lunch of hamburger or frankfurter sandwich and coffee, tea or milk—value 20 cents.

Admission to five from a selection of 25 attractions in the Exhibit or Amusement area, ranging in price from 10 to 40 cents—maximum value $1.30.

It was not announced whether these would be any substitutions allowed for persons who did not like frankfurters or hamburgers.

The same combination ticket will be sold at 50 cents for children under fourteen years of age.

EIGHT MAJORS NAMED IN TEXAS TRUST SUIT

(Continued from Page 1) For new season were considered and general wholesale price cut on product prices were out of line in view of present box-office conditions. Annoyances, such as prints not being available at scheduled time and "yanking" after date confirmation, were attacked.

Hope for House passage of the Neely bill was expressed by speakers.

Activities of the national organization during the past eight months and recent and legislative session were outlined.

Six new members were accepted, according to a report.

Ohio Court Refuses Defense Substitution in Pix Tax Suit

(Continued from Page 1) in the two tax-payers suits to enforce collection of the 3 per cent sales tax on film rentals.

However, the Court agreed to attorney Charles Dargusch and Robert Barton filing briefs on Aug. 1. The answer filed by Assistant Attorney General Aubrey Wendt was strictly neutral. He merely asked for a ruling by the court on the exact status of the case.

Star's Father White Sox Mgr.

Chicago—Harry Grabiner, father of June Travis, film star, will assume management of the Chicago White Sox baseball club following the death of Lewis Comisky, president of the club, at his home in Eagle River, Wis.

STORKS!

Detroit—Frank Jones, Vitagraph booker, is the father of a new 9% pound daughter, Gwendolen Mary. Mother is the former Alice Spalding, contract clerk for Vitagraph.
INDIVIDUALLY

“BACK OF EVERY GREAT PICTURE IS A GREAT PRODUCER”

Murray Silverstone
DISTINCTION and showmanship are the reasons why the public, exhibitors and critics alike look forward to each new DAVID O. SELZNICK production with an assured foreknowledge of quality. It is therefore with pride that UNITED ARTISTS announces continuance of its releasing agreement with Selznick International Pictures.

ORIGINALITY of the Selznick organization is reflected in the starring of Leslie Howard in INTERMEZZO, which introduces the beautiful new continental star Ingrid Bergman, with Edna Best, and will be released this season. Mirroring the infatuation of a famous musician for his young accompanist, and the swift events that engulf them, this newest Selznick production dares to depict problems found in the lives of millions concentrated in the lives of three.

SURPRISE and excitement, the two priceless ingredients of any motion picture, are what DOS has captured for the filming of REBECCA, the year’s outstanding best-seller by Daphné Du Maurier, 400,000 copies of which have been sold since publication last fall. With Man-of-the-Hour Laurence Olivier in the leading role, Alfred Hitchcock—whose superb treatment of “The Lady Vanishes” and other films has earned him the title “Master of Melodrama”—will direct. Details of two more Selznick International pictures will follow soon.
Chaplin's first all-talking picture — Chaplin's first picture in three years — based on the most timely, most important topic in the world today, is now in production. **CHARLES CHAPLIN in “THE GREAT DICTATOR”,** the season's big-news picture, will climax the magnificent career of the greatest of all screen stars. In connection with his plans, Mr. Chaplin says: “I am making a comedy picture on the lives of dictators which I hope will create much healthy laughter throughout the world.”
Five big, important scope pictures — all of them in the breathless beauty of final Technicolor perfection—will comprise Alexander Korda’s box-office activities for 1939-40. First: **FOUR FEATHERS** ... 7,200 seconds of flesh-and-blood excitement, filmed in actual locales in the heart of Africa, bringing authentic thrills no screen has ever held before. Directed by Zoltan Korda with Ralph Richardson, C. Aubrey Smith, John Clements and June Duprez. Second Korda hit: **OVER THE MOON**, giving Merle Oberon, star of “Wuthering Heights”, her first comedy role in a story by Robert E. Sherwood. Third Korda hit: **THE THIEF OF BAGDAD** starring Sabu, Conrad Veidt and John Justin in a spectacle that promises to have the most unique appeal in years. Fourth Korda hit: Merle Oberon in **SINNER**, with Laurence Olivier, from “Manon Lescaut”, the famous love story of a passion-swept man and woman. And Fifth: Kipling’s **THE JUNGLE BOY** with Sabu in the title role.
Douglas Fairbanks resumes his production activities by presenting *The Californian*, the kind of colorful, romantic, action picture which in the past made his own starring vehicles so sensationally successful at the ticket window. Now in the role of producer, instead of star, Mr. Fairbanks will soon announce a cast of vigorous marquee strength for this production based on the dramatic career of Lola Montez, dancer, adventuress and sweetheart of kings. The exploits of this exotic woman in the pioneer country of Southern California constitute one of the strangest and most glamorous stories in history.
Samuel Goldwyn Standards of Showmanship — Samuel Goldwyn Business — will be even higher this year than it was with “Wuthering Heights”, “The Hurricane”, “Dead End” or “Stella Dallas”. For Goldwyn starts your new picture season with a new note in entertainment — Jascha Heifetz in THEY SHALL HAVE MUSIC! with Andrea Leeds, Joel McCrea, Walter Brennan and Gene Reynolds, directed by Archie Mayo. Back of this picture is the specific purpose of attracting new patronage for you thru the magic music of Heifetz, with all your regulars revelling in a down-to-earth story of kids with dirty faces and hungry hearts. Mr. Goldwyn’s next picture will be Gary Cooper in a fighting role in THE REAL CLOWN with Andrea Leeds and David Niven, under the direction of Henry Hathaway . . . a roaring thrill-and-action picture of American soldiers in the Philippines, always outnumbered . . . never outfought.
Famous for his showmanship innovations, Wanger leads off with *Winter Carnival* starring Ann Sheridan, the most exploitable star since he gave you Hedy Lamarr in “Algiers”. This picture of winter sports, youth and fun, takes you behind the scenes at Dartmouth when 1,500 wild women hit the campus. Richard Carlson, Helen Parrish, Robert Armstrong, Marsha Hunt, James Corner and Alan Baldwin give additional cast interest, with Charles R. Riesner directing. Next will be Joan Bennett in *The House Across the Bay* the story of a woman who dared hope for love while her man was in Alcatraz. *My Personal Life* by Vincent Sheean takes a reporter around an action-teeming world. *Eternally Yours* starring Loretta Young and directed by Tay Garnett, gives your audience the hilarious low-down on a magician with every trick up his sleeve except how to manage his women. Fifth from Wanger will be *Send Another Coffin* by F. G. Presnell, with more laughs per murder than “The Thin Man”.

**Walter Wanger**
From the greatest stories of today and yesterday, the producer of “The Count of Monte Cristo” and “The Man in the Iron Mask”, has shaped his new season’s plans. Half a million readers of Howard Spring’s best-selling novel, MY SON, MY SON!, are waiting for cast announcements on this story of two fathers and their dreams for their boys. Twelve thousand exhibitors are cooperating with Mr. Small on a direct-to-the-public poll for star selections. TWO YEARS BEFORE THE MAST by Richard Henry Dana, translated into 25 languages and reaching a book sale of 1,320,000 copies, will follow. Then watch for THE HOUSE OF MONTE CRISTO, unfolding the further amazing exploits of the most fabulous character ever written into a book or pictured on the screen; KIT CARSON based on the career of the colorful frontier hero and adapted from the newspaper serial read by 17,000,000 Hearst readers; SOUTH OF PAGO PAGO, a big production of tropic glamour; and finally VALENTINO, the life of the greatest of all popular idols, an idea which has brought Mr. Small congratulatory letters from thousands of exhibitors.

EDWARD SMALL
Hal Roach’s five special feature productions cover the entire range of audience interest from gay laughter to stark drama. First will be a slight case of murder involving the only girl who’s got more than the farmer’s daughter—*The Housekeeper’s Daughter*, from the novel by Donald Henderson Clarke, co-starring Joan Bennett and Adolphe Menjou with Peggy Wood. Next the famous novel and play that shocked a million people by its realism, *Of Mice and Men*, by John Steinbeck, author of “The Grapes of Wrath”. Lewis Milestone will direct. Thorne Smith, author of the “Topper” novels in *Turnabout* tells hilariously about a husband and wife who change places and sexes. For adventure follow *Captain Caution* by Kenneth Roberts, author of “Northwest Passage”. And then the startling, astounding *1,000,000 B.C.*, dramatizing the birth of civilization at the dawn of time . . with special effects by Lewis Tallhurst who took similar credit on “The Good Earth”. In addition to these five specials, *Laurel & Hardy* will be reunited in *Four-4-Reel Features* to carry them to new heights of popularity.
The box-office astuteness of SOL LESSER as a production expert is well known to every exhibitor. The box-office distinction of ERNST LUBITSCH as a director is recognized wherever pictures play. These two names are linked for the first time by UNITED ARTISTS which is happy to add them to its list of eminent producers. Mr. Lubitsch will personally direct an untitled ERNST LUBITSCH PRODUCTION, details of which will soon be announced. Mr. Lesser will produce the Pulitzer Prize Play of 1938, OUR TOWN by Thornton Wilder. Our Town is every American town superbly charged with humanness, romance and dramatic simplicity...so appealing that Alexander Woollcott said: “In all my days as a theatregoer, no play moved me so deeply.”
It is with a very special pride that UNITED ARTISTS welcomes to its organization a distinguished member of a distinguished motion picture family who have contributed their talents abundantly to the benefit of the film industry. DAVID L. LOEW brings to production a thorough, practical knowledge of theatres and theatre problems through years of experience in actual theatre operation. His long studio activity, too, has proved dramatically his qualifications as a top UNITED ARTISTS producer. His first release will be the picturization of A CELEBRATED PLAY now in the final stages of negotiation. Watch for the early announcement of its famous title and the stars who will appear in its cast.
INDIVIDUALLY

DAVID O. SELZNICK
CHARLES CHAPLIN
ALEXANDER KORDA
DOUGLAS FAIRBANKS
SAMUEL GOLDFYN
WALTER WANGER
EDWARD SMALL
HAL ROACH
ERNST LUBITSCH
SOL LESSER
DAVID L. LOEW

RELEASED THRU UNITED ARTISTS
CIVIC REMEDIES’ PLAN
FACES CONGRESS FIGHT

(Continued from Page 1)

all, to which the TNEC gave its blessing in executive session, will
im their shafts at the drastic pen-
alties on the film industry. The bill has
between Sherman-Clayton law ob-
It and violation is frequently
.dingly difficult to draw and that is
he measure, if enacted, would place
less individuals and innumerable
panies in danger of pro-

In brief, the O’Mahoney measure
able the D of J in anti-trust cases
civil suits for the

Washington Bar, THE FILM DAILY
Washington—Biz and 39 other in-
ustries or services in all parts of the
ation is up for consideration.
violation complaints filed with the D
J during the Panic period of Nov.
30 last, according to Thurman Arnold,
ational Attorney General, Antitrust
dvision of the Department on July 1
led engrossed in the courts and probes
pending in 185 other cases.

removal of corporate officers and
directors responsible for anti-trust
violations or, as an alternative,
do civil suits for damages which
be, in the case of a corporation,
set earnings during the period of
violation and, in the case of
dividual officers and directors
the amount of their salaries during
the same period.

Drafting sharps in the D of J
which the O’Mahoney bill are
nders into law must be to get
ing up” the anti-
trust law issue. Several other
other consumer Bill has
preparation, but have not been
It is reported they would provide
some measure of relief to the
ompanies in the civil remedies bill. More
definite standards would be set up, for one
thing.

The TNEC preliminary report at
his time is of special interest to the
film industry because of its apparent
philosophy, describable as “enforced
competition in business.” This, of
ourse, runs counter to the earlier
Administration concept, best
alyzed by the NRA, with its
ustry codes and virtual suspension of
the anti-trust laws.

This reversal in policy may ex-
plain, to some extent, at least, why
the Government apparently is indif-
ent to the film industry’s attempts
to set up a code of conduct through
self-regulation and why the
D of J is moving so resolutely in
trust suits prosecutions.

Bar Kochba as Pix?—West Coast Bar, THE FILM DAILY
Hollywood—Metro is considering
Leon Gordon’s original, “Bar Kochba,”
story of the ancient Jewish hero
ought the Roman Legions to a stand-
still. Joseph Schenck mentioned a
ibility for the star role.

FREE SAMPLES OF COOL AIR
It’s the Unique Idea of Harry Storin, of the
Springfield, Mass., Paramount

Springfield, Mass., — Harry Storin,
anager of the Paramount, has
ted a new marking system. As far as
loves, his contraption is unique. The “personal
” in the T V Variety description of
en who passes along Main Street and not to Storin, who sits in an
air- conditioned office without a care or a
rush to his home.

The sweltering citizen passing by the
Paramount, muttering at the air-
conditioned office on the marquee,
becomes aware of the contraption.
It is for all the world like a bathroom
ixture, seven feet high and wide
ough. It has two handles marked
“hot” and “cold” and a sign which
 informs him that here is a cold air
ower. He may feel foolish about
take a chance but if he does, at
ce a cool breeze flows over him.

The aim of the same temperature
as that circulating in the theater
are merely for show. What happens
that the girl in the box-office seeing
es the air, throws a switch and
mates the room refreshing
phrases to come down.

Entertainment-Industrial
National Carbon’s New Idea

National Carbon Co, through its
ad agency, J. M. Mathes, Inc., is
barking on a new type of promotion film program, incorporat-
ing entertainment footage with in-
dustrial reels to make the latter
more psychologically acceptable, im-
pressive and effective.

Of particular interest is the use
of a new outmoded, entertaining short “The Filling Sta-
tion,” produced by Walt Disney,
and the employment of a special
industrial short compiled by
March of Time and titled “Anti-
Freeze, the Story of Scientific Re-
search,” which is the first industrial
subject ever made by M of T.
This was supplied to National Carbon
by M of T, it is learned, on the ex-
press understanding that the sub-
ject will not be used by National
Carbon except for showings within
organization to employees, and
on occasions non-competitive to pic-
theaters. NC makes the product “Presstone,” an anti-freeze com-
 pound for automobiles.

The Anti-Freeze short was made
by M of T during a temporary bil-
in its production schedule, and, it
is understood, promotional shorts
of an industrial character are being
considered for future making should
potential client companies desire
them for inter-organization sales
work, and M of T have the

Also on the National Carbon pro-
gram is another promotional car-
toon, “Flip Van Winkle, Jr.” All
three pix will be shown tomorrow
at 5 p.m. via screening in the lit-
tle theater in the Chanin Building.

Blue Noses Force Closings
Philadelphia—Pressure by Phila-
delphia reformers has forced Triage
County theaters to close on Sundays.
Several houses in Triage towns had
been operating without approval by
local option vote but Blue groups
forced the district attorney to close
them down last Sunday. Towns are now
expected to vote on the issue in
November, with approval likely.

Photographers Union and
M of T Sign 3-Year Pact

A new three-year contract between
the March of Time and In-
ternational Photographers, Local
444, IATSE, was signed yesterday.
New pact calls for increases in sal-
aries, shorter hours and a severance
clause.

Salaries of the regular monthly
roll cameramen have been increased by
$125 to $150 for a 40-hour
week plus time-and-a-half for over-
take a chance but for Saturdays,
Sundays and holidays.

Production cameramen’s scale has
been set at $300 a week and opera-
ic cameramen will have
Cameramen hired by the day will re-
ceive $50 a day, where formerly
some cameramen will receive an extra
$25 when called upon to fly.

Under the new pact, all camera-
men will be given two weeks’ va-
cation with pay. A severance clause,
under which March of Time agrees
to discontinue the worker two
weeks’ salary for every year he has
been with the company, also was

Three extra cameramen and
three assistants were added to the staff.
New contract was negotiated by
Charles Downs, business agent of
Local 444.

Equity Instructs Members
to Join New Amer. Guild

Actors’ Equity Ass’n and the
Chorus Equity yesterday voted to in-
struct their members to join the new
American Guild of Variety Artists
and to sever their connection with
the American Federation of Actors.

Korda, Somlo Negotiate
London (By Cable) — Alexander
Korda and Josef Somlo of G & S
Films are reporting negotiated for
the making of a picture with a pro-
duction schedule which, it is said,
would cover seven productions as
well as those already announced
by G & S. General Films would hand
the pictures, and Zolly Korda would
represent his brother.

ITA TO SET CANADIAN
INDIES CONCLAVE PLAN

Independent Theaters Association
will be held here shortly to consider
plans for the national convention of
Canadian Indies under the sponsor-
ship of the ITA-promoted Anti-Pro-
tection League.

In all probability, the convention
will be set for late August to coin-
cide with the Canadian National Ex-
hibition, which opens Aug. 25 and
loses Sept. 3.

Meanwhile, J. O. Scott, chairman
of the League’s Central Committee,
has written secretaries of all Indie
exhibs, associations in the Dominion
asking them to call special meetings
for the purpose of arranging re-
gional conventions, at which dele-
tates will be nominated for theAugus
conclave.

Elsa Maxwell Pix
Will be 20th Cent.-Fox’s First

(Continued from Page 1)

“Chicken Wagon Family,” 11; “Stan-
ley and Livingstone,” 18, and the
Jews in the War,”“Quick Millions,” 25.
September releases include: “The
Adventures of Sherlock Holmes,” 1;
“Charlie Chan at Treasure Lagoon,”
15; “Stop, Look and Love,” 22, and
“Here I Am a Stranger,” 29.

Following pictures are listed for
October: “The Escape,” 6; “The
Rains Came,” 13; “C ICU Kid” pic-
ture, 20, and “20,000 Men A Year,” 27.

Mascot for M-G-M Shorts
To Be Selected Tomorrow

A mascot for M-G-M’s new sea-
son short subject series will be selected
tomorrow at the first meeting of the
annual convention of Lions Interna-
tional. An “animal jury” will se-
lect the winning cub which will be
known as Leo, Jr., and which will
be set as an audible trade mark for all
forthcoming short subject releases.

TNT’s Mascot—Plaza, “Bugs” Baer, Carl Crow, author,
Lynn Swann, actress, Dr. George
Bull and Jacqueline Tyger.

Garnett Signed for Two
West Coast Review of THE FILM DAILY
Hollywood—Tay Garnett will di-
lrect “Send Another Coffin,” a mys-
tery melodrama by F. G. Pressnell.
for Walter Wagner, and “Afri-
can Intrigue” for The Play’s The Thing
Productions at RKO.

Dept. Store Competish
Sydney (By Cable)—Picture theat-
ers of Sydney, which recently found a
new competitor in McDowell’s depart-
ment store, are preparing to do the
same. The stores will play a “Waltz-
off” every 10 days of its golden jubilee celebration. Ex-
hib. took action against the picture
then and are ready to take more active
steps if it spreads.
“France in North Africa”  
(The World Traveler)  
Paul Devlin  
9 mins.

Timely  
Three important cities of North Africa under French dominion are shown in vivid color photography, right up to date, with the current topical war news making this portion of the world keen interest to the public.  
First is Algiers, capital and chief city of the French protectorate of Algeria. Its beautiful harbor is seen, large enough to accommodate the entire French Mediterranean fleet. The sidewalk cafes are a colorful spectacle. Also the natives piling into buses, riding as far as their money will go, for the pure joy of being in a moving vehicle. Then to Oran, second largest city of Morocco, an important French strategic harbor. Sights of the city streets are highly entertaining, showing shoes from old automobile tires. A proud sheik on a magnificent Arabian pinto, as well as another important French port and a very modern city. In the native section of Algiers they pitch their homemade tents near a geyser that gushes at certain intervals. The geyser happens to be right under the tent. They are all filled up in the air hanging on to the tent pole like a parachute, and when they come to earth, they are convinced that the Boy Scout movement is the place to learn all about camping. The reel has a lot of comic incidents as the kids try their hands at canoeing and the other activities called for by the camp life.

Unusual Occupations  
(L8-6)  
Paramount  
10 mins.

Dog Daze”  
(Our Gang)  
M-G-M  
11 mins.

Lively  
The Gang receives a couple of dollars from the police for taking care of their injured dog mascot, and this gives them the idea of raising funds by cornering all the stray dogs in town. They lure them into their “club” with the help of a trained penguin, but soon the town is in an uproar as the women miss their four-footed pets and advertise rewards. But the Gang cannot collect the rewards, for the police are on their trail, led by sneaky Wilbur, who turns informer. But all works out nicely when the cops find that the kids who took care of their mascot were only trying to make a little money to pay Butch the billy some money they owed him.

Watch Your Step”  
(Granton Rice Sportlight)  
Paramount  
10 mins.

Good Novelty  
A study of the feeding and running stripes of humans and animals, developing some comedy angles in observing the antics of the chimp, poodle, cat, and dog and a racing whipper. Some of the more interesting shots are those of a trotting and a racing horse, showing the difference in stride. Every type of animal of the wild and domestic variety is shown in this interesting compilation. Narrated by Nat Haring. Produced by Jack Eaton.

“Joy Scouts”  
(Our Gang)  
M-G-M  
10 mins.

Camp Life  
The Gang attends a rally of the Boy Scouts who are giving a camping exhibition. They are unimpressed, and go off by themselves to do a little camping. But they pitch their homemade tent near a geyser which gushes at certain intervals. The geyser happens to be right under the tent. They are all filled up in the air hanging on to the tent pole like a parachute, and when they come to earth, they are convinced that the Boy Scout movement is the place to learn all about camping. The reel has a lot of comic incidents as the kids try their hands at canoeing and the other activities called for by the camp life.

“Goldilocks and the Three Bears”  
(M-G-M Cartoon)  
M-G-M  
11 mins.

Clever  
A neat, nursery story with a woman’s voice reciting for the kiddies the story of Goldilocks, the little girl who wanders into the home of the Three Bears, daddy, mother and the baby bear. But they are out taking a walk in the woods, and Goldilocks eats their porridge in the three bowls, and then goes to sleep in one of the beds. When the bears return they are evidence a man marauder in the house, and with much excitement hunt for the crimincs this Goldilocks awakens and uncapes, and all is peace once more, although the bears’ home is pretty well wreacked. Nice color phantasy.

“The Barnyard Brat”  
(Color Classic)  
Paramount  
7 mins.

Animal Fun  
Teaching the kiddies to be kind to animals is the thought. Spunky, the mischievous donkey, keeps all the barnyard animals in a snow with his pranks. The animals appear to Hunky, the brat’s mother, but she can do little with the in-corrigible. So the barnyard troupe decides to act, and gives the pest a thorough going-over with the help of the old well into which he is dunked. Directed by Dave Fleischer.

“Culinary Carving”  
(Pete Smith Specialty)  
M-G-M  
9 mins.

Housewife’s Novelties  
Pete Smith with the help of a culinary expert shows the right way to carve the various kinds of meat that the head of the family must carve when guests arrive. One young home owner is seen with his wife entertaining the boss, and he-manges the roast beef something terrible. This brings some laughs. Then the expert shows the right way to carve the various roasts and cuts.

“Houck Tries Giveaways”  
(Paramount)  
9 mins.

New Orleans—Giveaways, which had been kept out of the downtown theater area, invaded it in two comedy shorts this week as Joy Houck, who introduced duals as a regular policy in his Strand and Rio theaters, brought in cash prizes on Mondays. Houck has a string of country theaters, which he books through Theater Service Corp., a buying outfit which is connected with the various Paramount—Richards subsidiaries. Houck also used cut-rate price slips for his Rio to build business.

“Africa, Land of Heat”  
(The World Traveler)  
Paul Devlin  
9 mins.

Picturesque  
Unusual views of French Morocco with the camera capturing some very interesting phases of native life that have never been presented on the screen before. Morocco, the northernmost part, for instance, are seen the native courts still dispensing justice, with the native judge assisted by French advisers. There is no appeal from the court’s decision. Then on to Meknes, picturesque sites situated high up in the hills. Souks is a famous city little heard of in this country, with mysterious winding streets and houses, in which the ladies of the city are a ghostly aspect with the fierce rays of the sun perpetually barred by overhead lattice work. The Roman ruins in Africa are those of Volubilis, a city dating back to the first century, a city that flourished for over 300 years. Taza is another old city on the edge of the desert. Intimate sights and the costumes enliven this reel throughout. Children are seen tending their sheep. CAMELs being prepared for a long day’s journey is hot sand. The primitive method of irrigation handed down from Biblical times. Everywhere the evidence is seen of the struggles for existence in a parched land of hardship. Yet the scenery manages to make the scenes dramatic and engrossing, and to convey the mysterious lure of the desert country both in city and barren sand wastes. Narration is dramatically given by Major Paul Devlin, the world traveler who knows French Morocco intimately from years of travel there.

“Rhythm on the Reservation”  
(Betty Boop)  
Paramount  
7 mins.

Indian Rhythm  
Betty Boop stops at an Indian reservation, and is charmed with the music of the native drummers. Then she is taught by an old squaw how to play the drum, and she works up teaching them to play her jazz instruments which are in the car. They do their part with the swing music, and when Betty starts away she is loaded down with gifts, including an Indian brave who has fallen for her. But his squaw takes care of him, so that Betty is not embarrassed by turning down a native redman. A Max Fleischer car toon.

“Colorful Curacao”  
(FitzPatrick Traveltalk)  
M-G-M  
9 mins.

Quaint City  
Quaint old Holland-styled buildings mark the city of Curacao in the Dutch West Indies, with the ocean liner steaming right up the main street and the harbor channel. There is a unique old wooden bridge that opens to allow the steamer to pass. A jaunt through the old city shows the natives, mostly negroes, at their leisurely tasks. The technician work is beautiful.
"Mr. Wong in Chinatown"
with Boris Karloff, Grant Withers, Marjorie Reynolds

"The Scout in London"
with George Sanders, Sally Gray

"Should a Girl Marry"
with Anne Nagel, Warren Hull

"La Inmaculada"
with Fortunio Bonanova and Andrea Palma

FILM DAILY

REVIEWS OF THE NEW FILMS

**HOLLYWOOD PREVIEW**

RATES AS BEST OF THE "WONG" SERIES AND SHOULD CLICK WITH POP AUDIENCES.

This "Mr. Wong" picture is the best of the series put out by Monogram. The production shows careful preparation under the supervision of William T. Lacey, and good direction by William Nigh. The screenplay by Scott Darling, based on the Collier's Magazine "James Lee Wong" stories by Hugh Wiley, was well written and moves at a nice pace. Boris Karloff, as the Chinese detective, does a fine job, and is given excellent support by Grant Withers, the police captain, and Marjorie Reynolds as a news reporter with a knack of getting in Grant Without, police debonair, or as the police woman, can always be depended on to give good performance, and Huntley Gordon as the bank president and the actual murderer, did well in his part. Lotsan Loo, Princess in Hwa, comes to Mr. Wong (Boris Karloff) for his help and is found murdered in his house. Lotsan has come to America to buy plans for his brother, a Chinese General who is the commander of five Chinese Province armies. She has brought with her a letter of credit for a million dollars, and through investigation by Wong, it is discovered that the money has been withdrawn from the bank by forged checks. After a couple of killings, and the work of Marjorie Reynolds, who saves Wong's life, another Chinatown mystery is cleared up.


CREDITS: Scott R. Dunlap in Charge of Production; Supervision, William Lacey; Director, William Nigh; Based on the Collier's Magazine "James Lee Wong" stories by Hugh Wiley; Script, Scott Darling; Camera, Harry Neumann; Editor, Russell Schoengart; Production Manager, Charles J. Bigelow; Sound, Karl Zint.

DIRECTION: Good. PHOTOGRAPHY: Good.

"Go with the Wind"
Will Debut in Atlanta

Atlanta — Atlanta and not New York gets the world premiere of Selznick's "Go with the Wind," which Metro will distribute. Decision results from Southern protests against a New York showing of the picture. Atlanta's Junior League will toss a costume ball on the night of the premiere.

Chaloner to be Town

The Chaloner Theater on 9th Ave., New York, which recently was taken over by the Brandt Circuit, will reopen in the Fall under the name of the Town.

"The Mikado" With Encores
Slated for Two First-Runs

Following the success of the experimental encore shows of "The Mikado" at the Palace Theater, Broadway, last week, the Riviera, Scranton, and the Irving, Wilkes-Barre, will present the picture for their opening starting Saturday, with encores available to the audiences at every show.

As a contrast to the Palace engagements in which the encores were not advertised, except for a lobby display, the Scranton and Wilkes-Barre will receive benefit of complete campaigns. Special ads and exploitation ideas have been devised by Universal's home office staff.

Meanwhile, it is reported that another major company is planning to produce a musical with encores available with each print.

"Lively Adventure of the Saint Running Down an International Gang in London"

A very intriguing and suspenseful adventure of the celebrated Saint, who devotes his criminal talents to running down a master criminal. George Sanders in the role of the Saint has a smooth way about him that is very pleasing. A friend in the intelligence service tips him off that there is foul work under way in the matter of a representative of a foreign government who is over in London arranging for the transportation of paper currency for his country.

The scheme of the conspirators is to force the Saint to get an additional order of millions in bank notes which are to be turned over to them. A girl named Sally Gray in the Saint's employ, compiles the evidence, and insists on accompanying the Saint on his dangerous mission. There is also a typical American crook character played by David Burns, who is the Saint's rival and quite comical. The conspirators are being pressed too hard by their adversary, so they kidnap the girl and hold her for ransom till the Saint turns over an incriminating document stolen from the home of the master mind. The mastermind, in the herculean fight, the girl and turns the tables on the gang when all seems hopeless lost looks for fine suspense and plenty of thrills. Setting angles: the adventures of the celebrated Saint in his latest crime-uncovering.

CAST: George Sanders, Sally Gray, David Burns, Gordon McLeod, Henry Oscar, Ralph Turton, Carl Jaffee, Norah Howard, Baillie Barkeley.

CREDITS: Producer, William Sistrom; Director, John Paddy Carstairs; Author, Leslie Charteris; Screenplay, Lynn Root, Frank Fenton; Cameraman, Cameron Friese-Greene.

DIRECTION, Very Good. PHOTOGRAPHY, Okay.

"La Inmaculada"

with Fortunio Bonanova and Andrea Palma

"La Inmaculada" is a Spanish picture produced by Maurice M. Cohen and Fortunio Bonanova. This picture should do well in the Latin-American field for which it is intended. Louis Gassner's direction is good, and the singing of Fortunio Bonanova, who also plays the lead in the picture, adds greatly to the entertainment value, for he has an excellent voice. The triangle story has intriguing qualities for Spanish audiences, and as a whole is good film fare. Rene (Fortunio Bonanova), a millionairess, plays the lead in the picture, with Andrey. They are married and for a time very happy, but Rene becomes restless and resumes his liaison with his former mistress, Tana. He finally goes bankrupt and is deserted by his friends, and finally sees Tana. Rene suffers a stroke and is unable to walk, and it is up to Andrea to nurse and take care of him. Andrea marries Luis, a violinist, who pleads with her to divorce Rene and marry him but this she refuses to do, although she cares for him. Luis marries the girl his parents have picked for him, and Andrea, unsmiling, watches the marriage. Rene overhears the gossiping neighbors talking about Andrea and Luis. He realizes that his life is wasted and that he is only a burden and does not take the pill which would save him when he has another of his attacks.

CAST: Fortunio Bonanova, Andrea Palma, Minerva Sierra, Tana, Luis Diaz Flores, Daniel F. Rca, Julia Montoya, Felip Turich, Raul Turich, Carlos Villarias.

CREDITS: Producers, Maurice M. Cohen and Fortunio Bonanova; Director, Louis Gassner; Author, Catalina de Zorriz; Screenplay, Paul Forest; Adaptations, M. Pierre Navarro; Cameraman, Arthur Martinelli; Art Director, F. Paul Syllos; Editor, Robert B. Warwick; Production Managers, Melville Shyer; Musical Director, Alberto Colombo; Orchestral Arrangements, Nilo Menendez.

DIRECTION, Smooth. PHOTOGRAPHY, Okay.
Plan Quick Move to Consummate RKO’s Reorganization

Cassell to Carry Fight on RKO Plan to U. S. Supreme Court

(Continued from Page 1)

fair and equitable and constitutional in its provisions.

The plan, which was concurred in by Senior Circuit Judge Learned Hand and Judge Harrie B. Chase, separately considered the points raised by each of the three appellants—H. Cassel & Co., Ernest W. Stirm, and the combined appeals of Copia Realty and Fabian Operating Co.—and found no reason to upset the plan, submitted by Floyd B. Ollum, Atlas proxy.

(Nathan Rosenberg, attorney for H. Cassel & Co., debenture holder, stated that he would carry his appeal to the U. S. Supreme Court, on the contention that the plan violated the U. S. Constitution. John S. Stover of the N. Y. law firm of Ernst W. Stirm, told THE FILM DAILY last night that he also will take recourse to the nation’s highest tribunal.

Hamilton C. Rickaby, of Simpson, Thacher & Bartlett, counsel for the Atlas Group, plan’s proponents, stated that he would proceed immediately to consummate the plan, and that a proposed certificate of incorporation of the new company would be submitted shortly for Judge Bondy’s approval. Upon questioning, Rickaby declared that the new company would be functioning smoothly by the early Fall.

Cassell Claim to the Fore

The opinion of the Circuit Court paid greatest attention to the arguments put forward by Cassel & Co., that the plan was unfair in substituting preferred stock in place of debentures, and that the plan, which would give holders of debentures now have on the entire assets of the company. It also treated with the contention that the plan was unfair to debenture holders on the basis of the poor showing made by RKO during the latter part of 1931 and the early part of 1932.

The Court paid tribute to these arguments by stating “On these and other premises, a forcible argument is made that it is unfair to the debenture holders to tender them preferred stock in place of their present secured claims.”

However, the Court continued, it must be borne in mind that RKO is a holding company, which has a number of its subsidiaries “still have large funded debts of their own to provide for.”

RKO Earnings Held “Volatile”

Judge Cassel pointed out that the debts of subsidiaries must be paid first as far as these subsidiaries’ earnings are concerned before those earnings can be paid to the parent corporation. The net earnings of the subsidiary companies “are not presently available for meeting interest on obligations of the company (RKO Corp.),” in view of these facts, and after examination of the profits and losses of the company from 1922 through 1930, Judge Patterson characterized RKO earnings as “volatile and sensitive to general business conditions.”

In summarizing the situation, Judge Patterson declared: “On a survey of the entire situation we cannot say with assurance that over the years the available earnings of the debtor would suffice to meet interest and amortization charges on a debt burden of some $18,000,000 of debentures and unpaid interest, nor can we say that a plan which meets the debenture and unpaid interest outstanding as a fixed debt charge was not only feasible but was the only plan that would fairly with holders of debentures.” and continued by saying that “failure to meet the reorganization debt charge would result in another reorganization.”

The Circuit Court found that the plan preserved all priorities and that the necessary two-thirds consent indicated that it was not “inherently unfair.”

It said further that the vote of the proponent was not colored by its holding a majority of the common stock, and that there was no evidence that the Atlas Group had been in bad faith.

Debenture Holder Gets Break

The Court said that a debenture holder would get 78 times as much stock for his $1000 debentures as a common stockholder.

In conclusion, as to Cassell’s contentions, it said “the District Court was not called on to say that the plan was the best or fairest that could be drafted. The problems confronting the parties were not easy of solution. The corporate structure was intrinsically, under the circumstances we cannot say that the rights of the debenture holders were sacrificed in favor of junior parties.”

The Court then took up the argument of Copia Realty Corp.

While the appellants were held to have been adequately secured, Judge Patterson was moved to say that “The plan would not treat fairly their claims. Opinion pointed out that these appellants were landlords of subsidiaries of RKO Corp., and that the debtor had guaranteed payment of rent, but, the Court added, no default on rent had yet arisen. The Court felt, in answer to Copia’s contention, that cash should be delivered to the tenants as security for any future claims that the appellant was being treated fairly under a provision of the plan that the new RKO Corp. would hold stock as a security.

Judge Patterson said: “The plan as it stands is fair to parties, and their appeal fails.”

Stirm Held Without Cause

Finally, the Court took up the objection of the appeal of Ernest W. Stirm, holder of 1,234 shares of Class “A” stock. Stirm had contended that amendments to the certificate of incorporation made by RKO in 1931 were invalid as affecting Class “A” stock, and that his stock was in a position of priority. The Court held that the report of Special Master George W. Alger, which ruled that the amendments were valid and that Stirm was barred for delay in attacking the amendment, should be upheld, and that Stirm had no cause for complaint.

The Court also considered an argument raised by Stirm that debentures and common stock floated in 1931 should be reduced in the plan by the settlement of their face value because of an alleged heavy discount at which they were sold. Judge Patterson stated: “We are

8 NEW MICH. HOUSES OPENING IN ONE WEE

Detroit—Eight new theaters, totaling $900,000, will open in southern Michigan the week of August 21, setting something like an all-time record for simultaneous opening of houses with owners and opening dates as now set:


In addition, the remodelled Strat at Caro will be reopened by Ashmore Bros., on Aug. 15.

While most of these are smaller town theaters, the total expense of the new construction or remodelling will range between $300,000 and $400,000. A few are new as theaters, although some are remodeled from other types of commercial structures. Five cases—at Blissfield, Milan, Charlotte, Beaverton, and Van Dyke—the new houses will replace old houses, usually a smaller size or obsolete design, thus incurring a saving over operating old theaters.

Saul Sloan Plans Detroit Nabe House to Seat 4,000

Saul Sloan has put plans for a 4,000-seat nabe house at Six Mile and Schaefer Road, to be called the Television Theater, have been announced by Saul Sloan, who has also released plans for the 3,000-seat Almon to be built on the east side. The Tele Theater is to be operated by Sloan’s new United Theatres Company.

Sloan has also formed the United Theatres Co., just formally registered, but no statement of the relations of the two companies is available.

Charlotte, Mich.—A new 352-seat theater is under construction here by former Mayor C. B. Beecher. It will open early in the Fall.

Boosts Price a Nickel

Bridgeport, Conn.—West End Theater advertising gained ground at five cents, following reopening of the theater after extensive renovation.

referred to no provision of law forbidding the issuance of bonds by corporations at a discount. We see no reason to doubt the validity of the debentures for full face value.

As to other arguments raised by Stirm the Court stated that “there was not sufficient merit in them to warrant separate discussion.”

WHO’S WHO IN HOLLYWOOD


Wednesday, July 19, 1932

20 W. 44th St.

M. D. PRIOR & D. S.

28 W. 44th St.

THE FILM DAILY

NEW YORK, N. Y.

Tele 8-2992

Theatre Section

10 W. 42nd St.

NEW YORK, N. Y.

Tele 8-1212

Theatre Section

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Theatre Section
Privy Council Finds for 20th-Fox in Song Title Case

DISCOVER EQUITY SUIT ON COURT TRIAL CALENDAR

Defense Demands Bill of Particulars in Griffith Suit

More Definite Statement of Charges by Gov’t Also Sought

Okalhoma—Defense counsel in the anti-trust suit brought by the Department of Justice against the Griffith companies and eight major distributors filed motions yesterday in Federal Court here for a bill of particulars and a more definite statement of charges.

The Government’s complaint, filed in the U.S. District Court here April 29, charges the Griffith companies, none of which are in any way affiliated with the eight

“US” JAPAN GROSS
BIGGEST IN HISTORY

Despite war and import restrictions, Universal is doing its biggest gross business in history in Japan, according to Al Daull, supervisor for the Far East. Because of the tense situation, Daff said yesterday in New York, the Japanese look to the screen as their chief source of diversion and

AFA Moves to Enjoin 4A’s in Scrap Over New Union

A show cause order, directing the AAA and a large number of co-defendants to appear tomorrow at 10 a.m. before Justice Edward J. McGoldrick, on a complaint by the AFA was signed yesterday by Justice

Minimum of 12 Features for Alliance Next Season

Minimum of 12 features plus a special and a number of featurettes and short subjects will make up the 1939-40 Alliance Films Corp. program, Budd Rogers, vice-president and general manager, announced yesterday. Pictures, produced in Eng-

KOURAS DENIES FWG AFTER FRISCO CHAIN

By GEORGE H. MORRIS
FILM DAILY Staff Writer

While sources close to both Warners and Fox West Coast Theaters took the stand yesterday that the impasse between them still remains

20th-Fox Victory in “Monte Carlo”
Case of Wide Industry Importance

Rival GB, Odeon Circuits to Play 2 UA Pic Day-Date

Alexander Korda’s “Four Feathers” and Samuel Goldwyn’s “Wuthering Heights” will play simultaneously in all the Gaumont British and Odeon theaters under a deal

Has Been Since Last March; Preference Motion Next Gov’t Move

U. S. Attorney’s office yesterday discovered to its surprise that the equity suit against the majors had been on the calendar since last March.

The case which has calendar No. 394 is at present 187 cases from the top of the calendar and, in the absence of preferential treatment would reach trial in March or April, 1940.

Case was placed on the calendar when an answer was filed by Adolph Ramish on March 4, 1939, under

COMMERCE DEPT. GETS
ALLIED’S CODE VIEWS

Washington Bureau of THE FILM DAILY

Washington—Department of Commerce-film industry conferences on motion picture problems continued yesterday as Col. H. A. Cole, president of Allied states, joined the

UMPTO to Probe Pix Rentals; Gives Partial Favor to Code

Philadelphia — UMPTO Board of Managers, meeting here yesterday, heard a survey of 1939-1940 selling plans, appointed a committee to in-

GRIFFIS TO CONTINUE
BRIT. TELE SCRUTINY

Combining a honeymoon with a business trip, Stanton Griffis, chairman of Paramount’s executive committee, sailed yesterday on the Queen Mary with his bride, the former Whitney Bourne. Griffis and Miss Bourne were married yesterday

Swiss Action on Quota is Regarded as Certain

Berne (By Cable)—Action is expected here momentarily on the establishment of a quota for foreign-made films imported into Switzerland. Conflicting between the Government and the country’s Film

Threaten Writ to Enjoin Further “Rose” Exhibition

Chicago — Flat statement that Spitz & Adeck, counsel for Fannie Brice in her $750,000 damage suit against 20th-Fox, et al, will ask for a sweeping injunction to prevent exhibition of “Rose of Washington”
W. L. "BILL" JONES, national service manager for RCA Manufacturing Co., is visiting the Atlanta service district.

EDWARD ROBINSON arrives here from the Coast tomorrow, and sails for a vacation aboard two weeks in the city.

WILLIAM BUDD RICHARDSON, low dentist manager for Westchester and Jersey, is vacationing with his family at Lake George.

STANLEY GRIFFIN, chairman of Paramount's executive committee, sailed yesterday with his bride, the former Mary Bourn, on the Queen Mary for London and the Continent.

Washintonian Club will Fete E. A. Lichtm

Washington Bureau of THE FILM Daily will celebrate the 50th birthday of E. A. Lichtman and his completion of 10 years in the exhibition field, be sponsored by the Washington Cinema Club at the Willard Hotel August 11. Lichtman is chief bar of the group.

Rudolph Berger is chairman of the sponsoring committee with Car T. Barron, chairman of the entertainment committee and the following in the group: Harry S. Brom, A. Julian Briedy, treasurer Clark M. Davis, Archie D. En, Edward Fontaine, Samuel C. Anity, chairman of the program committee; Edward J. Haley, Sidney Lust, Hardie Meakin, Joseph P. Mgan; Alvin Newmeyer, toastmaster; George A. Ro, J. Louis Rome, Charles C. Schult Morris Simon and Samuel N. Werter.

Thursday, July 20, 1939

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"Denver tops all previous Hardys! First 4 days beat 'Pygmalion,' 'Boys Town' and biggest hits!"

"Hot weather doesn't mean a thing in Portland! And Capitol, N.Y, biggest in months!"

"Playing day and date in Los Angeles at State and Chinese it's topping the Hardy parade and all Big Ones!"

"Detroit beats the heat with biggest biz of entire season. New Hardy hit is best of the whole series!"

"ANDY HARDY GETS SPRING FEVER" WOW!

It's just ONE of M-G-M's multi-million-dollar Summer Festival of Hits!

NEXT PAGE, PLEASE!
NO MORE WRINKLES!

Leo's hot-weather parade of hits is the talk of the Industry!

ISN'T IT WONDERFUL!

M-G-M's Summer releases electrify every Film Row! Grateful showmen say "M-G-M's ready when a feller needs a friend!" Here are a few of the Summer Big Ones! It's all M-G-M as usual!

"ANDY HARDY GETS SPRING FEVER"
The Lucky Seventh Hardy Hit! A Summer life-saver!

"GOODBYE MR. CHIPS"
National Release of the Extended-Run Record Holder!

"THESE GLAMOUR GIRLS"
Lew Ayres, Lana Turner, Anita Louise, etc. Youth and beauty in sure-fire hit!

ROBERT TAYLOR
HEDY LAMARR in
"LADY OF THE TROPICS"
Call out the cops!

And what company but M-G-M would give you a multi-million-dollar show in August like this Technicolor sensation!

"THE WIZARD OF OZ"
Watch for details of the Giant Ad Campaign in national magazines synchronized with simultaneous release in hundreds of theatres!

THE FRIENDLY COMPANY all year around!
COMMERCe DEPT. GETS ALLIED'S CODE VIEWS

(Continued from Page 1)

Government conferences on present Allied's view of independent motion pictures. It was stated by Director F. Myers, Allied General Council, did not accompany Colonel Cole to the meeting as expected.

The same Government trio—Dr. Willard L. Thorp, Nathan D. Golden, and E. A. Tupper—talked with Cole for several hours in the Commerce conference room before the meeting adjourned. It is understood that Cole presented Allied's views on the Trade Practice Code and general reforms deemed necessary by Allied.

Golden, chief of the Commerce Department's Motion Picture Division, told THE FILM DAILY following the confab that the line of talk largely followed previous meetings with Harry Brandt and Ed Kuykendall. "We discussed general industry problems," Golden said, "and Colonel Cole gave us Allied's views on the matters under study."

Conferences continue this morning when Kuykendall leads a group of exhibitor leaders to another meeting with the Government officials. Among those who will accompany the MPTO chief are Oscar Lam, representing Southeastern Theater Owners' Association; Lawyer Pirro, UMPTO proxy, Stanley Summer, Cambridge, Mass.; Walter Vincent of New York and Sidney Lust, capital city independent exhibitor.

This will be Kuykendall's second visit. Commerce officials indicated that Colonel Cole may return for another conference at a later date.

Names Group for Further Commerce Dept. Parleys

A committee to represent the IG-A at future conferences with the Dept. of Commerce was appointed yesterday at a meeting of the organization at the Hotel Astor. The group consists of Leon Rosenblatt, chairman, Arthur Rapf, Irving Rapf and Harry Brandt, the latter acting in an ex officio capacity.

The ITOA will call a special meeting in about two weeks to discuss the trade practice code, arbitration, film buying and United Artists' non-participation in the trade practice negotiations.

SWISS QUOTA ACTION VIEWED AS CERTAIN

(Continued from Page 1)

Chamber has progressed rapidly and are reported to have been virtually concluded. Consequently, a decision on quota is looked for this week. Representatives of U.S. distribution interests have left here for Paris, having strongly advocated that import status remain as now constituted.

Rival GB, Odeon Circuits to Play UA Fix Day-Date

(Continued from Page 1)

announced yesterday by Arthur W. Kelly, vice-president of United Artists.

Described by UA as the "most amazing circuit contract ever made" in England, the deal calls for the playing of the two pictures day and date even in those situations where the circuits are in direct opposition to each other. The terms for each film are reported the biggest ever to have been paid for a picture in Great Britain.

The so-called "barring clause," whereby each circuit demands a picture solely and exclusively for its own houses has been dropped for this contract.

Spring Fever in Title Only

As New "Andy Hardy" Clicks

"Andy Hardy Gets Spring Fever" is off to a big start in its first key city openings, home office said yesterday. M-G-M's 7th in the Hardy Family series, the film in three days at the Michigan, Detroit, played to the best business since last November, topping "Idiot's Delight" gross for a like period at the Orpheum, Denver, the picture earned 102 per cent over normal biz. Four days at the Broadway, Portland, grossed better than seven days of "Tarzan Finds a Son," and "The Hardys Ride High." At the State, Los Angeles, first six days of Spring Fever beat seven days of the Christmas engagement of "Out West." Capitol, N. Y., premiere Tuesday marked the house's biggest opening in several months.

To Vote on Bargaining

Election will be held tomorrow from 1 to 1:30 p.m. to determine whether the American Federation of Bookkeepers, Stenographers and Ac. Countants Local 2004A A.F. of L. will be bargaining agent in Paramount's warehouse here.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood — Frankie Darro and Alma Wray, actress, will wed here July 31.
SKOURAS DENIES FWC AFTER FRISCO CHAIN

(Continued from Page 1)

in status quo, what appeared to be "checkeredboard movements," reported as probably aimed at effectuating a peace pact, sprang into being on both Coasts.

Looking as most important were advisories from San Francisco to the effect that Fox West Coast has made an offer to acquire the 17-hour networks in that part of the领土ing there. Warners in late June announced the consummation of a product deal with Blumenfeld as one of the "selling away" moves against FWC.

Great interest is attached to the reported RKO-West Coast pacts over the Blumenfeld theaters, since, with this group, plus the Golden State circuit and the T. & D. circuit in each of which FWC is said to have an interest, FWC would gain tremendous power and incidentally hold absolute control in several California spots,—for example Stockton, Berkeley, Sacramento and Oakland,—in addition to its already dominant position in other areas of the State.

Charles P. Skouras, FWC president, now in New York, denied the Frisco reports yesterday, but industry observers cited that there may very well be developments along this line.

It was pointed out there is the obvious fact that where WB product is sold away from FWC, it would be virtually a permanent arrangement, since the basic circuit, under the Trade Practice Code, could retain it, even though FWC agreed to restoration in its houses.

However, should FWC be currently serious about the acquisition of the Blumenfeld houses, there is to be considered the agreement between the Government and major companies, including affiliates, that would make it impossible upon FWC, interlocked as it is with National theaters and 20th-Fox, to report immediately to the D of J upon the effectuation of a legally binding commitment with Blumenfeld.

Lights Out

Crown of workmen were busy yesterday dimming the lights of Broadway. Recent coment of Building Department violations brought about removal of all temporary electric signs atop marquees. The huge electric letters were a big inducement in signing up "name" attractions. The signs are now being loadefilig out of ways of dressing up the house fronts and still remain within the law.

UMBTO to Probe Pix Rentals; Gives Partial Favor to Code

(Continued from Page 1)

investigate the high cost of films with an eye toward a national move on the subject. The code committee and that it favored it although not as a complete solution for problems. announced that its members will be asked to favor the Industry's Golden Jubilee, founded president Leven Fizer to hop to Washington for the Department of Commerce meeting, heard a financial report and voted to hold board sessions every second Thursday, with all members invited to attend.

Saratoga Pix Houses Face Stock Opposition

Saratoga—Fred Ellis and Hope Lawder, with their Saratoga Players, are giving the Benton and Reade theater circuits here direct competition in the most profitable six weeks of the year, surrounding the horse racing period.

Joan Blondell and Dick Powell are to play "Burlesque" for the stock company the week of Aug. 8, with Edward Everett Horton preceding them by a week and Ethel Barrymore beginning July 25. Guest players are to be brought to the Spa, in the personages of Charles Boyer, Hedy Lamarr, Billie Burke, Kitty Carlisle and Alison Skipworth.

Tax Rebel Advanced

Quebec—The City Council has given first reading to a bill abolishing the ten per cent tax which caused the 11 theaters of the city to close for five weeks.

Minimum of 12 Features for Alliance Next Season

(Continued from Page 1)

land by BIP, will be distributed on a franchise basis, except in New York where Alliance will operate its own exchange, under direction of Arthur Greenblatt, assistant to Rogers.

Initial release is "The Warning," which has played the Loew circuit, and which will be sold separately from the announced 12 second releases, "The Housemaster," which stars Otto Kruger, supported by Diana Churchill and Phillips Holmes.

Program includes two Edgar Wallace Scotland Yard sellers, "The Terror" and "Mystery of Room 13." Otto Kruger and Gertrude Michael star in "The Hidden Menace," directed by Albert de Courville, "Black Eyes" will have Kruger and Mary Maguire in the leads.


GRIFFITH DEMANDS PARTICULARS BILL

(Continued from Page 1)

majors, combined with each other to monopolize first, and second-run exhibition motion pictures in the towns where the Griffith companies operate theaters. These are in and around Los Angeles, southern California, San Francisco, and Denver, and western Texas, Arizona and New Mexico.

One motion asking for a bill of particulars was filed by the Griffi- th Amusement Co.; Consolidated Theaters, Inc.; R. E. Griffith Thea- ters, Inc.; H. J. Griffith, and R. E. Griffith.

Separate motions were filed by Paramount, Metro and Loew's, Inc.; RKO Radio; Vitaphone Universal, Twentieth-Fox and Columbia.

Although the distributor defendant claimed for second-run motion pictures, the motions were substantially similar.

Defendants' motions, ask among other things, that the Government inform them of:

(1) The names and location of theaters which the government claims are second-run theaters; interests have been able to take over or keep closed because of their alleged control of the territory;

(2) The times and when the circumstances under which each distributor defendant was alleged to have combined with the Griffith companies;

(3) The manner in which it is claimed that the Griffith companies were enabled to compel the distributor defendants to give exclusive privileges, as charged;

(4) The manner in which the exclusive privileges which it is claimed are enjoyed by exhibitors are facts which would have prevented other exhibitors from obtaining enough first-class pictures to operate their theaters;

(5) The name and location of each theater the government claims were unable to obtain enough first-class pictures to operate successfully.

In the motion papers the distributor defendants charge that the government has defined certain trade terms in an artificial way in its petition and ask: "that the plaintiff be required to state the definitions of said words and phrases as they are generally and commonly used in the motion picture industry." UA, Columbia and Universal are represented by separate counsel and their motions differed in some particulars from those of the other defendants.

Defendants' motion is returnable July 27.

Oh, Yeah!

New Orleans—Unintentional humor in a sign:

"May 11 Kelly in "Within the Law" $240 Bank Note"
Everything the screen can ever give you... All in one Magnificent Picture... from Alexander Korda....
A PICTURE AS
presents
FEATHERS
IN TECHNICOLOR
the blood-pounding story of a coward, his three friends and the girl he loved.

four white feathers that sent him into a thousand perils to seek redemption.

Kipling's famous Fuzzy Wuzzies, fiercest of African warriors, fighting on a battlefield ten miles wide.

Lord Kitchener's roaring victory at Omdurman photographed in actual locations with flaming realism.

1,800 camels in a frenzied stam-pede on the white man's stronghold.

the horrors of the fanatical Mahdi's hideous torture chambers never before revealed.

8,000 savage Dervishes filmed for the first time with every detail of their cruel warfare.

4,000 natives pulling flatboats up the treacherous cataracts of the Nile.

actual locations in the remote interiors of the Egyptian Sudan where the camera could only penetrate by plane.

EVERYTHING REAL! EVERYTHING TAKEN IN ACTUAL LOCALES! SIGHT AFTER SIGHT THAT THRILL-HUNGRY AUDIENCES HAVE NEVER SEEN BEFORE!

ALEXANDER KORDA presents

FOUR FEATHERS

IN TECHNICOLOR. Directed by ZOLTAN KORDA

with

RALPH RICHARDSON - C. AUBREY SMITH
JOHN CLEMENTS - JUNE DUPREZ

Adapted by R. C. SHERRIF from the Novel by A. E. W. MASON

Released thru UNITED ARTISTS

Associate Producer IRVING ASHEP
Thursday, July 20, 1939

AFA MOVES TO ENJOIN AAA IN UNION SCRAP

(Continued from Page 1)

Timothy J. Leary in N. Y. Supreme Court.

At that time the defendants are

refused with the "property, funds, documents and records" of AFA, and why the court should not issue an in-

junction restraining AAA from

soliciting AFA members to join the newly formed American Guild of Variety Artists; from threatening AFA members with punitive action for not joining AGVA; from threat-

ening theatrical enterprises refusing to sign with AGVA; from soliciting persons or firms to break present

AFA contracts; from proceeding under resolutions attacked in the suit, and from withholding "cener-

nials, statements, publishing showing the plaintiff's correct and

true status."

A complaint accompanying

AFA's suit charged the defend-

ants with having formed a conspiracy to deprive AFA of its charter, and with having acted towards this end in an arbitrary and unconstitutional manner. Suit asks injunctive relief and requests adjudication that AFA is the only legal union in the field, that AFA and its members are en-

titled to the benefits of their membership and their affiliation with the A F of L, a restoration of charter, and money damages against the defendants.

Defendants, in addition to AAAA, include John Cantor and Alice

Kee of AGVA; Arthur Byron, Paul

Dulzell, Actors' Equity; Eddie Can-

tor, George Heller, American Fed-

eration of Musicians; Lawrence

Tibbett, Frank LaForge, American

Guild of Musical Artists; Arthur By-

ron, Paul, and Andrew Gilmore, Jean

Greenfield, Reuben Gudkin, Hebrew Actors' Union; Tibor Gaghy, Hungarian Actors and Artists; Assn.; Ario Daramis, L. Rondine, Italian Actors' Union, and the Screen

Actors' Guild.

Eastern Pa. Exhibs. Attend

Philly "Beau Geste" Showing

Philadelphia—Leading exhibitors in

Philadelphia and adjoining cities, replying to approximately 200 theaters at-

tended a pre-view showing today of the last day of Paramount's "Beau Geste," with which this film company will launch its 1939-40 season. This is the third of a series of special trade screenings. Picture was previously previewed in Albany and Dayton and will be shown in all key cities within the next few days.

In addition to the Pennsylvania exhibition, this film will be previewed with "The Magnificent Fraud," a British, tele-scrutiny

morning in a surprise ceremony at Locust Valley, N. Y.

It is understood that Griffis will devote some time to the television situation in England, following up his earlier study of tele developments there several months ago. They expect to remain abroad for three months, visiting the Continent before returning in late September.

Miss Bourne has appeared in several stage productions and has appeared in Paramount and RKO productions in the U. S. and made one picture for Gaumont British in England.

The wedding was held at the home of her step-father and her mother, Mr. and Mrs. Harvey D. Gibson, and was witnessed only by members of the immediate family.

The ceremony was performed by Rev. Henry Deyo of the Dutch Reformed Church in Valley View. Mr. Weshner is president of the Manufacturers Trust Co., and chairman of the finance committee of the New York World's Fair.

In addition to his Paramount post, Griffis is chairman of the board of Madison Square Garden Corp. and a special partner in Homphilp, Noyes & Co., as well as a director in a number of other corporations.

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You get complete, day and night, nationwide film shipping service right to your door at new economical rates. Reductions apply to shipments of 21 lbs. or less regardless of distance shipped and up to 50 lbs. for shorter distances. No extra charge for pick-up and delivery in all cities and principal towns and for insurance up to $50.00. For 3-mile-a-minute deliveries—use AIR EXPRESS—2500 miles overnight—at low cost tool Merely phone the nearest RAILWAY EXPRESS office for quick action.

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RAILWAY EXPRESS INC.
NATIONAL RAILWAY SERVICE

RESEARCH OF NEW FILMS

"Winter Carnival" with Ann Sheridan, Richard Carlson

"The Magnificent Fraud," with Akim Tamiroff, Lloyd Nolan

Paramount 78 Mins.

PLEASING PORTRAYAL OF PICTUR-

ESQUE ROLE BY AKIM TAMIROFF

One of those mythical South American republics is the locale of a highly colored story that seems to have been specially concocted to give Akim Tamiroff a field day in his particular sphere of action. He

is in practical fact the entire show, with the exception of a very neat piece of work contributed by Lloyd Nolan. Tamiroff has a protein part in which he doubles for his own thespian role. This is brought about by the fact that as the dictator of San Cristobal, he is mortally wounded by a bomb. In the role of a visiting actor from Europe fleeing from a crime he is induced by the clever Ameri-

can lieutenant of the dictator, Nolan, to impersonate the dead dictator in order to go through with a loan of some millions of dollars which is to be negotiated with a representative of a New York banking firm arriving at the palace. Complications arise with another mysterious Robber, who take before the court as the head of the army, who would like to be dictator, and from there on it is a battle of wits between Nolan and Warwick to outsmart each other. But Tamiroff squares everything by announcing at the grand ball as he signs the loan that will save his beloved country, that the minister of state, an honest man, will be his suc-

cessor. Thereupon Warwick shoots the Magnificent Fraud. Meanwhile Nolan is in prison ready to be shot at the dictates of Warwick, but the new regime saves him in the nick of time. Highly colored molder of the Graustark school, with Tamiroff and his picturesque heroes making it palatable and swell. Patricia Morrison is acceptable as the feminine interest, the American fiancée of the banker who fails for Nolan the smoothie. Strong angle; picturesque acting of Tam-

iroff.

CAST: Akim Tamiroff, Lloyd Nolan, Mary Boland, Patricia Morrison, George Zucco, J. Carroll Naef, Donald Crisp, Robert Warwick, Harry C. Rann, John Dou-

or, Donald Gallagher, Ernest Vebreue, Robert Middlemass, Ernest Coassin, Ralph Forbes, Barbara Popper.

CREDITS: Producer, Harlan Thompson; Director, Robert Florey; Author, Charles Booth; Screenplay, Gilbert Gabriel, Walter Ferris; Cameraman, William Mellor; Edi-

tor, James Smith.

DIRECTION, Fair, PHOTOGRAPHY, Good.

Threaten Write to Enjoin Further "Rose" Exhibition

(Continued from Page 1)

Square anywhere in the world was made here by Elly Pink of the Spitz & Adeock staff.

Named in the proceedings are:

Mulland Theater; operating McVicker's Theater, Mount Clare Theater Co., Greater Chicago Theater, Essanese enterprises, Schoenstatt Sons' theaters, Warner Bros. Theaters, Inc., GCS theater circuit, Balaban & Katz circuit.

RKO Signs Kay Kyser

RKO Radio yesterday confirmed the signing of Kay Kyser and his ork to appear in "That's Right," the starring vehicle for a musical. Pic will go into produc-

tion on the Coast in late August.

were D. W. Weshner, A. J. Vanni, J. Flynn, of Warner Bros.; L. Goldsmith, of the A. R. Boyt Enter-

prises, Del Mar, Calif.; Thomas Hunt, Warner Bros.; James A. Storer, Ben

Fertel, A. J. Fisher, Jr., Columbus Stamper, and Charles Goldline.
A Better Break for Films

... via American trade agreements

(Continued from Page 1)

motion picture film rather than on entertainment film. The standpoint of the latter, the major benefit, under the trade agreements, has been the binding of existing quotas and conditions in countries where quota legislation was in existence.

THE result in each instance has been to assure American distributors that, during the life of the trade agreements, there will be no imposition of new impediments. Indeed, in many of the countries it is probable that the binding of existing trade supervision has been of greater value to the American industry than some reductions in the rates of import duty.

The French situation is an example in point. Binding of the existing treatment on American films precluded the application of proposed legislation which, in the opinion of competent Government observers, well might have practically excluded U. S. pix from France.

A SUMMARIZED FOR THE FILM DAILY by Nathan D. Golden, chief, Motion Picture Division, Department of Commerce, concessions obtained in trade agreements on motion picture films to date are:

1. COLOMBIA
   Films, photographic plates of celluloid, sensitized, unexposed Reduced
   Plates for X-rays Reduced 50%
   Printed films for cinematographic Reduced
   Reproduction of the scientific or educational matter Reduced
   Reduced
   2. CUBA
   Sensitized films for cinematograph Reduced
   Bound
   Cinematographic films, exposed or prepared for exhibition Reduced
   Bound
   Television cameras Reduced
   Reduced

3. BRAZIL
   Films, cinematographic: Reduced
   Developed
   Up to 16 mm.
   More than 16 mm. wide
   Unexposed
   Bound

4. FINLAND
   Motion picture films, developed Reduced
   Bound

5. FRANCE
   Motion picture films Reduced
   (Present exhibition status upheld for American films)
   Bound
   Motion picture films Reduced
   Bound

THIS summary, important in itself as a record of achievement, is doubly so as an indication that the industry might accomplish were it to seriously campaign for State Department assistance.

And, especially in these times, there is no American industry with a better claim upon the Government's good offices abroad.

Says "U" Doing Biggest Gross in History in Japan

(Continued from Page 1)

the government has eased the ban on American film imports to supply the demand. Permits for American pictures are now coming through and negotiations are pending for the renewal of the import agreements when the last permit is issued.

However, Daff said, new theater construction and alterations are at a standstill. Money for such purposes is being conserved for war purposes. In China, Daff added, the situation is somewhat different, although business in some of China's coastal cities is good. Refugees from the interior have migrated to the coast, bringing a great deal of money with them and they are spending it in theaters, Daff said. However, the government has ordered theaters closed in Chungking, Chengtu and Szechu-ann. An advertisement in Universal's offices have been closed because of the ban.

Collapse of the national currency in China has added another burden to the distributors, Daff said, inasmuch as their revenue cannot be increased to meet the situation.

Production is still active in Hong- kong where about 15 pictures will be turned out this year. These pictures are limited in distribution to the Hongkong territory, Malaya and Dutch East Indies, Daff said.

American pictures dominate the screens in all countries in Asia except India, Daff stated. Only about 40 p.c. of the playing time is given to American product. Pictures made in India often run for a year in one theater, whereas an American picture seldom runs longer than two weeks even though they are much superior in quality.

Daff has been with Universal for 20 years, starting in Australia. His Far Eastern territory, which he has supervised for the last three years, includes Japan, Manchukuo, Korea, Formosa, China, Hongkong, Malaya, Siam, Dutch East Indies, Philippine Islands and India. He will be here for another two weeks.

FINDS FOR 20TH-FOX IN SONG TITLE CASE

(Continued from Page 1)

hear counsel for the film company and stated that they would file formal opinion later. This, in effect, sustains the U. S. major on all important points raised in the case. The decision is considered of great importance to the American film industry in its selection of titles for pic.

Hundreds of Thousands of Eng. Works Unprotected in Canada

The Monte Carlo case involved the question of the right to use titles in Canada. Twentieth-Fox's picture entitled "The Man Who Broke The Bank At Monte Carlo," was found to have the title of a work is protected as part of the work if the title is original and distinctive, the Appellate Court held there was no infringement of the title.

The third reason for reversing the lower court given by the Appellate Court was that the song itself, "The Man Who Broke The Bank At Monte Carlo," was in the public domain, because of failure to comply with the Canadian Copyright Acts in effect at the time the song was decided. In this, the Court threw into the public domain in Canada all works that were published in Canada after 1917. Thus hundreds of thousands of English works apparently are now unprotected in Canada.

The Privacy Council's action yesterday in dismissing the appeal of Francis Day & Hunter, Ltd., in effect upheld the ruling of the Appellate Court which favored the U. S. pix company.

Edwin P. Kilroe, Twentieth-Fox copyright lawyer who arrived in London this week to make a survey of European sentiment with reference to the Berne Convention, was present at the Privacy Council hearing.

Selecky Now Manages for Rep. in New Haven

Sam Selecky, as of Monday, last, took over post of manager of Republic's New Haven exchange, it was disclosed yesterday. He takes the job after the departure of W. E. Elkins, who resigned. Appointment was made by Herman Rifkin, New England franchise holder, who has both the New Haven and Boston territories.
Court to Get RKO Underwriting Pact Within 10 Days

Films Face Coast Grand Jury Probe

Columbia Is Denied More Specific Bill in Equity Suit

Company's Application Refused "in all respects" by Judge Clancy

Federal Judge John W. Clancy yesterday denied "in all respects" application of Columbia Pictures Corp., for an order requiring the Government to file and serve a more specific bill of particulars in the equity action brought by the D of against the majors. Columbia had also sought to

Reorganize IMPPA; Chadwick is PREXY

West Coast Bureau of THE FILM DAILY

Hollywood—The Independent M. F. Producers Ass'n was reorganized yesterday, I. E. Chadwick was elected president, C. C. Burt, vice-president, and H. S. Webb, secretary-treasurer. These officials, together with Ben N. Judell, A. W. Hackel and Sam Katzman will comprise the executive committee.

Negotiations will be opened immediately with the unions and guilds

July-August Production

Peak Set by Paramount

West Coast Bureau of THE FILM DAILY

Hollywood—With 11 productions before the cameras at Paramount and seven starting during the next

What ?????

Omaha, Neb.—Surprise was handed those who undertook activities of the Chamber of Commerce, attendant to the Omaha "Union Pacific" premiere, each donor being mailed a check for 20 per cent of his donation which went unused.

"Shekels' Held Lottery

Janesville, Wis.—"Shekels," a game offered by the Rex, State and Majestic theaters in Beloit, has been ruled a lottery and public nuisance by Circuit Judge Jesse Earle here. The theaters, operated by the Wisconsin Theater Enterprises, refused to discontinue the game following the recent anti-Bank Night ruling by the State Supreme Court.

 Arbitration Rules May be Ready Today

Sales heads of the major companies are hopeful of completing the revision of the arbitration provisions of the trade practice code at their meeting scheduled for 10:30

Universal to Have 16 Pix Ready When Season Starts

Thirty-nine of its scheduled 40 feature productions for the 1939-40 program have been completed by Universal and 16 of its 1939-40

Given Court's Okay, New RKO Co.

Will File at Once as Delaware Corp.

"Dr. I. Q." to be Dropped by B & K Chi. Theater

Chicago — By agreement between B & K's legal department and Barnet Hodes, corporation counsel, B & K will terminate the "Dr. I. Q." broadcast and question hour, before the Chicago theater after next Monday.

 having obtained the consent of Federal Judge William Bondy at a hearing held yesterday, Hamilton C. Riehaby, counsel for the Atlas Group, declared that he will immediately file certificate of incorporation of the new RKO company with the Secretary of State in Wilmington, Del.

The certificate will contain a provision for the issuance of only a nominal number of shares of both

Loew's in Fortune

Forbidding August number of Fortunes will spotlight Loew's, Inc., with attention split between company's theater operations and the distribution and exploitation of Metro product. It's the second time that Fortunes has given Loew's the feature. Back in December, 1932, magazine considered Metro production.
Friday, July 21, 1939

**COMING AND GOING**

NICHOLAS M. SCHENCK is due today from the Coast.

H. M. RICHEY, RKO’s director of exhibitor relations, is on a trip to Indianapolis and Columbus.

GRACE ROSEFIELD, representative for Hal Roach, is back from a Lake George vacation.

HANK LINET of Universal’s publicity department returns today from Seattle where he held a rehearsal of “The Mikado” encore engagement.

LOU POLLOCK, Universal’s Eastern and English head, leaves tonight for the Coast.

JOE SEIDELMAN, Universal’s foreign department, arrives this evening from Europe on the Ile de France.

MIKE SHATIN, Warner sales manager in Japan, sails today on theLRLine from Los Angeles for home.

JOHN L. DAY, JR., Paramount’s general manager in South America, who was scheduled to arrive in New York next Wednesday will arrive on the S. A. Argentina Monday morning instead.

FAY RAINBET, upon completing her role in Paramount’s “Our Name is Loretta,” will come East to appear in a stage play.

LEON G. TURRUi, former ace G-man return, New York today on board the Ile de France.

VICTOR FRANCEN, film actor, and CLIFFORD C. TISCHER, stage producer, arrive here today from Europe on the Ile de France.

FRANK ORR, Opinion Man advises Orange County to have New Man at Geddes at the New York World’s Fair, has arrived in Hollywood to assume a post in M-G-M’s special department.

**ROMAN SCANDALS’ Action Will Go to Trial Nov. 6.**

Suit of Mort Eisman, Clara Delar and Robert Louis Shayon against RKO, against Goldwyn, Inc., and Eddie Canter was ordered to trial on Nov. 6 by Federal Judge John C. Knox yesterday.

The case, which was previously dismissed by Judge John M. Woolsey who was reversed later by the Circuit Court, has been retried by the Circuit Court.

Complaint charges pirating of plaintiff’s play “Oh, Shah” in the film “Roman Scandals.”

8 Chi. Exchange Managers Subpoenaed in Evanston Case

Chicago—Federal subpoenas have been served on the eight managers of Chicago film exchanges and on Elmer Upton, B & K comptroller, and Sam Myers, indie exhib., to appear Thursday morning at 10 o’clock in Attorney Lewis Jacobson’s offices in the Frank Ford Stadium Theatre (Evanston) case against B & K, Paramount Pictures and others.

**THE THEATRE**

“A MUST GO ENJOY IT”

GYPSEY ROSE LEE

I MUST LOVE SOMEONE

with JAMES RENNIT—IRIS ADJIAN
Air-Conditioned and JACK WHITE
Cardea Inc., W. 87th 12:50
Mat. Wed. & Sat.

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“SECOND FIDDL” HOLDOVERS!

4th WEEK NEW YORK. Only 8 other pictures in all Roxy history have had 4-week runs!

Now in 2nd week at: CINCINNATI, BOSTON, BALTIMORE, TORONTO, SEATTLE, ROCHESTER, SYRACUSE, NEW ORLEANS, HARTFORD, NEW HAVEN, RICHMOND, PROVIDENCE, CHICAGO.

"Heading for hefty profits!"
"Collecting heaviest sugar!"
"Nifty $10,000!"
"Pacing the town!"
"Taking top money in town!"
"Cinch for two-week run!"
"Big; holding!"

"it's 20th to the rescue every summer!"

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
COL. DENIED MORE SPECIFIC EQUITY BILL

(Continued from Page 1)

strike out the Government’s bill of complaint, and parts of the previous bill of particulars and for a further order to bar the Government from presenting evidence against Columbia during trial.

Judge Clancy stated that he thought there was “reasonable compliance with Judge Bondy’s orders,” and directed Columbia to serve its answer 10 days after a copy of the order was served upon it. This order, under the decision, is to be signed no later than July 26.

Columbia also lost its argument that the Government was barred from listing alleged monopolistic practices occurring in Texas because Columbia claimed these issues had been litigated in a Government anti-trust suit against the Interstate Circuit.

Milwaukee Exhibs. Hope All Bingo Games Banned

(Continued from Page 1)

Midsummer Festival here is broad enough to cover those sponsored by charitable, fraternal and religious organizations, which have been permitted to operate by law enforcement officials.

Judge Gehrz labeled Bingo as being “gambling plain and simple.” Local exhibitors, prohibited from operating Bank Night, Hollywood, and similar games by a recent State Supreme Court decision, have been obliged to stand by while thousands of potential customers weekly went to neighboring churches and lodge halls to play Bingo.

The action is regarded as a retaliatory move by small business men as an attempt to prevent exhibitors against discriminatory enforcement of the gambling laws which has operated to the detriment of retail merchants and theatermen.

Morristown, N. J.—Morris County this week became the third in the northern section of the state to ban all Bingo.

Indie MPPA is Reorganized; E. Chadwick is Prexy

(Continued from Page 1)

towards revised scales and conditions for independent producers. Henceforth the organization will make contracts with actors and technicians for all its members.

Members of the organization, it is stated, will spend $1,400,000 on their pictures.

Huxley Pix to World

World Pictures Corp. has acquired the distribution to the Julian Huxley film, “Monkey Into Man.”

Nazi Pictures Dissatisfy Even Hitler

So Goebbels Outsh Film Chamber’s Presy

Berlin (By Cable)—Rumblings of dissatisfaction of the Nazi Government with the quick acceptance of the German cinema by the Fuehrer, caused the collapse of the party’s campaign to stamp out the “Dr. Mabuse” type of films, now successfully established.

Even Chancellor Hitler is said to be dissatisfied with the German films and the report is that he and Joseph Goebbels have decided on the veteran Fuehrich in the hope that the level of product will be raised.

Dept. of Commerce Gets Average Exhibitor Viewpoint

(Continued from Page 1)

problems and views on current trade matters with Dr. W. L. Thorp, Na thien D. Golden and E. A. Tappe.

Accompanying Kaykendall were Oscar Lam, representing southeastern theater owners association, Lewen Pisor, UMPTO proxy, Stanley Summer, Cambridge, Mass., Wal ter Vincent, New York, Sidney Lost, producer and exhibitor, and Wood of Boston and William Crock ett, president of the MPTO of Vir ginia.

The MPTO chief told THE FILM DAILY the group was intended to be “representative of the average exhibitor” and pointed out that delegates were selected from various areas of the East to present all views.

Confab was of a general nature, Kaykendall said, lying before Gov ernment officials problems of block booking, the new production code, declin ing b. o. receipts, etc.

No further confabs are sched uled now as Government representatives are now expected to devote some time to studying the views expressed by the exhibitors during the course of the meetings.

July-August Production Peak Set by Paramount

(Continued from Page 1)

four weeks, the studio currently boasts the most crowded schedule of any July-August period in his tory. William LeBaron, managing director of production, said yesterday.


“Daughters” Beats Heat

Kansas City, Mo. — Warners’ “Daughters Courageous,” opening at the Newman here yesterday, ran ahead of “Dodge City” to set a new high, despite record heat.

Schreiber Dies in Crash

Omaha—M. E. Schreiber, exhib. at Winne, was killed in an auto-truck crash near his home. Schreiber also was a prominent banker.

Films Face Coast Grand Jury Probe

(Continued from Page 1)

the Government men will probe into the second William Bioff affair last year it was declared.

(Jeff Kibre, acting for the Motion Picture Teachers Committee, held a press conference in September, 1938, to the effect that William Bioff, then persons representing George were IATSE presy. on the West Coast had been paid a $100,000 “bribe” to give the Association of Motion Pictures of the West Coast clasp to the four IA studio local. The charges were promptly branded “ridiculous” by Joseph M. Schein, AMPA president, and Pat Casey, MPPDA labor con tact, while Bioff dismissed them a “hoax” (unconfirmed).

The indictment charged violation, which have been reported pending before are expected to take in another high salaried executives and stars.

Murphy declined to amplify or this statement or give the date when the grand jury investigation will get under way.

(D of F pix industry investiga tion has been in progress for approximately three years, with Albert Law and Harold Wood, anti-trust division, headed by Thurman Arnold, Assis tant Attorney General, in charge. One angle—but only one—has been situation arising from alleged viola tion of a 1932 consent decree. Law and Collins recently came to Washington for another set of conferences, following Murphy’s trip to the Coast.

Reports of Woolf Tie-up False, Says Korda Cable

(Continued from Page 1)

Deal with Charles W. Woolf, whereby the latter bought a group of Korda’s pictures. Korda stated that such a deal had never been contemplated.

According to a printed report from London, Korda was close to a deal with Woolf for the release of six high-budgeted pictures and that the plan included a provision by which Universal would advance the money for the release of the pictures in the U. S.

Revision of Arbitration Rules May Be Ready Today

(Continued from Page 1)

o’clock this morning. It was re ported yesterday that a plan which the sales heads believed would be agreeable to all concerned had been devised and the finishing touches to the draft will be added today.

W. F. Rodgers, spokesman for the distributors, and Ed Kuy kendall, MPTOA president, are slated to reach their conclusions on code matters on Monday. Kuy kendall is due to return from Washington late this afternoon.

Universal to Have 16 Pix Ready When Season Starts

(Continued from Page 1)

product will be ready for release by new season starts on Sept. 1, the company president yesterday.

today through Nate Blumberg, pres ident. John Walsh’s “Modern Cincdeila” is Universal’s 39th picture, while the 49th, “First Love,” star ring Deanna Durbin, is partially completed.

By operating at capacity during summer months, and using its two new and recently-completed sound stages, Universal expects to start off its 1939-40 distribution with more important pictures in the ex change than at any time in years. First picture on the new line up will be the Joe Pasternak production, “The Under Pup,” which has been completed and is in the cutting room.

Valos Planning Circuit

Chicago—Thomas K. Valos, book er for the Alliance Theater Corp., has acquired the 700-seat Geneva Theater at Geneva and plans to add other houses.
THEATER CHANGES

Theater Closings—Openings—New Houses—Reno-Lations—Ownership Changes

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by
ROSS FEDERAL SERVICE, INC.

Theater Closings

ARKANSAS

Yankton—Lil (7-1-39); Owner: Mr. Gw. Key; Did not wish to install cooling system this Summer. Norfolk—New (6-3-39); Owner: G. B. Wilks.

FLORIDA

Orlando—Biltmore (7-15-39); Owner: Sparks Enterprises; Remodeling work.

MICHIGAN

Saginaw—De Luxe (6-12-39); Owner: Wm. H. Cassion; Closed for Summer. Dubuque—Orpheum (6-25-39); Owner: Associated Theaters; Poor business.

OHIO

Ohio City—Pix (7-1-39); Owner: T. B. Nohley; Renovation.

PENNSYLVANIA

Archbold—Grand (July 21); For Summer.

TEXAS

Nocona—Nocona (6-11-39); Owner: Luttey Bros.; Destroyed by fire.

UTAH

Salt Lake City—Studio (6-7-39); Owner: Intermountain Theaters, Inc.; Fire destroyed sound and interior. Salt Lake City—Paramount (6-23-39); Owner: Intermountain Theaters, Inc.; Summer season.

WEST VIRGINIA

Wheeling—Palace (6-24-39); Owner: L. E. Rodgers; Not enough business.

WYOMING

Midwest—Midwest (7-1-39); Owner: Biltmore Theaters, Inc.; Renovation.

Theater Openings

FLORIDA

Orlando—Roxy, 800 to 1,200 seats (7-16-39); Owner: Sparks Enterprises; House Manager: Mr. Vincent; Previously closed Spring, 1938.

IDAHO

McCall—McCall, 250 seats (6-10-39); Owner: M. R. Bongeher; House Manager: M. R. Bongeher; Previously closed Sept., 1938.

IOWA


NORTH DAKOTA

Mandan—Palace, approximately 400 seats (6-1-39); Owner: C. C. Erickson; Previously closed 3-1-39.

UTAH

Salt Lake City—Studio, 450 seats (6-23-39); Owner: Intermountain Theaters, Inc.; Previously closed 6-7-39.

Theaters Under Construction

ALABAMA


ARKANSAS

Little Rock—Highland, 800 seats, 3813 West 13th St.; Builder: G. W. May; Architect: Corgan & Moore; Cost: $20,000 or more; Operator: Robb & Rowley; To be completed Sept., 1939.

CALIFORNIA

Olds—River, 900 seats, Chester Ave. at El. Teton; Builder: Banducci & Lamuchii; Cost: $35,000; Operator: Jim Banducci; To be completed late August or early September.

FLORIDA

Jacksonville—Jackson, 825 seats, Main St.; Cost: $25,000; To be completed Aug. 15.

INDIANA

Garrett—New; Builder: Kalifat; To be completed by Fall.

KENTUCKY

Vanceburg—New Kentucky, 400 seats; Builder: Jack Stamper; Architect: Verville; Cost: $30,000; Operator: Neal Hubbard; To be completed 1-1-39.

MICHIGAN

Three Oaks—Lee's, 400 seats, Elm St.; Operator: Mr. and Mrs. Frank Lee; Not definite as to completion.

NEW CAROLINA

Reidville—New, 450 seats, Scales St.; Builder: W. H. Hendrix; Cost: $40,000; Operator: W. H. Hendrix; To be completed Sept. 15.

Theaters Planned

ARKANSAS

Altus—Altus, about 250 seats, Main St.; Builder: J. P. Baker; Cost: $2,000.

INDIANA

Michigan City—Lido, 900 seats, Franklin St.; Architect: Wm. I. Pereira; Cost: $150,000; Operator: Dune-Line.

INDIANA


IOWA

Burlington—New, 500 seats, Jefferson and Fifth; Architect: Wetherell & Harrison; Cost: $50,000; Operator: Central States Circuit.

NORTH CAROLINA

Maxton—Maxton, 300 seats, City Square; Builder: M. S. Weaver; Architect: M. S. Weaver; Cost: $5,000; Operator: James Finch.

PENNSYLVANIA

New Cumberland—New, Bridge St., between 3rd and 4th; Cost: $85,000; Operator: Frank Firestour.

TENNESSEE

LaFayette—Macon, 500 seats; Builder: Smith Bros.; Cost: $8,000.

Renovations Planned

CALIFORNIA

Ventura—Mission; Work Planned: Enlarging, new fixtures, redecorating, new heating and ventilating system; Owner: Mrs. Dodge; To be completed; Will be closed six weeks.

IOWA

Washington—State; Work Planned: Redecorating; Owner: Pratt Bros.; Date to be completed not known.

NEVADA

Lakota—Lakota; Work Planned: New exits and partial renovating; Owner: Cecil H. Alexander; To be completed 7-3-39.

Change in Ownership

ARKANSAS

Magnolia—Maceo, transferred to W. P. Florence; Rob & Rowdy by W. P. Florence; House Manager: W. P. Florence.

CALIFORNIA

Wasco—Wasco, transferred to Frank Panero by Seelee Theater Co.; House Manager: L. H. Wall.

COLORADO

Otis—Sun, transferred to Arthur Jackson by A. C. Mazanek; House Manager: Arthur Jackson.

MICHIGAN

Reed City—Strand, transferred to H. Schuckert by Roy Porie.

MISSISSIPPI

Rosedale—Rosedale, transferred to Miss Anne Lobdel by C. E. Westbrook.

OHIO

Dover—State, transferred to Shear Theater Corp. by Ross Spidel and Chester E. Huprich; House Manager: Huprich.

WYOMING

Dover—Nugent, transferred to Shear Theater Corp. by Ross Spidel and Chester E. Huprich; House Manager: Huprich.

COLUMBUS—Olentangy (formerly Piccadilly), transferred to Virgil Jackson and J. A. Murphy by Arden Amusement Co.

MICHIGAN

Midwest—Midwest, transferred to Rialto-Theaters, Inc., by Stanolind Oil & Gas Co.
THEATERS USE NEW WESTINGHOUSE UNITS

Installation in film theaters of a number of the new Westinghouse 10 and 15-ton capacity, self-contained air-conditioning units of the central plant type recently announced, is reported by the company.

Organization's engineers assert that it is perfectly practical to install two or three of these units, side by side, and that the monthly cooling expense will be much less than the cost of a single large unit, which will be paid for in a very short time by reduction in the cost of utilities. It has been demonstrated that the cost of installation is reduced as much as 25 per cent due to the fact that the equipment is manufactured in the plant and is shipped all ready for installation, which requires only water and electrical connections, and the connections to the duct system.

Another feature of these units is that they may be installed in unventilated spaces since the compressors are powered by Westinghouse motors which are cooled by the refrigerant gases.

Also it is perfectly practical to move them to new locations should the occasion arise.

The new compact ceiling-mounted Uniaturc unit may also be used in theater applications in small stores which often are to be found in theater buildings. Frequently it is not practical to air-condition with air ventilators from the regular theater system.

New 'Mirro-Claric' Soundhead

New type wide fidelity "Mirro-Claric" theater soundhead is announced by the S.O.S. Cinema Supply Corp., 636-11th Avenue. Before general production commenced, the new model, known as the "Gyro Stabilizer" underwent a thorough test period of eight months' continuous operation in the S.O.S. laboratories, it is stated.

RCA Portable Turntable

A portable two-speed turntable, which provides both recording and instantaneous playback on 16-inch records, through any public address system when used with a recording attachment, is announced by RCA Victor.

New Lens Camera Firm

Chicago—P. L. Mann, G. R. Silverstone and M. Gill have formed the International Photographic Industries with offices at 909-911 S. Michigan St. to manufacture and sell lenses and cameras.

Install New Rectifier

Detroit—A new type projection rectifier recently placed on the market by National Theater Engineering Co., has been installed in Fred DeLodder's Maxine Theater here.

THERMISTORS

• AIR CONDITIONING
• COOLING EQUIPMENT
• PROJECTION

KISCO CO. MARKETING LOW-COST COOLERS

Efficient, low-cost and novel cooling devices which incorporate variable speed fans are being marketed on a wide scale by the Kisco Co., Inc., of St. Louis. Unitaire, under trade name classifications of the Kisco, Inc.,i.e., Stabilizer and Circular.

There are other models, notably the "Senator" and "Mercury," which are fashioned as ash-receivers; and a table, also is offered under the designation of "Utility," illustrated here.

Into these various units are ingeniously built the fans themselves designed to meet the need for an effective portable air recirculator.

Cobb Named GTSC Exec.

New Orleans — William H. Cobb, former exhibitor and recently connected with Joe Houck's Joy Theaters, has been appointed vice-president of the Gulf Theater Supply Corp., Houck is also interested in Gulf with Lever Montgomery, booker for Theater Service Corp., a buying and booking outfit.

Form Hydro Kool Products

Chicago—G. O. Hara, J. L. Hancock and J. Hummel have organized the Hydro Kool Products Co., with offices at 1414 S. Michigan Ave., to manufacture and distribute cooling equipment.

Schlaifer at the Helm

Chicago—Edward N. Schlaifer has taken over the management of Color-Tone Sales Corp. He reports National Theater Supply is now handling Color Tone Daylite shutters in various territories.

Allied Seating Catalog

Allied Seating Co., Inc., has issued a new illustrated catalogue showing a complete new line of theater chairs.

THEATERS

EQUIPMENT
UNIT CONDITIONING Ch. cuts down capacity, is eliminated.

Refrigerant has a 120-degree boil-off point at atmospheric pressure, which means that the entire unit is rated under a vacuum which drains heavy sections usually necessary to withstand excessive stress.

HERE are only two moving parts, the motor: rotor; hence, friction is held to a minimum, thereby ensuring long life. An ingenious arrangement has been worked out, cited, whereby the compressor is powered by two motors of the same horsepower as the one of after horsepower. This makes it possible to cut in one motor at a time, thereby reducing the load on line and making starting easier. At present available in one size only, capacities range from 65 to 80 tons. The Trane Turbocaur is light in weight and free of vibration. These attributes enable its installation in a wider range of locations, as in similar equipment, company warrants.

In the near future, units of 100, 180, and 200-ton capacities will be offered to the manufacturer’s line. Present model is approximately 4 feet long, 8 feet high, and 4 feet wide. Weight is slightly more than 12,000 pounds.

New BRENNKERT PROJECTOR Nears Marketing Stage

In keeping with policy since organization’s inception, of aiding film, and by developing top-quality equipment and centrally manufactured film, our own plant, Brenkert Light Projection Co., announces that in the near future it will place on the market a professional type 35 mm. motion picture projector complete for use in motion picture theaters.

Projector, it is stated, will carry many new Brenkert developments and is being engineered in every detail by Brenkert under own precision standards and patents. Equipment will be on display in various stores of organization’s distributors throughout the country.

MORK-GREEN STUDIOS BUSY

Detroit—Mork-Green Studios is installing drapery and allied equipment at the new Century Theater, Cooperstown, Mich., for Thomas Hefter; a new house for Ashman Brothers at Care, Mich.; Capitol, at Lansing, for Butterfield Circuit; new Regent at Allegan, Mich., for Butterfield; Odeum, Detroit, for William Schuttenhelm; Greystone, Detroit, for Anthony Dubiel; Garden, Fort Worth, Mich., for Mrs. Custer Garland.

GE Lamp Merger

The General Electric Vapex Lamp Co. of Hoboken, has been merged with the Incandescent Lamp Department of General Electric Company, Charles E. Wilson, executive vice-president of General Electric announces.

NSS Completes Two Jobs

Novelty Scene Studios, Inc., has just completed decorations, draperies, wall materials and murals at the Palace Theater in Baldwinsville, N. Y., and the Shore Theater in Cleveland.

Electronome Devised at Studios’ Request

Fred Gretsch, Mfg. Co. of Chicago and Brooklyn, at the request of film studio interests, has devised for the companies, a synchronously operated metronome, a special scale for studio use that is more practical than the regular scale, graduated for musicians’ purposes.

The Electronome is powered by the finest synchronous electric motor. It is possible to make, say the manufacturers. Instrument’s speed will not vary more than 1/120 of a second, and deviation imperceptible by the human ear.

600 Seat House to be Erected in Cromwell

Boyd Construction Co., of New York, will break ground shortly for a 600-seat film theater to be erected in Cromwell, Conn.

House will be air-conditioned and will have as a convenience to patrons a 250-car free parking lot. Berk & Krumgold, theater brokers, are currently negotiating a lease with one of their clients.

York’s Sales Volume Soars

York, Pa.—The sales volume of York Ice Machinery Corp. for June jumped 32 per cent over the corresponding month of last year. W. S. Shiple, president, announces in a letter to stockholders. York’s fiscal quarter ending June 30 shows sales of $4,197,624, or 7 per cent greater volume than the same period last year.

Fill Navy Order

Chicago—Motograph has just completed delivery of 35 complete projection systems to the U. S. Navy for ships and shore stations, at cost of $40,000. Company reports business at high level.

NAT’L SIGN ASSN’N SETS CHI. MEETING

Chicago—Annual convention of the National Sign Association will be held at the Stevens Hotel, Aug. 22-24. More than 50 companies will have displays at the Sign Exposition, held in connection with the convention. Many leading firms, selling the film trade, will have large displays of their lines, including the Westinghouse Electric and Mfg. Co., East Pittsburgh; Thordarson Electric Mfg. Co., Chicago; Sherwin-Williams Co., Cleveland; Sanganino Electric Co., Springfield, Ill.; General Scientific Co., Chicago; Adler Sign Letter Co., Chicago; W. A. Barrows Porcelain Enamel Co., Cincinnati; L. C. Marshall has charge of the exhibit committee. Frank P. James is general chairman.

Form Sound Equipment Co.

Chicago—John Erwood, John H. Lawrence and Joseph Erwood have organized the Erwood Sound Equipment Co. with offices at 284 W. Huron St., to deal in sound equipment.

"BACHELOR MOTHER"

A good comedy is a sure-fire for building good will. It puts the audience in a pleasant mood, sends them away with a friendly feeling towards your house. Alexander Smith Carpet is another proven good-will builder. Which is why you find it in most of the country’s successful theatres.

ALEXANDER SMITH CARPET
NEW film emulsions are indispensable to motion picture progress, but only proved reliability and uniformity make them practicable. Eastman Plus-X, Super-XX, and Background-X have those priceless qualities—hence the everyday use they are enjoying throughout the industry. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Arbitration Revision Won't Affect Allied Stand--Cole

GOV'T WILL ASK NOV. 1 TRIAL FOR EQUITY ACTION

Metro's Gross Biz Up More Than $2,000,000--Schenck

**THE WEEK IN REVIEW**

**NEELEY BILL:** By a 46-28 vote Monday, Senate, for second time as many years, passed the conven-

**OMESTIC**

**NEELEY BILL:** By a 46-28 vote Monday, Senate, for second time as many years, passed the conven-

**COAST PROBE LOOMS:** The week-end, too, produced a sensational development with Attorney Gen-

**RKO DEFEATS APPEALS:** In decision, which was another high-

**FBI INVESTIGATING**

**SAYS PUBLIC WANTS SHORTS**

**WANTS SHORTS**

**TNEC EXEC. DENIES BIZ PROBE PLANNED**

**Allied Prexy Says Code Dead Issue; Indifferent to Arbitration Changes**

**Famous Players Canadian Convention Opens Today**

**APPLICATION BEFORE COURT TWO-$9,121,186**

A net operating profit of $2,912,186-for the 3 weeks ended May 27, 1939, was reported by Warner Bros. and subsidiary companies on Saturday. This figure represents the net after deducting all charges in-

**WARNERS' 39-WEEK NET, $2,912,186**

Prentice Hall, Inc., to be New RKO's Resident Agent

In the wake of last week's unani-

**June Admission Taxes Show Decline; B'way Figures Up**

Washington—Increase in admis-

**The public is demanding better short subjects and more diversified programs, Ed Kuykendall told a large audience in the Court of Peace at the World's Fair on Saturday when Leo, Jr., M-G-M's lion cub, was officially initiated as the com-

**Nicholas M. Schenck**

NICHOLAS M. SCHENCK

ed upon this record as being remark-

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**The Broadway Parade**

**Picture and Distributor**

- Goodbye, Mr. Chips (Metro-Goldwyn-Mayer) — 11th week.
- Sadie McKee (20th Century-Fox) — 20th week.
- The Man in the Iron Mask (United Artists) — 2nd week.
- American Venus (20th Century-Fox) — 1st week.
- The Magnificent Fraud (Paramount Pictures) — 1st week.
- Each Man a Thief (Warner Bros. Pictures) — 1st week.
- The Saint in London (RKO Radio Pictures) — 1st week.
- The Good Earth (20th Century-Fox) — 1st week.
- Little Carnegie (Central Casting) — 1st week.
- Death Goes North (Syndicate) — 1st week.
- The Big Idea (Paramount Pictures) — 1st week.
- Daughters Courageous (Warner Bros. Pictures) — 1st week.
- Palace (Palace Pictures) — 1st week.
- Mr. Moto Takes a Vacation (20th Century-Fox) — 1st week.

**FOREIGN LANGUAGE FEATURES**

- Leonie in 1918 (Austria) — 5th week.
- Pearls of the Crown (Lenox) — 1st week.
- World Mavering (F.X. Films) — 1st week.
- World World

**FUTURE OPENINGS**

- They Shall Have Music (United Artists-Goldwyn) — July 26th.
- Hidden Power (Columbia Pictures) — July 26th.
- Of Human Bondage (RKO Radio Pictures) — July 26th.
- Criterion
- Wester General United (United Artists) — July 26th.
- Bayou (Paramount Pictures) — July 26th.
- Scarlet (Paramount Pictures) — July 26th.
- Old Man (Warner Bros. Pictures) — July 26th.
- Strand
- Miracles for Sale (Metro-Goldwyn-Mayer) — July 26th.
- Capitol
- Racketeer Mother (RKO Radio Pictures) — July 26th.
- Palace

**U** Closes Associated Deal For Distribution in Aus.

Universal has closed a three-year deal with Associated British for the distribution of films in New Zealand and Australia, it was announced by Joe Seidelman, Universal's foreign department head, when he arrived from Europe Friday on the Ile de France. Among the associated pictures for Australian release will be "The Beserkhebmer.

Seidelman also announced that the European territory had been divided into two parts. Ernest Koenig has been placed in charge of the Latin division, which includes France, Spain, Portugal and Belgium. Louis Foulden has been appointed controller of the Central Europe division, which includes most of the other countries.

The controversy over the services of Danielle Darrieux is close to settlement, Seidelman said, asserting that the French actress will be coming to the U.S. shortly to resume her American career.

Business in England, he said, is relatively better than it is in the U.S., with prospects looming even brighter for the coming year. Current year's business is far in excess of last year, he added, and many film returns from Continental Europe are highly satisfactory.

Seidelman was gone about eight weeks.

George Schaefer Expected to Visit London in Fall

London (By Cable) George J. Schaefer, proxy of RKO Radio, may come over in the Fall for a look-see, according to Ralph Hanbury. Trip may be as early as September, but no definite date set. Under an agreement between RKO and the British Board of Trade, RKO Radio's British sales convention is set for London Aug. 10-11.

Para, to Plug Burns Pix on Air Via 42 CBS Stations

Paramount has purchased half-hour of time on 42 CBS stations, Coast-to-Coast, for exploitation of the world premiere of Bob Burns' picture "Our Leading Citizen." With Burns as emcee, the show will be aired Monday, Aug. 7, 10:15-10:30 p.m., originating at Van Buren, Ark. Original plans, as announced some time ago by the picture firm, were for purchase of a special 8 station Arkansas network, but it is believed that 20th Century-Fox success with the Derby broadcast influenced the decision for a Coast-to-Coast hookup of Pacific Coast network will be utilized, plus 37 other stations. Buchanan Agency set the deal.

**COMING AND GOING**

**NICHOLAS M. SCHENCK, president of Loew's, Inc., returned at the week-end from a trip to the west coast.**

**SAMUEL GOLDWYN, accompanied by his wife, in a week on the coast, is on a visit to the Swedes and Karl Y. Gernander, number one of the leading officers.**

**EDWARD G. ROBINSON and GREGOR RAEF, Warner stars, sailed Tuesday, Aug. 1, on the French liner Normandie for vacation in Europe.**

**MARY ROGERS, daughter of the late W. Rogers, has arrived here from Virginia and is joined her mother at the Waldorf-Astoria.**

**CRETA NISSEN, actress, ROBERT TREBOR, director of two Paris Theaters, the Moderne and Michel, HARRY S. PERRY, Zeiss, and S. HARKER, for a picture, are here.**

**LAURENSMITH, a starlet, is here, has left the cast of Katherine Cornell’s “I Time for Comedy” and sails for England shortly.**

**JOHN M. ROBERTS, starlet, sailed here from Hollywood for a picture, is here.**

**JOHN LOKER, British film star, will return to Hollywood, after seven years on the stage, director of 10 pictures in England, he is now.**

**DOUGLAS FAIRBANKS, Jr., and his bride left at the week-end for Hot Springs, Va., from which area he will be in Universal’s “South of the Amazon.”**

**MORT BLUMENSTOCK, Eastern ad and publicity head for Warners, is due back from the Coast today.**

**GRADWELL L. SEARS, Warners’ sales chieftain, is due back from Chicago today.**

**CLAY HAKE, manager advertising in Australia for 20th Century-Fox, sailed from Los Angeles last week-end for home after four months in the U.S.”**

**MICKEY RODENROE sails for England Aug. 6 to act in a play in a major London theater.”**

**“Stanley” for Chi. Theater**

Chicago—W. C. Gehring, 20th-Fox western sales manager, has closed an option with Balaban & Katz for “Stanley and Livingston” to open at the Chicago Theatre the week of Aug. 12. Gehring is confined to his room in the Congress Hotel with an infected foot.

**AT LIBERTY**

Eight years’ experience with major companies in foreign production department, superimposing, re-recording of commentary, various censures, cleaning French dialogue pictures, editing of English titles, knowledge of French, Spanish, Latin American cinema position in similar capacity or any position in export department here or abroad.

**Write Box No. 1200**

**THE FILM DAILY**

1501 Broadway
New York City
"OUR LEADING CITIZEN" congratulates Paramount's "MAN ABOUT TOWN"

"Jack, I want to shake the hand of the man who's brought in the industry's biggest grosser for July."

"Thanks, Bob. From what I hear about 'Our Leading Citizen' I'm shaking the hand of the man who's bringing in the industry's biggest August grosser."

Jack's got something, there, boys. The old grapevine from the coast is buzzing with raves about the new Bob Burns picture "Our Leading Citizen." And they tell us "The Star Maker" makes Bing Crosby's other pictures look like also rans. "Enough entertainment for three feature musicals." "A real cavalcade of song and heart throbs and laughter." Those are typical of the comments . . .

Shake hands with PARAMOUNT, Boys . . .

IT'S A PARAMOUNT SUMMER!
TNEC Exec. Denies Biz Probe Planned

(Continued from Page 1)

thinking,” Daniel Bertrand, administrative assistant for TNEC, told The Film Daily Friday that the film industry was not scheduled for investigation by that body at any time.

Bertrand is well versed in film matters, having been instrumental in preparing the NRA report on the industry when he was a member of the research and planning division of the Blue Eagle agency.

The TNEC official said: “As far as I know no division of the monopoly committee has any plans for studying the motion picture industry. Although the Justice Department has representatives on the monopoly committee and is making the industry a major factor in the anti-trust actions, the committee members of the Justice Dept. are not occupying themselves with film matters at this time,” he said.

Bertrand pointed out the life of the monopoly committee expires in January, 1941, and with the New York equity suit likely to be tried then before the committee will probably prefer to wait the outcome of court action before delving into the industry.

Speaking of general industry problems Bertrand said he doubted if the House would pass the Neely Bill at this session or the next. The copyright hullabaloo which the NRA was aiming to pass still believes the industry should make some “real concessions” to the independent exhibitors. If this were done, the industry could save itself much time, money and grief caused by suits and government action, he told The Film Daily.

Col. Wins Consolidation of Stockholders’ Actions

Application by Columbia to consolidate the stockholders’ suits of Betty Davis, Benedetto LaPretti and Samuel Shats, was granted by Friday, N. Y. S. Supreme Court Justice Edward J. McGoldrick. Stockholders charge waste of corporate assets and mismanagement, and seek the appointment of a receiver and an accounting by Columbia officials.

ALONG THE RIALTO

with Phil M. Daly

• • • THAT World’s Fair Information Center being run by Loew-M-G-M in the middle of Times Square is doing all right. . . . we stood alongside the booth for an hour the other day, and listened to a volley of questions from out-of-town visitors that had us dizzy . . . . but the competent Miss Lingquist in charge took them all in her stride, and she was never leaned for an answer. . . . here are a few we snogged before we staggered away completely dizzy. . . . that is, more dizzy than usual.

• • • A GENT stepped up and introduced himself as R. A. Rushmore, of Anchorage, Alaska. . . . another gent who was already there said: “I’m from Seattle, but your face looks familiar.” . . . the Alaskan inquired: “What’s your name?” the other said, “Lucas Hall. The drug store.” . . . the man from Anchorage added: ‘Sure you know me, I used to play poker in your place five nights a week, twenty-five years ago. One night I cleaned the pot, left for Anchorage, and I’ve been there ever since.”

• • • Janis抬头 named W. C. Cobb of Manila inquired where he could find an all-site boat. . . . he said he was the owner of the largest pearl in the world, and he was tired of sleeping with it in the Ripper directors because the place was unfinished and drowsy. So he wanted to check the pearl so he could rent a room for a good night’s sleep.

• • • IMPRESSIONS of the Information Center are given by L. S. B. Shapiro in his sprightly kolymb in the Montreal Gazette. . . . he inquired of Miss Lingquist how to reach the Fair in his car. . . . this is what he got: “Just drive up Sixth Avenue as far as Loew’s Ziegfeld. . . . Then turn right to Loew’s Lexington. . . . From there you drive across the Queensborough Bridge to Loew’s Long Island and then follow your nose until you come to Loew’s Jamaica. . . . Keep driving until you come to a place that looks as magnificent as Metro’s next Eddy-MacDonald Technicolor production and that’ll be the World’s Fair.”

He then incidentally took all the caps off Times Square and for several blocks around direct inquirers asking about the Fair to the Loew-M-G-M booth at 46th Street, thus saving themselves a lot of conversation.

• • • THE GENT who holds the record for fan mail in Hollywood. . . . Gene Autry. . . . was the honored guest at a cocktail party in the Hotel Warwick. . . . given by Republic, for which he makes horse operas. Gene is on his way to London. . . . to give a command performance before Princess Elizabeth, among other things. . . . the Princess has picked Gene as her Prince Charming.

• • • COCKTAIL party for Doc Allan Roy Dafoe—the quintuplet medico—for the opening of the Quints’ pic, “Five Times Fine” at the Music Hall. . . . the party is tomorrow afternoon at Pathe’s offices on 45th St. . . . Current issues of Look and Life mags both feature Ann Sheridan, star of “Winter Carnival,” on the covers, with special sections inside on the Oomph Girls. . . . credit to John LeRoy Johnston on the Coast for Wanger, and Lynn Farnot at the U. A. home office, for this beaucoup publicity. . . . Mick Hyams, prominent British exhibt, arrives in New York Wednesday, to complete arrangements with Eddie Cantor for the appearance of noted American stage and screen stars at the Royal Club-Variety Performance at the Gaumont Theater in London on Oct. 18.

ARBITRATION REVISION LEAVES ALLIED COL

(Continued from Page 1)

Col. Cole asserted. “In this case he added, “the proposed code is not acceptable to us; therefore, he can an arbitration plan, but the code provisions, be of any sort.”

The proposed code, insofar as Allied is concerned, is a dead issue. Col. Cole stated. He said he believed the equity suit, if won, would take care of all necessary reforms.

While House action on the Neely Bill is not expected until early next year, Allied will not be idle, Col. Allied president said. “Our members have and will, he instructs, contact Congress throughout the congressional season,” he added.

Col. Cole said he felt confident that if the Neely measure reaches a vote in the House, it would pass. He did not emanis the big would be to see that it was brought to the floor for a vote.

Although Allied has no immediate expansion plans, Col. Cole said that a few prospective units awaited his arrival in their cities in order to start for operations. He plans to leave here Wednesday for Galveston by boat. Unless called East by urgent business, he will not return until the New Jersey unit holds its annual convention in Atlantic City in September. He expects to be in New York during the pending equity suit trial in November.

Allied’s New England unit will meet at the Hotel Statler in Boston, Col. Monogrow, Wednesday, Arthur Howard, businessman announced, in New York on Friday. The members will hear the disc-recorded transcription of the Minneapolis convention proceeding.

Howard was in New York in connection with the proposed nations Allied magazine which is scheduled to make its bow on Sept. 1. He returned to Boston over the weekend.

To Resume Arbitration Conferences Today

Major sales managers did not complete the revision of the arbitration clauses of the trade practice code and will continue their conferences today.

“Dawn” Breaks Record

Warroney’s “Each Dawn I Die,” coupled with Eddie Duchin’s arrangements, opened to record biz at the New York Strand on Friday, topping everything since the house inaugurated its present stage and screen bill. “Dawn” was the previous record holder. "Dawn" made $7,700 at the 7:30 p.m. show Friday, and the house extended the engagement for the complete show for the day with eight showings of the feature picture. "Dawn" is set for a three-week run and possibly more, will be nationally released Aug. 19.
Metro's Gross Biz Up More Than $2,000,000

(editor's note) THE FILM DAILY today presents the twenty-first installment of a complete analysis of the figures contained in the Trade Practice Code (Revision of June 10) by Louis Nizer, member of the law firm of Paul, Weiss, Rifkind, Wharton and Garrison, New York City. Preservation of the daily installments, now devoted to the Rules of Arbitration, is recommended.

Installment No. 21

VII. OATHS OF ARBITRATORS

Each person appointed as an arbitrator or a member of a panel, shall sign the form of oath required by law in his jurisdiction. If no form of oath is provided by law, he shall sign the following form:

"I, __________ having been duly appointed an arbitrator (a member at the panel of arbitrators) for the __________ exchange territory, do solemnly swear that I will faithfully and fairly hear and examine the disputes brought before me and will determine each such dispute in accordance with the spirit and intent of the provisions of the Trade Practice Code of the motion picture industry and the Rules of Arbitration annexed thereto, and will make a just award to the best of my understanding.

Additional Oaths: Each arbitrator shall sign any additional oaths which may be required by law in connection with the hearing of any dispute.

Signing Awards: Each arbitrator shall sign all papers necessary or convenient to make the award. Filling Oaths: Each oath shall be filled in the office of the Permanent Arbitration Board and in such other places as required by law in any jurisdiction.

VIII. TERMS OF OFFICE OF ARBITRATORS, REMOVALS AND VACANCIES

(1) Term of Office: The members of each panel of arbitrators shall serve for six months.

(2) Removals: An arbitrator in the panel appointed by distributors and affiliated exhibitors may be removed at any time by a majority of them who are at the time entitled to participate in the appointment of arbitrators to such panel.

Filling Vacancies: An arbitrator appointed by an organized exhibitor group or groups may be removed at any time by the action of the arbitrator(s) and such action shall be effective at once.

(3) Vacancies: A vacancy in any panel of arbitrators may occur by reason of:

(a) Death, (b) Resignation, (c) Removal (d) Disqualification.

The arbitrator appointed to fill the vacancy shall serve for the balance of the term of his predecessor.

Juleff's PDC Will Release Through Franchise Exchanges

West Coast Bureau of THE FILM DAILY

Hollywood—Producers Distributing Corp. has been turned to handle the distribution of Producers Pictures product, according to an announcement by Ben N. Juleff, president, with its product released through franchise exchanges in all parts of the country.

"We have signed up for Murder" will be the first picture, for release on Sept. 17. Thereafter one feature a week will follow.

Harry Ratther will continue to act as Eastern representative for Producers Pictures and in addition will function as Eastern district manager of Producers Distributing Corp. Abe Fischer, formerly with Niles, will be associated with Juleff's exchanges in Chicago and the Middle West.

FMPC Reorg. Up Thursday

Federal Judge William Bondy on Thursday will hear arguments for confirmation of the plan of reorganization of the Film Makers Picture Corp. Petition was filed Feb. 19, 1938, listing liabilities of $78,071. Proposed plan includes among its provisions, a 50 per cent cash payment to general creditors of the company.

WARNERS' 39-WEEK

NET, $2,121,686

(Continued from Page 1)

...with a net operating profit of $3,232,765.03 for the corresponding period of the previous year.

Gross income, after eliminating intercompany transactions, for the current period was $3,457,098.92. Comparable income for the 1939 period, adjusted to include two companies not then consolidated, was $79,475,890.43.

During the 1939 period there was a net credit of $324,623.24 made directly to earned surplus.

The net is equivalent to 28.26 per cent share on the current stock and 70 cents on the common.

Equity to Start Drive in Tele Field in Aug.

Actors Equity will start its drive to organize players in the television field in late August, after completion of a survey of present rates and hours, it is reported. Scale is expected to be based on length of performance and times needed for rehearsals and will probably be higher than the present rate.

Kassler With Transatlantic

Frank Kassler, foreign film distributor, has become associated with Transatlantic Films, according to an announcement by Eugen Scharin. Kassler's pictures, "Dark Eyes," "The Curtain Rises," and "Flight Into Darkness" will be handled from now on by the Transatlantic organization. The latter's new releases include: "Conflict," "La Maison Du Malais," "Innocence," and "Drame De Shanghai."

Suit Filed Over "Miracle"

Suit for $7,500 was filed Friday in Federal Court by Selwyn & Co., Inc., against Bayard Veiller, charging that Veiller had sold the picture rights to "The Miracle" to Loew's, Inc., after the defendant already had sold the play to the plaintiffs.

STORKS!

New Orleans—Alcoe technician, "Buck" Buckwalter, is the proud father of a baby girl who has been christened Barbara Ann.

PUBLIC DEMANDS BETTER SHORTS, SAYS KUYKENDALL

(continuing from page 1) offered better entertainment and that he was sure M-G-M apparently was leading the way.

James Stewart officially crowned the cub. Other members of his "court" included Bert Lahr, Johnny Weissmuller, Frank Buck and Kuykendall. Leo, Jr., also was honored by speeches by Mayor LaGuardia and Grover Whalen. The cub later was flown to Culver City to begin his film career.

Okla. Allied Not Beefing About National—Von Guiker

Oklahoma City—Emphatic denial of reports current here that members of Allied Theaters of Oklahoma are dissatisfied with their Allied States affiliation is made by Drewe Von Guiker.

"I have canvassed the board of directors," Von Guiker told THE FILM DAILY, "and all are satisfied with the affiliation of Allied States. As far as I can ascertain, there is no dissatisfaction within the ranks.

Von Guiker also announced that within the next few days a meeting of his group would be held in Tulsa.

FCA Outing Aug. 13

Chicago—Annual outing of the Film Carriers Association will be held Aug. 13 in Mannheim Woods. Hank Porter and Shorty Otto are in charge of the arrangements.

WEDDING Bells

Detroit—Alton Buck, of the sales department of Industrial Pictures, was married in Chicago to Eleanor Shephard of that city.

Gallup, N. M.—Marlin Butler, manager of the Chief and Navajo theaters here, was married to Miss Carrie Lambert of Santa Fe, yesterday at Santa Fe.

DISMISS PLAGIARISM SUIT

Suit of Albert Bein against Warner Bros. for alleged plagiarism of the plaintiff's novel, "Youth in 1939," in the Warner picture, "Mayor of Hell," was dismissed Friday by the U. S. Court of Appeals. Suit had been for an injunction and an accounting.
GOV'T ASK NOV. 1
EQUITY SUIT TRIAL

(Continued from Page 1)
to the hearing and determination of the case.

Williams argued that the suit was entitled to preferential treatment under calendar rules as being meritorious and exceptional, since, he said, “All the nation has become one of great importance, not only because of the large amounts of capital invested in the industry, but also because of the tremendous influence that is exerted by motion pictures over the social, cultural and educational advancement of the people. This application was signed by Horace T. Cahill as U. S. Attorney; Therman Arnold, as Assistant Attorney General, and David L. Podell and Paul Williams as Special Assistants.

No Statement “At This Time” From Hays on L.A. Jury Probe
In Court's Order

Hollywood—Will H. Hays, MPPA pres., stated Friday night that he had no comment to make at this time on his statement that a Federal Grand Jury investigation of alleged trust violations would be launched in Los Angeles.

Howard E. Robertson, chairman of United Studio Technicians Guild, claiming to represent several thousand studio workers, wired Murphy declairing that certain Hollywood unions were now threatening illegal means to force producers into violation of the Wagner Act and depriving men of their collective bargaining rights.

D of J Said to be Preparing to Press Suit Against Ascap

Washington—Department of Justice through its anti-trust division has reopened its study of Ascap with a view to pressing the Government's prosecution of the Society as an unlawful, price-fixing combine, it was learned Saturday. With Robert Cooper, special assistant to

Industry Execs. to Speak
at Eckhardt Testimonial

Chicago—Advance reservations indicate that in excess of 500 of the film fraternity will attend tonight's Juvenile testimonial dinner to Clyde W. Eckhardt, 20th-Fox branch manager. In addition, it is expected that state and city government representatives will be in the Caucus of the Congress Hotel when the gavels falls.

Felix Mendelssohn will be toastmaster, and speakers listed include Herman Wobber, W. C. Gehring, Jack Kirsh, Jack Oserman, E. T. Commerford, John Balaban, Jack Miller, Henry Helbel, W. E. Banford, Walter Branson, Al Harris, Leon Malley, E. H. McFarland and Clyde Eckhardt.

Chairmen of the affair are Balaban, Kirsh and Oserman with E. E. Aiger and Fred Anderson co-chairmen for the downtown delegation. The affair will be presented to Eckhardt.

W. Pa. MPTO to Convene
In Pittsburgh Oct. 23

Pittsburgh—The MPTO of Western Pennsylvania will hold its annual convention Oct. 23-24, both Col. H. A. Cole, pres., and Abram P. Mors, board chairman, of National Allied are expected to attend.

The unit will hold its annual convention here Oct. 23 and 24, in the home of L. E. Herman's farm in Carnegie, Pa., on Sunday, Aug. 6.

Sign Boy for Westerns

West Coast Bureau of THE FILM DAILY

Hollywood—Thirteen-year-old Bobby Clark has been signed by Producers' Pictures Corp. for a series of eight western melodramas. First feature is expected to go into production on Aug. 14.

the Attorney General, in charge, the study has been in progress for some weeks under three or four assistants, revising prospect that the suit now pending in the Federal Court for the Southern district of New York will go to trial in the near future.

It is understood that the dissenting opinion of Supreme Court Justice Hugo Black in the Florida Ascap case, in which he denounced Ascap as a violation of the Federal anti-trust statutes, spurred the D of J's interest in the dormant suit against Ascap. Senator Burton K. Wheeler of Montana is said to have become interested in Ascap affairs through Ed Crane, KGRJ operator, who is deeply involved in the Montana difficulties of Ascap.

FBI INVESTIGATING
FOX THEATRES CORP.

(Continued from Page 1)
Stenreich, trustees of Fox Theaters, from liquidating assets of the company, or, in the alternative, to remove them as trustees.

Jerome Doyle, Assistant Attorney General, stated to Judge Knox that it was the largest number of investigators working on the case.

Judge Knox denied the application to remove Weisman and Stenreich on the ground that to make the move had expired, but stated that if investigation disclosed anything wrong, he would reopen the question.

He reserved decision on the allocation of funds for the expenses of a referee before whom charges against Weisman, in his capacity of former receiver, would be heard.

Several attorneys for creditors of Fox Theaters opposed the use of the estate's funds on the ground that it would unreasonably diminish the size of the estate.

Reserves Decision in Court's Jurisdiction in AFA-4A Case

The question of jurisdiction over the dispute between the AFA and the AAAA was fought out on Friday before New York Supreme Court Justice Edward McGoldrick, who reserved decision. Justus Shefield, attorney for the AAAA, contended that there was a bona fide labor dispute between the two unions and the court was barred under New York law from issuing an injunction restraining solicitation of membership in the American Guild of Variety Artists on the alleged attempted to induce the breach of employers' contracts with the AFA.

Letters were submitted as part of the papers in which William Green, AFL president, and the disputing parties that a meeting of the executive council of the APL would be held Aug. 7 to take up the question of the revocation of the AFA charter and also of a number of charges made against the AAAA by the AFA.

Justice McGoldrick stated he must first decide whether he has the power to issue an injunction before taking up the question of the merits of the case. Plaintiffs were directed to file a brief on Saturday.

9 Completed, 7 Shooting
at Warners for 1939-40

Burbank—With over a month to go before the 1939-40 season of Warners starts, a second set of pictures is far ahead of production schedule with nine new season features completed, seven before the camera, and nine in preparation for early shooting. Never before in studio's history, it has been so far in advance of production.

THE WEEK IN REVIEW
Senate Okays Needy Bill

(Continued from Page 1)
continued past for okay by end of this month.

OTHER HIGHLIGHTS: Government legalists on Wednesday discovered to their amazement that the equity suit against the majors has been dropped from the July calendar since last March as result of answer filed by Adolph Rannish, former Universal board member. Disclosure spurned Government to seek preference for case since latter is 187 from top of calendar. In the equity action, Columbia was denied on Thursday a more specific bill of particulars. In the D of J anti-trust action against 20th-Fox, companies and eight major distributors, defense counsel filed motion in Federal Court, Oklahoma City, for more special interests of suit. At mid-week, ITOA officials, headed by President Harry Brandt, discussed industry problems with Commerce Dept. solons, and other huddles are in offing. From Harrisburg came word that Pennsylvania won't appeal from chain theater tax decision. Loew's checked in with statement of $8,173,000 net earnings for 40 weeks, 10 of S. PA., and. Disbursements of $895,556 were reported by accountants as being the beginning of the plug Motion Pictures' Greatest Year.

FOREIGN

20th-Fox Victor: London cable flashed word on Wednesday of dismissal by Privy Council of appeal of Francis Day & Hunter, Ltd., in an action against 20th-Fox arising out of the use of title, "The Man Who Went Monte Carlo." Action, in effect, sustains the U. S. major on all important points raised in the case. Decision is considered of great importance to U. S. pic industry on selection of titles for productions. Case involved question of use of titles in Canada and was brought by plaintiff charging infringement of song of same title, plus unfair competition in Canada.

SWISS QUOTA SURE: Almost momentarily, announcement is expected of Swiss Government's enactment of a new quota law. Berne cable asserted—adding that U. S. distrib, representatives, who had returned to Paris making strong representations that the laws on pin imports remain in status quo.

Appeal Censors' Ban

French Cinema Center, Inc., has filed with the N. Y. State Board of Regents its appeal from the decision of the local Board of Censors which on July 15 announced the banning of the company's French-made feature, "Harvest."
FPC MEETING OPENS TODAY AT NIAGARA

(Continued from Page 1)

meet replaces the former Eastern managers' meetings in Toronto, and regional conferences in the US, held in former years. New York will be designated "Record Royal Year."

This morning is to be given over to registrations and get-together meetings, with N. L. Nathanson, president; J. J. Fitzgibbons, vice-president; C. Robertson, T. J. Bragg, Ben Geldisler, M. Stein, L. I. Bragg, R. S. Roddick, Frank H. Gow, E. A. Zorn and R. W. Bolstad scheduled to address an afternoon general gathering.

Following the regional meeting, the delegates will be divided into groups which will meet this evening and Tuesday and Wednesday. Conductor and other blue ribbon sessions include: Geldisler, booking; Fitzgibbons, theatre operation; James R. Cullen, and William R. King, public relations; T. J. Bragg, personnel;emachine, maintenance; Bolstad, host office.

Thursday's closing session will be another general meeting with addresses scheduled by Nathanson, Fitzgibbons, Bragg, R. S. Roddick, Ben Geldisler, Beaug, R. S. Roddick and Zorn. Nathanson will distribute bonus checks at this session.

Convention will be terminated at a banquet Thursday night.

JUAREZ "Getting Record Play in Latin-American

Latin-American marketfigure announced by Warners' office indicates that "JUAREZ" has set a new company record for four playing times since "Adventures of Robin Hood."

More than 4,700 houses have thus far played the play, which still is in relatively early distribution stages. During comparative period, "Robin Hood" was shown by approximately 4,200 Latin-American outlets.

"OLD MAID" ON FRIDAY

West Coast Bureau of THE FILM DAILY

Veteran—seated chair, dress world premiere of "The Old Maid," Pulitzer prize play, co-starring Bette Davis and Miriam Hopkins, will be held at Warners' Beverly Hills theater Thursday night. "The Old Maid" will go into general release on Sept. 2 and will be the first picture on Warners' 1939-40 program.

"DR. I. Q." TO TWIN CITIES

Chicago—The "Dr. I. Q." program will not be staged at the Chicago Theater tonight as scheduled. Plans are under way to shift the program to the Twin Cities.

Weber Joins E-C

Milwaukee—Richard L. Weber, Jr., has joined the Eisenberg-Champion Co., local advertising agency, as director of trade paper relations.

FOUR REVIEWS OF NEW FILMS

"Beau Geste" with Gary Cooper, Ray Milland, Robert Preston (HOLLYWOOD PREVIEW)

Paramount 120 Mins.

SPLENDID PICTURIZATION OF NOVEL HIGHLIGHTED BY EXCITING BATTLE SCENES RATES AS B.O. HONEY.

The stubborn defense made by a small band of French Foreign Legionnaires in resisting four attacks by Arabs on a Sahara desert fort highlight the screen's version of Persic C. Wren's famous novel. Led by a crude, cunning sergeant, Brian Donlevy, the Legionnaires stave off the various onslaughts and, although their losses are heavy, Markoff's rôle in propelling up the dead soldiers and making the Arabs believe they are active combatants saves the day for the defenders of the fort. The battle scenes are among the most exciting ever screened and reflects much credit on Director Wil- liam O. DeWitt, who also produced the picture. Two of the brave defendants are Beau Geste (Gary Cooper and his brother John (Ray Milland), the latter killing the ruthless Markoff when he attempts to steal the gem from the fallen Beau. It is the thirdassen contribution to the film. Robert Preston, who finally reaches the fort and gives Beau the violin funeral he had desired, by burning the fort whose defenders have all been slain. Under suspicion of having stolen a gem, valued at $30,000, from their aunt (Hether Thatcher), the three brothers flee and join the Foreign Legion. It is not until the day he lies dying that Beau reveals he took the gem, but that it was of glass and the real one had been sold by his aunt for $30,000. Cooper, Milland and Preston do splendid work as the brothers, while Donlevy has been made over as a brutal, ambitious sergeant. Susan Hayward is decorative and capable as the love interest of both to the title role; John; Albert Dekker and Harold Huber are among the principals who do splendid work, with Robert Preston, the only one who breaks the film. Donald O'Connor, Billy Cook and Martin Spellman do a pleasingly pulsing as the Geste brothers as children. David Holt and G. F. Huntley, Jr., are among the principals. Richard Carlson supplied a gripping screenplay and excellent dialogue.


CREDITS: Producer, William A. Wellman; Dan A. and William A. Wellman; Second Unit Director, Richard Talmadge; Author, Persic Christopher Wren; Screenplay, Richard Carlson; Camera, Theodor Sparkuhl; Art Director, Henry Rose; Editor, Thomas Scott; Musical Score by Alfred Newman.

DIRECTION, Splendid. PHOTOGRAPHY, Tops.

"Four Feathers" with Ralph Richardson, C. Aubrey Smith United Artists 115 Mins.

SPECTACULAR BATTLE SCENES WITH KITCHENER IN THE SUDAN MAKES THIS SUPER-THRILL ENTERTAINMENT.

There has probably never been a production with more stirring and spectacular battle scenes than the two that highlight this picture. The story, however, is another matter, for it's in the typical British tradition of the gentlemen of the army of an earlier day, who sat around their baronial halls and talked of their military achievements from the dawn of time. But take the battle stuff, and you've got something to shout about. Nothing like it for a new hit. The military scenes are splendidly photographed and spectacular and sensational. And you can quote us on that. There are four young British officers, all of whom suffer from a fear of battle. They write to the fellah of Kharthoum and the death of General Gordon are about to go with them to the Sudan to join Kitchener. One of them, John is a dreamily soli- distic, elegant and and revolts at bloodshed and the army life forced upon him by generations of fighting men. He resists, is branded a coward, even by the girl he is engaged to. As the regiment embarks, the prisoners are packed into white feathers attached to the cards of his fellow-officers. He plucks one himself from the girl's fan, knowing that she feels the same way. He realizes he has ruined his own life and brought disgrace to those close to him, and makes up his mind to atone. Disguised as a Seagull, a native tribe whose tongues have been removed by the Mahdi, the Dervish chief opposing Kitchener, he makes his way by tortuous meth- ods up the Nile. He reaches a detachment of troops commanded by Ralph Richardson, and who his officer-pals who have donated a white feather, to find them slaughtered by the Dervishes. Richardson has escaped death and is actually friendly to them. Clements fixes down the Nile with his helpless companion and deposits him on the outskirts of the encampment of the regi- ment. After he works his way into Omdur- man, still in his native disguise, there to aid his other two officer friends who are prisoners of the Mahdi. Meanwhile, the Mahdi flies his entire forces fanatically against the British squares deployed on the desert plains in a white clad. The Dervishes comeing on toward the camais in wave after wave. And that's a thrill spectacle for any picture. The battle scenes are superbly handled, also the incident scenes around the prison, as the disguised British has the woman's on his face and when they seize the arsenal and turn their fire on the Dervishes as they flee in defeat from Kitchener's victorious troops. Thus a once disgraced officer returns the four feoffee to the donors with interest, and is received back into England in a hero, and the army makes him a lord. A new and brilliant angle: stress spectacular fighting sequences as an action special; splendid Technicolor. Productions.

CAST: Ralph Richardson, C. Aubrey Smith, John Clements, June Dupace, Jack Allen, Donald Gray, Robert Rendell, Archibald Baty, John Laurie, Derek Elphinston.

CREDIT: Producer, Alexander Korda; Director, Zoltan Korda; Author, A, E. W. Horniman; Screenplay, D. C. Sherrill, Oliver H. P. Garrett.

DIRECTION: Very Good. PHOTOGRAPHY: Excellent.
OPENING AT RADIO CITY MUSIC HALL THIS WEEK!

TWO REELS of the world's most famous birthday party... showing the Dionne darlings at childhood's cutest age!... And who's their playmate?... None other than Alexander Woollcott, world-famous wit and man-about-the-world... highlighting the things they do with the sort of glowing comment that rates him millions of readers and radio listeners!... THE ONE BIG EXTRA ATTRACTION FOR EXTRA MONEY FOR EVERY THEATRE THAT PLAYS IT!

The DIONNE QUINTUPLETS

CELEBRATING THEIR FIFTH BIRTHDAY

FIVE TIMES FIVE

with

ALEXANDER WOOLLCOtt

©NEA Service Inc.
Paris Reports France May Abolish Film Visa System

J. E. OTTERTON IN $6,000,000 TELEVISION SETUP

Summer Re-issues of 10 Companies Show 50% Decline

Eight Majors, Two Indies Have Total of 30 Now Available

That the eight major companies, plus Republic and Monogram, have a total of 30 reissues available for the current Summer season was disclosed yesterday.

There represents a decline of about 50 per cent in reissues by these same companies as compared to a year ago when 59 attractions were given away to exhibitors availability. Currently RKO Radio is pushing "Of Human Bondage" and "Lost Squadron," in addition to "Star of Midnight" and "Lost Patrol" which the company made available in February.

ALABAMA EXHIBITOR'S TRUST SUIT NAMES 11

Birmingham, Ala. — Naming 11 defendants, who, if charged, are accused of conspiring to monopolize and deliberately run him out of business, M. M. Buchanan, Athens, Ala., exhibitor, has filed suit in Federal Court here.

The defendants are the Muscle Shoals Theaters, Inc.; the Crescent Amusement Co.; Paramount; RKO. (Continued on Page 3)

50 P. C. of Possibilities Already Set by 20th-Fox

Chicago—Better than 50 per cent of the sales possibilities of 20th-Fox in the major territories and key cities of the country have already been signed for the company's 1939-40 product lineup, William C. Gehl. (Continued on Page 4)

Nebraska-Iowa Exhib. Unit Said Weighing Buying Pool

Omaha—MPI of Nebraska and Western Iowa has started a membership campaign in the Omaha dis. (Continued on Page 2)
McCarthy to be Examined Aug. 2 in “Lincoln” Suit

New York Supreme Court Justice John J. McHale, yesterday ordered Charles E. McCarthy, 20th-Fox pub. and ad. head, to appear in person at his office on Aug. 2 to testify in reference to the suit of Robert E. Sherwood and Playwrights Producing Co., Inc., for alleged unfair competition of the film “Young Mr. Lincoln” with the Sherwood play, “Abe Lincoln In Illinois.”

The Court, however, denied an application to require Darryl F. Zanuck to testify without prejudice to a new motion for commissions to take his deposition in Los Angeles.

Warmer to Trade Show
Six Films in September

Warner will trade show six features—“The Old Maid,” “The Roaring Twenties,” “A Child Is Born,” “The Lady and the Knight,” “Dust Be My Destiny” and “Gantry the Great”—in 32 keys in early September under plans now being developed by the Grand Central, company’s sales chief. Screenings will be in theaters mornings.

Para. Working on Deals to Distribute Indie Shorts

Details of deals for the distribution of independently produced shorts may be announced by Paramount in about 10 days, Lou Diamond, head of the short subjects department, said yesterday upon his arrival here from the Coast. Diamond said he saw hundreds of reels during his six-week stay in Hollywood and that several would be taken on for release by the company.

Levy Arrives Friday

With the return here Friday of Morton Levy, drive leader of the annual 20th-Fox Kent sales campaign, first swing of this year’s drive will be wound up with a meeting at Harry Buxbaum’s New York office. Herman Wobber, general manager of distribution for the company, will attend the meeting.

Wobber returns today from Chicago where he attended the Eckhart dinner. He will go to Buffalo tomorrow night to attend the Famous Players convention on Thursday, return next Friday morning. He will also attend the Schine meeting in Gloversville next week.

Struck Mines Reopen

Cincinnati—Finals of the recent coal mining strike was written last week with the signing up of workers at Harlan, Ky., and Kentucky-Pennsylvania at the McColl Co., in W. Va. All mines have now resumed operations and theaters are gradually re-opening, with full running order predicted by Sept. 1.

James R. Grainger, Republic’s president, returns to New York tomorrow to prepare for business trip to Atlantic and Dallas. In former city, he conferred with Arthur Bromberg and all branch managers of Southern Division; and yesterday commenced two-day huddle with franchise holders W. B. Underwood and Claude Ezel of the Largo, Atlanta.

Grainger Back Tomorrow from Atlantic and Dallas

James R. Grainger, Republic’s president, returns to New York tomorrow to prepare for business trip to Atlantic and Dallas. In former city, he conferred with Arthur Bromberg and all branch managers of Southern Division; and yesterday commenced two-day huddle with franchise holders W. B. Underwood and Claude Ezel of the Largo, Atlanta.
REPORTS FRANCE MAY
ABOLISH FILM VISAS

(Continued from Page 1)

Opportunities in the market, American producers would benefit to the greatest extent, due to the quantity and quxty of American product.

Wide political significance is attached to the move, with the general interpretation here being that France as a neutral will gesture toward the U. S. However, it is also believed that this is part of a campaign already under way to impress the U. S. with the importance of the Democratic powers as markets or increasing the opportunities for sale of American products in the hope that it will tip the scales in favor of the democratic powers if much needed materials are sought in America in the event of war.

Major foreign departments last night reported that they had received information that abolition of the French return system was being contemplated by the government, but no further clarification could be had.

Celebrate Eckhardt Jubilee; 20th-Fox Exchange Opened

(Continued from Page 1)

manager at the Congress Hotel last night, was pronounced a complete success.

Affair was in the nature of a dual celebration as the new 20th-Fox exchange was opened yesterday afternoon.

Surprise of the evening was the showing of shots taken at the exchange opening earlier in the day. Felix Mendelsohn was toastmaster with Lew Lehr acting as guest toastmaster. Speakers included Herman Wouker, W. C. Gehling, Jack Kirsch, Jack Osberman, E. T. Gommersall, James Coston, John Rakaban, Jack Miller, Henry Herbel, W. E. Boston, Walter Branson, Alen Usher, Truman Talley, E. H. McFarland and Eckhardt, who expressed his appreciation.

ALONG THE RIALTO

WITH PHIL M. DALY

- - MEMORIES . . . evoked by the little party held yesterday afternoon at the RKO Palace Theater . . . when a gathering of the vaudeville clas was held in the lobby by way of celebrating the 25th birthday . . . and to give the oldtimers a last glimpse of the old lobby landmark . . . for they are going to streamline it to compete with the modern trend in picture theaters . . .

- - AND so the oldtimers and the newtimers foraged there. . . and had opportunity to reminisce a little as announcer Martin Starr of WMCA interviewed them over the radio . . . after the broadcast, all hands adjourned downstairs for refreshments . . . and a lot more reminiscing among the old vaude favorites who met together in their beloved Palace for probably the last time . . .

- - AMONG them was Ed West . . . the only survivor of the original B. F. Keith bill . . . which was given at Keith’s Family Theater in Boston in 1883 . . . 56 years ago . . . at that time the firm was Keith & Boche! . . . the bill starred with Ed West opening the elo . . . then Perry & Herron . . . Charles Barrett . . . the Whipler Twins in their dancing act . . . then Fox & West in a comedy act . . .

- - TO appear at the Palace in the old days was a guarantee of professional recognition . . . the theater was built in 1913 by Martin Beck, who was then prexy of the Orpheum circuit it was taken over the same year it was built by B. F. Albee to become the key theater of the B. F. Keith circuit, which booked about 1500 theaters and controlled some 20,000 performers throughout the country . . . that was in the days films loomed large on the horizon . . .

- - IT was in the ’80s that B. F. Keith and Albee became partners . . . they were responsible for introducing “refined” vaude to a public fed up with poor entertainment. . . . they eventually attracted most of the noted actors and actresses of the world . . . Keith died in 1914, his son Paul taking his place until his death in 1918. . . . Albee retired in 1928 when RCA bought an interest in the company, changing the firm’s name to Radio-Keith-Orpheum . . . In 1938 George Schneller was elected president, and John J. O’Connor general manager of RKO which controls the Palace . . .

Charles B. McDonald is the division manager, and Ray Conner the resident manager . . .


- - WHEN Saccomais Brothers proposed to switch Manager Adolfo Caruso of the Forest Hills theater to another house, a storm broke, with 1500 signatures on a petition demanding he remain . . . Our old pal, Norman Corwin, late of the 20th-Century Fox publicity, is getting all sorts of honors for his CBS drama, “They Fly Through the Air with the Greatest of Ease” . . . an answer to Benito Mussolini’s famous, or rather infamous, remarks on Ethiopian bombings . . .

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ALABAMA EXHIBITOR’S
TRUST SUIT NAMES 11

(Carried on Page 1)

Radio: Warner; Vitagraph; Twentieth Century-Fox; Fox Films; Loew’s, Metro-Goldwyn-Mayer; United Artists and Louis Rosenbaum.

Rosenbaum is the operator of a string of theaters in northern Alabama, with headquarters at Florence.

Buchanan, operating as the Buchanan Amusement Co., alleges the defendants conspired to keep him from securing films. He said he had been offered second-run pictures or first-runs on those rejected by the Crescent Company.

Buchanan asks damages of $100,000.

Asks Security Wages For Studio Craftsmen

(Continued from Page 1)

man. Tentative demands will also ask for minimum six hour call, seniority system pay for cancelled calls, time and half for night shift and double time for grave yard shifts.

It is believed demands of Soundmen’s Local 695 of IATSE that only members of that local be employed to do sound work of any nature for studios and that current negotiations for wages and conditions be retroactive to March 15, will be held over until the new basis agreement between studio locals and producers is negotiated.

“Carnival In Flanders,” Darieux Pix for Tele

Fine-combing of the smaller indie pix companies by RCA-NBC for feature and shorts to serve on local television programs continues, in face of the ban which is being rigidly exercised by both the majors and top-bracket indies.

Despite difficulties being placed in the path of the tele interests locally anent supply of films, RCA-NBC has succeeded in grabbing from American Tobis the feature “Carnival in Flanders,” which will be shown to metropolitan tele set owners Saturday night from 8:30 to 10 o’clock.

It was said a deal has also been closed with French M. P. Corp. for televising “Mile Mozart,” one of the early screen efforts of Danielle Darieux.

DUALS TO EXIT?

Detroit—General shift away from duals is “likely,” according to Carl Runcius, general manager of Co-operative Theaters of Michigan.

Move has been discussed at several meetings of Co-op directors, it was stated, and sentiment for single features is described as strongest in some time.
stands—namely action of the World's Fair in dropping its admission price. Despite this move, both the film and legit houses grabbed excellent revenue.

The present reported strong business with its new pix, "The Magnificent Fraud," plus Bob Hope's "pa. on stage; Strand, offering the Cagney-Raf opus, "Each Dawn I Die," enjoyed very big business—Warners home office claimed a new week-end record as did Radio City Music Hall with UA-Edward Small's "Man in the Iron Mask" in second week there.

Patronage accorded the Capitol's, "Andy Hardy Gets Spring Fever"; "Second Fiddle," in its fourth week at the Roxy, and "Goodbye, Mr. Chips," playing its 11th week at the Astor, hit big volumes this past week-end, with each of the smaller Broadway stands profiting.

50 P. C. of Possibilities Already Set by 20th-Fox

(Continued from Page 1)

ring, central division manager, told THE FILM DAILY here yesterday. Gehring is here for the Clyde Eckhardt dinner along with other 20th-Fox execs. A heavy newspaper advertising campaign for the Chicago premiere of "Stanley And Livingstone" is planned in addition to the national campaign on the picture, he reported. More than 100 huge billboards will be used here, he said. Gehring also stated that openings in other key cities during the same week will be similarly exploited with more than 1,200 billboard signs planned for these openings.

Gehring said that last season's number of pictures was exactly matched and the company, which hit the 11,800 mark, would be topped considerably this year from all indications at this time with the company's annual Kent sales drive already under full headway. It was also learned that the National Geographic magazine will be used in the extensive "Stanley And Livingstone" ad. campaign.

WEDDING BELLS

Richmond, Va. — Leah Elsner, 26, the actress who recently married Peter Rucker Brewster in South Mill, N. C., on June 18, is divorced.

Cleveland—Julius Bossel, assistant booker at Republic Pictures and Miss Marion Wasserman of this city, will be married Aug. 27.

Detroit—Thomas Smale, operator at the Grand Theater, married Theresa Geczy, theater's cashier.

FILM CODE ANALYZED

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the twenty-second installment of a column which is a digest of news notes of interest to the industry. The column was written by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the law of contract, stage and radio. Preservation of the daily installments, now devoted to the Rules of Arbitration, is recommended.

Installment No. 22

IX. ARBITRATION PROCEEDINGS

(1) Statement of Claim: To begin an arbitration, the complaining party must deliver or mail to the Secretary of the Permanent Arbitration Board a statement of the claim and a copy of it.

Contents of Statement: The claim must set forth in non-technical language:
(a) Name and address of the complaining party.
(b) Name of theater involved in dispute and name of the party against whom the claim is made.
(c) If the dispute involves overbuying, the name of the distributors entitled to notice.
(d) A brief statement of the claim and the relief sought. If a contract is involved, the date of the contract and the names of the parties to it.

If the case relates to clearance and there are, therefore, three parties involved, the third being the distributors as a group (see Article V), then the distributors may also request a Special Arbitration Board.

Arbitration Fee: Every statement of a claim must be accompanied by a filing fee of $5.

(2) Notice of Claim: The Secretary shall promptly deliver or send by registered mail a copy of the claim to the party complained against. If the dispute involves clearances, a notice of the claim must be given to the members of the Arbitration Board.

Acknowledging Claim: Within seven days after the delivery or mailing of such claim, the party which receives it shall deliver or send by registered mail to the secretary, a written acknowledgement of its receipt.

Designating Arbitrator: It the complaining party requests a Special Arbitration Board, or if any party complained against requests a Special Arbitration Board, then the written notice of acknowledgement shall also contain a designation of the arbitrator.

(twenty-two installments will appear in each issue)

ATSE Seen Granting

Charter to AFA Group

(Continued from Page 1)

ecutive secretary of the actors union, it was believed yesterday that George E. Browne, IA prexy, might use this opportunity to open a cam- paign for a jurisdictional grab in the actors' field by granting an IA charter to the AFA.

A formal application by the AFA for affiliation with the IA was made of the week-end. Browne has long sought jurisdiction in the acting field, but has been blocked to date from making any real move in this direction. The IA chieftain has the right to issue a charter without consulting anybody else between conventions.

However, if Browne gives the AFA a charter, a bitter fight is antici-pated as the AAA, parent organization and the arbitration bargaining unions, is definitely not going to let Browne get a foothold in the acting field if they can stop Browne. According to Thomas, executive secretary of the SAG, has stated that as far as his organization is concerned, jurisdic-tion by the IA would never be permitted.

Meanwhile, the American Guild of Actors announced a week ago by the AFA-AAA battle, has gone ahead of its organization cam-paign and last night claimed a mem-bership of 1,200. Officers are being opened by the new union today at 11 West 42nd St. with Mrs. Florence Marston, eastern head of the SAG, set to head the organization until an executive secretary is ap-pointed.

Due to the fact that both the IA and AAA are A F of L members, it is probable that no decisive action will be forthcoming on the jurisdictional question, as far as legality goes, until the fall of the I. A executive Council meets in Atlantic City on Aug. 7.

Mass. Labor Relations Commission Reserves TMAT Case Decision

Springfield, Mass.—After a three-hour hearing marked by heated counter accusations of opposing counsel, the Labor Relations Com-mission took under advisement the eligibility of seven exployes and former employees of Western Massa- chusetts Theaters, Inc. to vote to determine the right of the TMAT Union to certification as bargaining agent for the employees concerned.

The importance of the case to the Union was indicated by the presence of a delegation of Mr. and Mrs. Arthur M. Gerber of New York, general counsel; Charles P. Carroll, national chairman of the motion picture di-vision of the union, Thomas E. Roche, New England director, and Attorney Edward Coplen of Boston. Representing the theaters were Western Massa-chusetts Theaters, Inc., were Harry M. Ehrlich, counsel; Nathan E. Goldstein, president; Harry Smith, divi-sion manager and William Althous, treasurer.

Commissioners Michael F. Phelan, chairman, and Francis J. Curran, of Holyoke, sat for the Commission.

GOLDWYN SIDESTEPS ALL SUIT QUESTIONS

(Continued from Page 1)

at his Waldorf Towers suite. Goldwyn refused to discuss the case—explaining that he did not want an "suit to be "fought out in the newspapers."

"The Great Music Festival" had its inspiration in the playing of Jascha Heifetz, star of "They Shall Have Music," which has its premiere to-night at the Rivoli. Goldwyn said he intended to bring over some of the great artists of Europe, particularly those who have no place in which to express themselves. He said he intended to use an orchestra of 100 children, chosen for their ability from the musical centers of the world and that he was negotiating with Deems Taylor to assist him picking the lesser-known artists and the personell of the orchestra. He plans to invite Arturo Toscanini to direct the festival. Production will start in about a year.

Goldwyn insisted that he came to New York strictly for the premiere of "They Shall Have Music" and for no other purpose. The premiere is for the joint benefit of the Green-which House Music School and the High School of Music and Art.

Two new Goldwyn pictures will go before the camera late this summer. The first is "Hans Christian Andersen" and "Raffles!"

Hear Treedle May Delay Departure From UDT Post

(Continued from Page 1)

according to informed sources at the theater offices here. Retiring president George W. Treedle, slated to retire Aug. 1, may hold on a while longer to allow the changeover to be made.

Gentle to Sanitorium

West Coast edition of THE FILM DAILY

Hollywood—John Gentile, of the Motion Picture Process Corp. has been ill since last January, is leaving this week for the Veteran's Sanitorium in Whipple, Ariz., to recuperate.

STORKS!

Detroit—Mrs. Eleanor O'Bourke, formerly partner in the Artists Service Bureau, is the mother of a six pound son, Michael Anthony.

Cleveland, O.—Ted Vermes, owner of the Eclair Theater, is receiving congratulations upon the arrival of a son as playmate to his 27-month-old son.

Detroit—Ben J. Cohn, Detroit circuit owner, is the father of a new son, Yale.
WARNERS
Made 'Angels'!

WARNERS
Made the Picture that Tops it!

WARNERS
For Action!
For Fair Play!

CAGNEY and RAFT together!!

"EACH DAWN I DIE"

with June Bryan
George Bancroft
Maxie Rosenbloom
Directed by
WILLIAM KEIGHLEY
Screen Play by Norman Reilly
Raine and Warner
From the novel by James O'Connor
A First National Picture
IT CRASHED!

FIRST PRE-RELEASE ‘EACH DAWN I DIE’ SMASHES ALL N. Y. STRAND RECORDS!
WEEK-END GROSS IS HUNDREDS OVER ‘ANGELS’!

(played Thanksgiving!)
**Reviews of the New Films**

**“Way Down South”**
with Bob Breen, Alan Mowbray, Ralph Morgan
RKO Radio-Lesser
62 Mins.

( HOLLYWOOD PREVIEW)

ONE OF THE BETTER BREEN PIECES TO DATE OFFICE 
This Sol Lesser production can be considered one of the better Breen pictures, and indicates that the youngster is growing up. He is as good as he is smooth and he keeps the piece moving at a nice pace. The story and screenplay, written by Clarence Muse and Langston Hughes, is built around the early days in New Orleans prior to the Civil War and is very colorful material. Breen is the son of Ralph Morgan, a plantation owner. Morgan is accidentally killed and Breen is left in charge of Edwin Maxwell, a crooked executor for the estate, who manages to sell the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to sell the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to save the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to save the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to save the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to save the slaves and leave with the money. Breen, with the aid of Alan Mowbray, an intrepid police officer, manages to save the slaves and leave with the money.

**“Should Husbands Work?”**
with James Gleason, Lucille Gleason
Republic
71 Mins.

GOOD QUOTA OF LAUGHS IN FAMILY MIXUP OVER WIFE TAKING HUBBY'S JOB.
A sprightly yarn of the Higgins family, in which Jimmy Gleason learns that the cosmic concern for which he works is about to be merged with a concern owned by Bertin Churchill. The inevitable mixture occurs when Gleason's wife informs the wife of the new owner that the cosmic concern about to be taken over is in bad financial shape. She does this in an effort to save Jimmy's job. Meanwhile the husband has been out golfing with the new owner, who offers to make him general manager of the merged concerns. Thus the fun starts, with the deal being called off, and Gleason returns home to his wife who promotes herself into the managerial job by using hubby's information of cosmetics manufacture and the plan Churchill the idea that a woman can handle cosmetics better than any man. The situation creates a series of hilarious incidents, with Gleason finally coming into his own by virtue of owning ten shares of the old company's stock which is essential in consummating the final merger. Thus his wife goes back to housekeeping which Jimmy had been handling while she held the executive job. Gleason, played by Harry Davenport, rolls up some good snickers with his interfering, and there is the romantic interest between Russell Gleason and Mary Wilson. Selling angles: good family picture, with question as to whether wives or husbands should work; comedy antics of grandpa.

CAST: James Gleason, Lucille Gleason, Russell Gleason, Harry Davenport, Marion Wilson, Mary Hart, Tommy Ryan, Bertin Churchill, Harry Davenport, played by Harry Davenport, rolls up some good snickers with his interfering, and there is the romantic interest between Russell Gleason and Mary Wilson. Selling angles: good family picture, with question as to whether wives or husbands should work; comedy antics of grandpa.

**“Waterfront”**
with Gloria Dixon, Dennis Morgan
Warner
91 Mins.

STRIKE MELLE BER ACTION AND THRILLS ONLY VIRTUE OF LOOSEN WRITTEN STORY.
Just a filler on the second end of a duel and only good for the smaller houses in the cheap neighborhoods where the waterfront type of life might appeal. The weight of action is its saving grace, but the story is too illogical to carry conviction. Dennis Morgan plays the part of the dock workers who is always finding himself in trouble through his ready use of his fists. Gloria Dixon is Dickson's love life and when she finally gets him married, it looks as if she has him straightened out. But a rival who wants to head of the stevedores throws a whiskey bottle at the dockworkers' annual ball, and kills Morgan's young brother. Then the fighting instills all the hero overcome him and his sister for revenge as he goes out to get the killer, regardless of the police. There ensues a lot of hectic action and some good thrill action stuff, with a scrap that will please the fans. The finale has the hero's wife intervening, and almost losing her own life before her husband with the terrific tension realizes he has no right to take the law into his own hands. The lack of plausibility in the characterizations and story make it tough for any of the players to do commendable work. The comedy of two characters, stooging along with the hero and becoming fails to get the laughs.


**“Mr. Moto Takes a Vacation”**
with Peter Lorre, Joseph Schildkraut, Lionel Atwill
20th Century-Fox
61 Mins.

GOOD SUSPENSE IN TYPICAL MOTO MURDER MYSTERY WHICH WILL PLEASE THE THRILL FANS.
Lively adventure of the bland and pleasing Mr. Moto in the person of Peter Lorre, who tries to take a little vacation but finds himself up to his neck in another murder mystery. But it turns out that the Oriental sleuth is pulling another of his stunts as a Japanese tourist. His real job is to look after a gent who is working for the San Francisco Museum as an archeologist and has dug up the jewels of no less than the Queen of Shub. Of course there is an international crook after such priceless treasure, and Mr. Moto has his hands full and runs into some pretty dangerous adventures before he finally sees the treasure safe at its destination and the murderous crook apprehended. The Moto fans will like this one, for it is up to standard in thrill and action. Nice work contributes also by Joseph Schildkraut, Lionel Atwill and Virginia Field.

CAST: Peter Lorre, Joseph Schildkraut, Lionel Atwill, John Stebbins, Iva Stewart, George P. Huntley, Jr., Victor Varconi, John Bleifer, Anthony Warde, Harry Strang, John Davidson.

CREDITS: Producer, Sol Wurtzel; Director, Norman Foster; Screenplay, Philip MacDonald, Norman Foster; Cameraman, Charles Clarke; Editor, Norman Colber.

DIRECTION, Good, PHOTOGRAPHY, Okay.

**“Ecstasy”**
Appeal Sept. 11

Albany—Papery-has been served by Henry Pearlman, counsel to Eureeka Productions, Inc., upon the Board of Regents and the Department of Education, in the matter of “Ecstasy.” The appeal from Dr. Irving Emond’s denial of an exhibition license, later affirmed by the Board of Regents, is to be heard in the Appellate Division, Third Department, Sept. 11.

To Handle French Prize Pix

“Quai des Brumes” (“Shadows in the Fog”), has been awarded the prize for the best French picture of the year by the Ministry of Education, Marcel Carnes, the producer, in the award’s recipient. The feature will be released in this country by Film Alliance of the U. S. in early September.

**“Series in Cinemachrome**
West Coast Bureau of THE FILM DAILY


**Anderson Retiring Again**

Denver—By selling the Cover and U. S. A. theaters at Port Morgan to the Daily Mail Co., Albert H. McCluskey, Denver, has been made a member of the board and vice-president of Famous Players. McCluskey, who was announced by Harry Edington, McClusland joined Edington in April.

**Mr. Moto Takes a Vacation**

**“Schindlini Doing Music**
Jack Schindlini, formerly composer and arranger with Milton Schwarzwald, will do the background music for Universal’s “Going Places” and “Stranger Than Fiction” to-day at the Eastern Service studios, recorded for the RKO-Pathé Series. Shorts were produced by Joseph O’Brien and Tom Mead.

**Sunpix Reference**
Augusta, Me.—A law permitting Sunday motion pictures in the state under local option became effective Aug. 21. More than a dozen communities are planning to include a referendum on the ballot in the Fall election.

**Gibraltar Adds One**
Denver — Charles Gilmour, president of Gibraltar Enterprises, has added a new P. O. Box to his box office. The new box office is on Midtown, Wyo., to the string of houses operated by the company.
Tuesday, July 25, 1939

**REVIEW OF THE NEW FILMS**

"Renegade Trail"  
*with William Boyd, George Hayes  

Paramount  
61 Min.  
**PLenty of Action Thrills with John Wayne Coming to a Lady's Rescue**

Strong action picture with William Boyd; Hopalong Cassidy called upon by his old friend, George Hayes as Windy who is now a town marshal, to help him fight a gang of outlaws. Russell Hayden and Boyd decide to kick in and straighten things out, especially after Boyd grows interested in Charlotte Wynters, whose ranch is being made subject of depredations by a gang of rustlers. The situation is complicated by the fact that the lady has a husband who is an escaped convict tied up with the outlaws. She tries to shield her boy Sonny Bupp, from the knowledge that his dad is convict, not realizing that the convict is her brother. The finale is a showdown with the rustler gang in a treacherous gun fight that is backed up with plenty of other incidents supplying tension and thrills. Russell Hopton does a good menace as the convict husband who loses his job when boy openly sides with the rustlers. George Hayes supplies the laughs as a comic-masculine. The kids will like little Sonny Bupp, and Boyd as usual does a fine job along with his side-kick, Hayden. Charlotte Wynters is one of the most attractive feminine scenes seen for a long time.


CREDITS: Producer, Harry Sherman; Director, Lesley Selander; Screenplay, John Latimer; Cameraman, Russell Harlan.

Fine.

"Sudan" to Leichter  
*West Coast Bureau of THE FILM DAILY  

Hollywood—Mitchell Leichter has made a deal, whereby he will handle distribution of "Sudan," African animal picture, for U. S. and Canada, with exception of the New England states, which have been sold. Leichter will sell the six-zoot attraction to State Right buyers.

Retsama Signs Keating  
*West Coast Bureau of THE FILM DAILY  

Hollywood—Fred Keating has been signed to play the male lead in "The Black Blazes," which will be made by Retsama Film Prods., with Geraldine Spreckles as the star. Jayne Regan, Helen Holden, Charles Hartman and Flora Derachev have been signed for roles in the picture, which will be made in Cinemachrome.

Salesmen to Form Club  
*Cincinnati—All salesmen connected with the major and independent distrib-  

uting companies, will meet at the local Variety Club, Aug. 4 at 8 p.m. in room 708 of the Variety Club, according to letters to be mailed to all representatives of exchanges, by Pete Niland, of Columbia.

"Hello, How Am I?"  
*(Popeye)  

Paramount  
7 Min.  
**Double Trouble**

Popeye has his troubles with an importer in the form of Wimpy who has himself up with a false-face to look exactly like the hero. For Wimpy has heard that Olive has invited Popeye over for hamburgers. They arrive together, with Popeye dizzy trying to explain to himself how this other fellow seems to be Popeye. Olive is fooled, also, and by the time Wimpy eats all the hamburgers, Popeye gets sore enough to beat him up and discover the false-face fraud.

"Trip to the Sky"  
*French Film Exchange  

10 Min.  
**Scientific**

An instructional film that is more for the classroom than the theater. It covers some elementary principles and many theories about the celestial spaces, which purports to be based on recent scientific research. But the film has too many evidences of the budgetter that a soda clerk invitation to meet with approval of more serious students. An imaginary trip is made to the moon, and then to Mars and Saturn. This film was awarded the Grand Prix for scientific films at the French exhibition of 1939. That dates it.

"Yip-Yip-Tippy"  
*(Betty Boop)  

Paramount  
7 Min.  
**Novelty**

The birth of a new cartoon character is seen, with Max Fleischer introducing Vanilla, a gay little horse. Then the story gets going with a thrill moment as a soda clerk is duped by the sheriff just as the bad man hits the town. His trusty horse is Vanilla, whose comedy antics aid greatly in making the deed a hero.

"Colombia"  
*(Color Cruise)  

Paramount  
10 Min.  
**Travel Thrills**

Journey through the mountainous country of Colombia, with the greatest peaks in South America. The old landmarks dating back to the time of the Spanish conquistors are everywhere seen in the walled cities and crumbling fortresses. The modern systems show the gold dredging and the coffee industry. There is a thrilling ride on a dizzy suspension high above the car to the top of a peak. In Cinicolor.

*Detroit—Thomas McGuire, for-  
maker of the Hollywood Theatre, has been made director of public relations for Co-operative Theaters of Michigan. He will han-  
dle labor relations, legislative con-  
tacts, and refrigeration problems,  

Carl Buermeyer, general manager,  
said.

**FOREIGN**

"Harvest"  
*French Cinema Center  

80 Min.  
**STROMG ROMANTIC DRAMA OF RURAL FANCE, SPLENDIDLY ACTED BY EX-  
FERT CAST**

Possessed of ruggedness, honesty and in-  
terest because it deals with funda-  
mentals in the structure of life and living, and does it well, this feature, filmed in the French Alps and in the Marseilles stus-  
s in Marcel Pagnol, whom also directed the opus and prepared the screen adaptation from the novel, "Regain," penned by Jean Giono, is an unusual photoplay which should be as popular with all the audience. Note-  
worthy characterizations are supplied by Fernandel, the scholar; Georges Arous,  
the woman, as the girl whose educational transitions and raise him from the rush of profligacy and fancy; Fernandel, in the role of the telltale knife-grinder who has enrolled and oppressed her; Le Vigan, the police sergeant; and Edward Delmont, who interprets the aged blacksmith. Essentially the story is one of psychology and attending behaviorism, so direct and simplified that at times it carries the feeling of a documen-  
tary subject delineating farming in Provence. It is this quality and severe charm which is disarming, for the theme, despite its elemental substance is big. It is the story of man and the soil, demonstrating that the latter is generous when the farmer is strong. It is, too, the story of man and woman, recounting how life is generous where in-  
terracial character is substantial and given an  
opportunity to assert itself. Additionally it is is recounted the precept that communities built on the basis of individualism fail. The romance of the farmer and girl is sup-  
plemented by dramatic sequences, and ex-  
cellent comedy supplied by Fernandel,  
Fernandel, Orane Demazis, Le Vigan, Rollan, Henri Poupon, Odette Roger, Paul Dullac.

CREDITS: Producer, Scenario and Adapt-  
ator, Marcel Pagnol; Author, Jean Giono;  
Cameramen, Billy and Roger Ledu; Sets and Design, Brusquier and Faletti; Original Music, Arthur Heneveug.

DIRECTION, Skillful. PHOTOGRAPHY, Far.

**ITOA Outting Thursday**

More than 700 motion picture theater owners who are members of the ITOA are expected to attend an roast banquet next Thursday at Indian Point on the Hudson. The Hudson River day liner Alexander Hamilton has been chartered to transport them from New York. Dave Weinstock is in charge of the arrangements for the outing.

**Write Permits Broadcast**

Chicago — Grant Advertising Agency secured a temporary injunction against a motion picture from Judge George Rush allowing it to stage the "Doctor 1, Q, broadcast last night at the Chicago theater.
OTTERTON HEADS NEW TELEVISION COMPANY

(Continued from Page 1) former Erpi and Paramount proxy, as top exec. Certificate of incorporation, filed in Wisconsin, was signed by J. D. West, president of Radio Broadcasting, and A. W. Pletman, president of Wholesale Radio, as vice-presidents. With nation-wide activity projected, new company is reported planning to file to do business in approximately 20 states at once.

It is understood that the various component units of the new company grossed a total of about $4,000,000 during the past fiscal year, and Wall St. sources recently reported that Radio Wire Television Corp. is rumored to have initiated an underwriting deal calling for some $8,000,000 to carry forward its expansion plans.

Coincident with the announcement of the company's formation, Otterson cited that not only can wire networks bring radio and television into any American home from a central point, but that this end can be achieved without interference by state or local government or by public disturbance, and added "every current technological trend points to this as the direction of entertainment by wire."

Technical observers yesterday expressed the view that, with existing facilities, such as were employed by RCA-NC on the May 26 telecast of the Six-Day Bike Race from Madison Square Garden on a New York Telephone Co. circuit over a distance of approximately one mile, it would not be economically feasible to carry telecasts by telegraph circuits to the home or "blocks of homes."

(Continued from Page 1) Opposed was a statement from a source close to the new corporation that the future supply of tele programs to homes is "commercially possible and feasible."

The Otterson interest in television has been manifest on several occasions recently via the making available to NBC certain features import- ed from Europe by his Tri-National Films, Inc. Productions are chiefly from French studies.

Under the new corporate structure, the various retail outlets of Wholesale Radio, will take name of the parent company and will be found identified by State where situated. Thus Wholesale Radio, Inc., of New York be-
comes Radio Wire Television, Inc. of New York.

Wire Broadcasting, together with principal subsidiaries including Tele-programs, Inc. of N. Y.; Tele-pictures, Inc. of N. Y.; Wireless, Inc. of Delaware; Muse-Art, Inc. of Pennsylvania; and Tele-Vision, Inc. of Pennsylvania; and Tele-Vision-Music, Inc., of Washington, D. C., will continue under present titles. Latter operate extensive wire net-works supplying musical entertainment to hotels, restaurants, night clubs, homes and industrial plants.

In addition to these operating subsidiaries, the new company ac-
cquires full interest in the Trans-
former Corp., of America, Tele Gom-
tai Corp., a financing unit, and the Syndak Corp. Latter is understood to own a large group of patents relating to projection, picture projection, sound and lighting. New company's acquisition of patents through the new setup is augmented by licenses by Erpi, under WE and Bell Tele-
phone and Telegraph patents.

Among the exclusive licenses held by the new company is that of music recorded by World Broad-
casting System. No advertising or commercial announcements are accepted and the company expects shortly to begin network distribu-
tion of so-called live talent shows.

CABLE News

Charges of Wholesale Film Piracy Hurled At Indian Producers by Filmindia's Writer

Bombay (By Cable)—Charges of wholesale piracy by native Indian studios are made by K. Ahmed Abbas, writing in the current issue of Filmindia. Abbas presents the con-
clusion that "over two hundred pictures have been pirated."

He adds that Abbas, native producers are prone to "adapt" Hollywood and other foreign pictures as well as to plagiarize "cheap, third-rate English novels, picked up at random, and a second rate every time, with a little origin occasionally, Abbas charges, not even the story but the sets and costumes are pirated.

Balaban and Kough will Address FPC's Banquet

(Continued from Page 1)

held at the Hotel General Brock and will continue for four days.

Eastern managers welcomed their Western colleagues upon arrival in special trains from the Pacific Coast and the city's official greeting was rendered by N. L. Nathanson, Toronto, president, and members of the executive ad-

dressed to the opening session. Before the convention broke up into regional meetings to continue until tomorrow night, when a dinner will be held at Hotel Commod, J. J. Filmore, vice-president, and Don Kenshaw will be speakers.

Representatives from a leading syndicate producing companies will ad-

dress the general meeting Thursday morning, and that evening a banquet will be held at which the speakers will be Mitchell F. Hopburn, Premier of Ontario, Col. George Drew, leader of the opposition, Mayor Carl D. Harni-
well, Major John Bassett, publisher of the Montreal Gazette, Barney Bul-
shan, New York, president of Para-

mount, Austin Keough, Para. vice-

president, and others.

At RKO, "Abie Lincoln in Illinois" starring Raymond Massey and being produced by Max Gordon and Henry Gaddis, was given its director, J. P. Rideout. Adaptation of Robert E. Sherwood's "Paliter prize play. Among those in the supporting cast are Rose Hobart, Gene Lockhart, Harvey Stephens, Alan Baxter. A Boris Morros pro-
duction, "Flying Deuces," Laurel and Hardy starrer with Jean Parker and published Gardner in the romantic spots. A Edward Sutherland, direc-
tor.

At Warners, "The Lady Detectives" with Jane Wyman, Dick Doran, Maxie Rosenblum and Gloria Dickson, Noel Smith, director.

At M-G-M, "Dancing Co-Ed" with Lana Turner, Richard Carlson, Lee Bowman, Artie Shaw and his band, Edgar Selwyn, producer; S. Sylvan Simon, producer.

For United Artists' release, Charles Chaplin's "The Great Dictator," star-

ving Chaplin, with Paulette Goddard and Henry Daniell in the cast. Chap-

lin wrote the story and is also pro-
ducing and directing. "The Great Se-

dick," directed by D. Champlin, with "Rebecca," directed by Daphne Du Maurier, with Laurence Olivier and Judith Anderson. Alfred Hitchcock, director.

At Republic, "Calling All Marines," with Armand Schaefer producer and John Auer, director.

At Monogram, "Oklahoma Terror," a Jack Randall Western with Lind-

ley Parsons, producer, and Spence Benet, director.

Seeks Curfew Change

Detroit—Pettion to amend the city council to accept a request for a Co-operative Theaters of Michigan to the city council. The present law pro-
hibits all minors from attending shows after 10 p.m. Therefore, exhibitors claim this rule emasculates their ability to closing women. The proposed amendment would exempt all minor parsons.

Hearts Journal-American Sold to Syracuse Herald

Syracuse, N. Y.—Hearts-controlled Journal (evening) and American (Sunday) have been acquired by the Herald (evening and Sunday), the Hearst-Journal-American. The Hearst-A
coid company is headed by Mary E. Jenkins, with E. A. O'Hara as pub-
lishe. Louis D. Burrell was Hearst-Journal-American editor. In the novel He-
critie was Franklin H. Chase, dean of upstate readers.

Summer Re-Issues Show 50% Decline

(Continued from Page 3)
NLRB Certifications to Four Bargaining Agencies

FINAL ARBITRATION SETUP WILL BE READY AUG. 9

Set Trial Date for Equity Suit at Conference Monday

Agreement by Opposing Counsel May Avoid Court Determination

Application of the D of J before Federal Judge John C. Knox for an order setting the equity suit against the majors down for trial on Nov. 1 was adjourned yesterday by consent of all parties to Tuesday, Aug. 1. Special Assistant Attorney General Paul Williams will confer on Monday with counsel for the majors with a view to agreeing upon a date for trial without the necessity of a formal application.

Delayed date for a new conference (Continued on Page 2)

SIMULTANEOUS TRIALS FOR OKLAHOMA SUITS?

Oklahoma City—Two ring legal circus, with a studio hierarchy in the stellar role, is regarded as well within the bounds of possibility here next Fall and Winter.

Defense applications for a bill of (Continued on Page 6)

Hollywood-Made Spanish Pix Face Dialect Problem

Spanish language pictures made in Hollywood are not as popular as would be expected in South American countries because of the differences in dialect, according to John (Continued on Page 7)

500 for Fleischer

Miami, Fla.—Dade County spinach is doing something to Mr. Popeye, from percent indications. The Fleischer Studios, where Popeye pops, has added 30 more artists, bringing the total up to 500 employees now on the payroll. In order to accommodate the latest group, a nearby store has been leased. Additionally the studios have overflowed into three adjacent bungalows. All studio emphasis at the present is being centered on "Gulliver's Travels," which is scheduled for a premiere on Christmas day.

Renaissance of Showmanship

...and exhib. reaction to "Beau Geste"

By CHESTER E. BAHN

At intervals, this columnist observes moved to publicly view with satisfaction signs of a substantial renaissance of showmanship in film biz. On this Wednesday morning, here's another.

Paramount recently instituted a series of trade previews of its lead-off pix for next season, "Beau Geste," which, by the way, looms as a box-office honey, no less. Nothing new in trade previews, of course, but there is, it appears, in the exhibitor response to the company's invitations to have a look-see.

Whereas in certain territories in the past there has been marked exhibitor apathy (Continued on Page 8)

22 SUMMER CLOSINGS IN CHICAGO SECTOR

Chicago—To date 22 theaters have been closed in the Chicago territory, more than twice as many as were closed at this time a year ago. Closings have affected both circuits (Continued on Page 4)

Managers Profit Sharing Plan Is Continued by FPC

Niagara Falls, Ont.—N. L. Nathanson, president of Famous Players Canadian Corp., told managers from all parts of Canada, assembled for the national conference, that the (Continued on Page 6)

NEW RKO CORP. FILES INCORPORAT'N PAPERS

Articles of incorporation of the new RKO Corp. were filed on Monday in Wilmington, Del., it was reported in New York yesterday. Board of the old company, now (Continued on Page 7)

Spanish Currency Freezing Program Opposed by Majors

Washington Bureau of THE FILM DAILY

Washington—Concern was expressed here yesterday in official circles that the major American film companies will refuse to do business in Spain unless the unofficially re-

Certification Orders Apply to Coast Branches of Eleven Major Producers

"Stanley and Livingstone" Set for Pre-Releases

World premiere of 20th-Fox's "Stanley and Livingstone" takes place Aug. 4, at the Roxy theater and will be followed by special pre-release engagements in keys through- (Continued on Page 6)

Draft to be Submitted to Southeast Exhib. Ass'n Convention

The further re-vamped Trade Practice Code, including revisions of the arbitration provisions, will be ready by Aug. 9 when the complete draft will be submitted to the Southeast Exhibitors Association meeting in Atlanta. This assurance was given by W. F. Rodgers, spokesman for the distributors, to Ed. Kuykendall, MPTOA president, in a conference yesterday. At the same time, Rodgers said he would be ready to announce where the first arbitration boards would start functioning and would give a definite outline as to how the membership of these boards would be selected.

Following yesterday's conference, (Continued on Page 3)

NE BACKS ALLIED STEP; PRESS NEELY PASSAGE

Boston—Unanimous rejection of the trade practice code was the verdict of a meeting of New England (Continued on Page 8)

Louisiana Bicycling Charge Being Investigated by CPB

New Orleans—Bicycling charges against a Louisiana exhibi, are under investigation by the Copyright (Continued on Page 7)

Goldwyn Pix Debut

First of the new season's pix to draw a swank Broadway premiere, Samuel Goldwyn's "They Shall Have Music," starring Jascha Heifetz, bowed in at the Rialto last night as a benefit for the Greenwich House Music School and the High School of Music and Art, Film, which stems its regular run today to be reviewed in THE FILM DAILY July 14, being appraised as a "grand human story" . . . cleverly paced to strike a responsive chord among all audiences obviously agreed. For premiere highlights, see Along the Blvd, Page 3.
**FILM CODE ANALYZED**

BY LOUIS NIZER

**EDITOR'S NOTE:** THE FILM DAILY today presents the twenty-third installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 19) by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the law of screen, stage and cinema. Preservation of the daily installments, now devoted to the Rules of Arbitration, is recommended.

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**Installment No. 23**

(3) Notification of Arbitrators: If any party requests a Special Arbitration Board, the Secretary shall promptly notify the Chairman of the Permanent Arbitration Board at the time the request is filed. The Permanent Arbitration Board shall constitute such time of filing, shall hear and determine the dispute.

(4) Disqualification of Arbitrator: Where any arbitrator has, directly or indirectly, a personal or financial interest in any dispute, which he acts to determine, his services shall be disqualificated by the arbitrator with which he is a party to the dispute.

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French Gaumont Circuit Takes “Four Feathers”

As a result of a deal made by Georges Rouvier, managing director of Beckett, local circuit, with Nuelle des Establissement Gaumont, this circuit will play Korda’s “Four Feathers” in its 90 houses —first time an American or British film has received a complete circuit booking, it was disclosed yesterday by Arthur W. Kelly. Contract includes both the dubbed version, which will play the first-run Rex Theater, and the original English version, which will open for a run before either or after second-run at the Gaumont Palace. This is the first time Gaumont has ever agreed to play a picture day and date with other houses, particularly in the provinces, according to Kelly.

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Col. Cole and N. Y. Allied Directors Confer on Code

Col. H. A. Cole, national Allied president, met yesterday with N. Y. Allied’s board of directors. Discussions were said to have centered on the Code and the divergent views expressed by N. Y. Allied leaders with those of the national organization.

Max A. Cohen, president of the local unit, said last night that the meeting was without incident but there were other indications that the session was a stormy one. Cole returns to Texas today by boat.

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**DuPont Film Net Up**

Net profit for the DuPont Film Manufacturing Corp., for the quarter ended June 30, 1939, was reported yesterday to be $430,661 as against $309,726 for the corresponding period in 1938. Net for the first six months of 1939 is $585,413 as against $638,963 for the first half of 1938.

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**“Three Waltzes” in Frisco**

San Francisco—“Three Waltzes,” distributed by Vedia, opens at the Clay Theater Saturday.

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**SOUTH SEA PIX TOAST**

R. M. Savini, president of Astor Pictures, has closed a deal to distribute nationally, “Vengeance of the Deep,” a South Sea dramatic feature picture which is now in the final stages of shooting on the island of New Zealand, in the South Pacific. Release date has been set for Oct. 15.

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**Mr. Busy Executive!**

Are you looking for a trustworthy and capable assistant whose experience is more than just what it seems? I am familiar with all aspects of the film industry, from legal matters to administrative tasks. I can assist you with your daily duties, helping you manage your time effectively. I am sure I can be of great benefit to you. Thank you for your consideration.
EQUITY TRIAL DATE
TO BE SET MONDAY
(Continued from Page 1)
was caused by the presence of attorneys for the majors this week in Philadelphia, required by procedures in an antitrust suit brought by Eugene Mori against the majors and others.

Hearing on Plea of Mori
Continues in Philly Today
Philadelphia—Hearing on the plea for injunctive relief in the case brought by Eugene Mori, Landis Theater, Vineland, N. J., and others against Stanley-Warner and the major distributors began yesterday, Sessions must end by Friday as Judge Kirkpatrick indicated he would not sit after that time.

First witness was RKO branch head, Frank Niessen, who took the stand for three and one-half hours. He was cross-examined on clearance, selective buying of Stanley-Warner and other trade matters in connection with the S-W Globe and Grand, Vineland, and their relationship to the independent Landis.

After him, Zone Manager A. J. Vanni for out-of-town Warner houses in this area, took the stand, and was followed by Edgar Moss, 20th Century-Fox district chief, who was still on when the day ended. Case is being continued this morning.

Attorney Harry Shapiro, for the plaintiff, is seeking injunctive relief in the form of an injunction restraining the defendant from entering into 1938-40 contracts. He was also apparently trying to prove the monopoly and conspiracy features of his case. Attorneys for the defendants are Morris Wolk, for Vitagraph, and William A. Schneider for the other defendants, with home legal representatives from the various companies also on hand.

Saifer Succeeds Gregory
Denver — Following the resignation of Glen Gregory, Ed Saifer has been named as manager of the Grand National Exchange here. He is the brother of Morris Saifer, western sales manager for Grand National. Frank Foley, brother at the exchange, has left for Kansas City, where he will work for Monogram.

Happy Birthday
Best wishes from THE FILM DAILY to the following on their birthdays:
JULY 26
Charles Butterworth C. V. Skouras Nft Levine Emil Jennings

ARBITRATION SETUP
TO BE READY AUG. 9
(Continued from Page 1)
Kuykendall stated that the revised code would be more adequate than the previous drafts but that it still would not contain some of the issues which MPOTA insists should be included. However, Miss Hess said she believed the new draft was a progressive step and that it contained many points which are for the good of the industry as a whole.

"The arbitration clauses," Kuykendall said, "are designed to take care of any emergency which might arise and be an advantage to both parties. They are not designed to be used as a tool by any one party, but are designed to be used for the purpose of settling any disputes which might arise."

Walters Still Sell Away
In Milwaukee Territory
Minneapolis — While negotiations between Warners and National Theaters to iron out the recent break are under way, the Warner Milwaukee exchange is continuing to sell away from the Wisconsin Theaters circuit, subsidiary of Fox West Coast. Henry Herbel, district manager for Warners, stated here that the company will protect all indies who have bought the 1939-40 product lineup. Business in the Milwaukee exchange was reported by Herbel to have increased about 12 per cent over the same period last year, at which time they were still selling to the NT subsidiary in this territory. It was said that practically every competitive situation in this territory has been closed by Warners.

Loew's Books Color Short
"Battling Bettas," color short released by World Pictures has been booked by Loew's for key city theaters throughout the country.

STORKS!
Detroit — Howard Beck, M-G-M salesmen, is the father of a seven-pound boy.

Detroit — Robert Thompson, of M-G-M office, and son of Dow Thompson, manager of the Varsity Theater, is the father of a baby daughter. Mother was formerly Dolly Sturtevant, now of the Macomb Theater, Mt. Clemens.
"DEAD MEN TELL NO TALES" starring
EMLYN WILLIAMS — Sara Seegar — Hugh Williams
From the Francis Beeding novel, "THE NORWICH VICTIMS"

"HOUSEMASTER" with
OTTO KRUGER — Phillips Holmes — Diana Churchill
From the play known on Broadway as "BACHELOR BORN" by Ian Hay

"THE TERROR" with
WILFRID LAWSON — Bernard Lee — Arthur Wontner
From the EDGAR WALLACE thriller

"LUCK OF THE NAVY" with
GEOFFREY TOONE — Clifford Evans — Judy Kelly
From the play by MRS. CLIFFORD MILLS

"ONE NIGHT IN PARIS" with
JOHN LODGE — Hugh Williams — Joan Marion

"THE HIDDEN MENACE" co-starring
OTTO KRUGER — GERTRUDE MICHAEL
with John Clements — Patrick Barr

And To Round Out This Unusual Program
ORY OF THE INDUSTRY!

NOW AVAILABLE FOR 1939-40

SEE BEFORE YOU BUY

"BLACK LIMELIGHT"
RAYMOND MASSEY — Joan Marion — Walter Hudd
From the stage success by GORDON SHERRY

"JUST LIKE A WOMAN"
GERTRUDE MICHAEL — John Lodge — David Burns
From the Story by PAUL HERVEY FOX

"SPIES OF THE AIR"
BARRY K. BARNES — Roger Livesey — Basil Radford
From the play by JEFFREY DOLL

"BLACK EYES"
OTTO KRUGER — Mary Maguire — Walter Rilla
Directed by HERBERT BRENON

"MYSTERY OF ROOM 13"
GIBB MLAUGHLIN — Sara Seagor — Peter Murray Hill
From the famous story by EDGAR WALLACE

"LITTLE MISS MOLLY"
BINKIE STUART — Maureen O'Hara — Phillip Reed
Tom Burke —

Group of Selected Novelties and Featurettes

films corp. • BUDD ROGERS vice president and general manager
How’d You Like to Be a St. Louis Exhib.?  

St. Louis—Yeh, there’s a reason or two why the exhibit hereabouts doesn’t exactly rest on a bed of roses this Summer. Fy, instance: 

Three outdoor theaters, one atop a seven-story warehouse. 

Three midget auto racing plants. 

Night games at three ball parks. 

Seven softball parks charging admission. 

None under the stars. 

Not to mention swimming pools, beer gardens, golf driving fios, acrobat ranges, miniature golf courses (which serve here), night clubs, free shows at local radio stations, cabin colonial, excursion steamers and the world-famed St. Louis Zoo. 

[Continued from Page 1] 


(2) Certified the Society of Motion Picture Art Directors at Columbia, RKO, 20th Century-Fox, Loew’s and Paramount. 

(3) Certified the Society of Motion Picture Artists and Illustrators at Columbia, RKO, Universal and Loew’s. 

(4) Certified the Federation of Screen Cartoonists and the Society of Motion Picture Film Editors for employees of Walt Disney Productions, Ltd. 

All of the certification of orders apply to the Hollywood studios of the companies named. 

Under the first order the Publicists Guild had a majority of employees engaged in the publicity departments of the companies, the NLRB said. Included in the certification are unit men, feature writers, planters, contact men, art editors, copy editors, trailer men and advertising men in the publicity departments, and also employees in the advertising departments who are engaged in advertising work in Los Angeles county, but excluding directors and assistant directors in the publicity departments. Board action in this case was based upon comparison of Guild membership petitions against company lists as of Oct. 15, 1938. At the same time, the Board dismissed representation petition filed by the Guild on behalf of employees of Selznick International and Principal Frod. 

Under the Motion Picture Art Directors certification are included chief art directors, unit art directors, and follow-up men. At the same time the board announced second ballot elections will be held within 20 days among the art directors of Universal, Warners, and United Artists to determine whether or not they desire to be represented by the Society of Motion Picture Art Directors. 

Polls were scheduled at these companies since evidence of membership offered by the society did not establish that it represents a majority, the board said. 

The artists and illustrators certification includes costume illustrators, matte shot artists, assistants to matte shot artists, title artists, and heads of title departments. Board also ordered, because of insufficient majority membership evidence, elections within 20 days at Warners, and 20th Century-Fox. Petition filed by the society on behalf of employees of Paramount was dismissed. 

In the cartoonist order affecting Walt Disney employees the Board said the action was based upon a study of union membership cards and company payrolls. The comparison showed that the Society had been designated as bargaining representative by all 15 of the cartoon editors, assistant director and film librarians, NLRB said. 

The cartoonist federation was certified on the basis of uncontested evidence that it represented 566 out of 622 employees engaged in production, exclusive of supervisory employees, the NLRB said. 

“Stanley and Livingstone” Set for Pre-Releases 

(Continued from Page 1) 

cut the country. First two of the latter are scheduled for Aug. 30 at the Palace, Washington, and at the Keith’s Memorial theater, Boston. These will be followed on Aug. 11 with showings at the Albe, Cincinnati; Chicago, Chicago; Circle, Indianapolis and Hippodrome, Cleveland. Other pre-release dates will include Los Angeles and San Francisco as well as other key centers to be announced later. 

Special advertising and exploitation campaign worked out by Charles E. McCarthy, ad-publicity director, for the advance showings of “Stanley and Livingstone” is claimed to set a new company record for newspaper-billboard advertising. More than 2,000 billboards will be used in addition to the increased advertising space in newspapers. Supplementing the local campaigns will be ads in national mags and six pictorial bulletins, 20 by 30 inches in size, to be placed in 1,400 public libraries throughout the country. 

Managers’ Profit Sharing Plan Is Continued by FPC 

(Continued from Page 1) 

managers’ profit sharing plan now in its fifth year will be continued. 

An extra bonus contest, for the months of September to November, with $5,000 to be shared among managers showing the biggest increase in profit, was also announced yesterday as the convention swung into the second day of regional meetings. 

Charles L. Querrie, Toronto, one of the most colorful figures in the theater and sport world, celebrated his sixtieth birthday yesterday, and he was presented with a watch by his colleagues. Nathanson and Morris Stein made the presentation.

Spanish Currency Freezing Program Opposed by Major 

(Continued from Page 1) 

ported films law promulgated by the Franco government is altered in some respects. Despite the fact the most companies are proceeding with their plans to reopen offices in Spain and visas have been granted by the Spanish government for new film shipping is said to be at a standstill. 

It was reported here that major generally are willing to resume operations in Spain on their former scale if they are allowed to take enough money out of the country to cover all necessary operating expenses incurred by shipping, negative costs, dubbing and other items. But it is believed that if the Spanish government adheres to its reported rigid currency freezing program, operations could only be conducted at a loss as the companies would not make the attempt. 

A broad view of the Spanish question is taken by the majors in the fact that they recognize the acute need of the Spanish government’s currency needs and the necessity of stimulating home production through quota restrictions. But at the same time, although they are willing to go along at present without profit in most cases in the hope of better returns when the country gets back on its feet, they point out operations cannot be conducted indefinitely at a loss. 

“Aranyization” 

Prague (By Cable)—What is viewed as a retaliatory measure for frequent anti-Semiticful film the series here is reported establishment of a Nazi-inspired office to conduct “Aranyization” of entire film industry in the Protectorate of Bohemia and Moravia.
ICY CLING CHARGE
UNDER INVESTIGATION

(Continued from Page 1)

The Copyright Protection Bureau, New York City, yesterday that it exhibit, under suspicion had been investigated for operations in five midAtlantic states, Reserve, Norco and Garyville.

ollywood-Made Spanish
Pic Face Dialiect Problem

(Continued from Page 1)

day, Paramount’s manager in Sur
eria, who is in New York for a “200-week” trip, is also true
pictures made in Mexico, Day said.

Despite the fact that Spanish is

used in all countries except Brazil,
as appeal of a Spanish language
picture is lost unless made in the

foreign market in which it is

shown, he explained.

Day confirmed previously printed
groups to the effect that the possi-
bilities of the South American mar-
et have been over-rated. Competi-
tion by Argentinian pictures is in-
creasing rapidly, he said, especially
in the interior and in the “B” class
classes. Even though such product
is greatly inferior to American pic-
tures, they have a tremendous fol-
lowing, he said.

However, Paramount’s business
as shown an upward trend during
the last year, Day stated, pointing
out that billings so far this year
were at least 35 per cent ahead of
the corresponding period of 1938.

French pictures, he added, are
raising in popularity and are mak-

ing money along South Ameri-
can.

Col. Sending del Rivero
to Fill Post In Spain

A. Suarez del Rivero, director of
Spanish publicity for Columbia Pic-
tures, sails from New York on Sat-

3. "Are you insinuating that my sound is very bad?"

"It's awful, Jo, but

4. "I know the best in pictures

but my seats are never full."


**22 Summer Closings In Chicago Sector**

(Continued from Page 1)

and independents. Baibian & Katz for a period, closed their United Artists here Sunday, bringing the first time since the house was opened. House reopened Friday.

While the Warner circuit closed no houses, it surrendered the Lexington which was taken over by the Indiana and Illinois circuit. Closings by other circuits numerically follow: Lasker, two; Essanes, one; Goodman-Harrisons, one; Schoenstadt, four; Louis Breckin, one; Stutz, one; Donkas, one; Great States, four; RKO, one (the Palace for the first time since the house was opened).

Some of the closings were said to be due to shortage of suitable product; in other cases, improvements were in order. Unions steadfastly refused wage concessions this summer.

**New England Pix Houses Stay Open; Drive-Ins Gain**

Boston—Vacation resort proclivities of New England are held to be the reason for the lack of increased darkening here this summer. Not only have the open theaters held their own in numbers, but the addition of several new drive-in spots has put more theaters in lights than there were a year ago.

**Fewer Oklahoma Theaters Cleft Doors This Summer**

Oklahoma City—For the first time in many years, there have been relatively few summer closings in Oklahoma locally. There is only one and only a scattered few over the state. No first-run houses have been closed. In some instances, houses have been cut from seven to five or three days runs.

**Few Closings In Michigan Due to Summer's Biz Drop**

Detroit—Summer closing of theaters in this territory, negligible at the start of the summer, has taken a very slight spurt upward in the last two weeks. A few houses have closed for remodeling, both in the city and upstate, selecting the time to coincide with the usual summer slump, but closings solely to escape the slump have been very few.

The one major house closed is the

What's a Ban?

Belleview, Ill.—Flash Cormier, head of the Bloomer Amusement Co., owner of the Ritz and Rex theaters, has walked right around a police Back Night ban by holding the drawings for the winners over the city limit. Cormier also cut a check to the merchants.

The Illinois Supreme Court ruled against the Fair Play Works, but this is the first real attempt to stop the arrangement in Belleview.

**Renaissance of Showmanship . . . and exhibit reaction to "Beau Geste"**

(Continued from Page 1)

to such screenings, with attendance delegated to buyers, books and other management representative. "Beau Geste" is being exhibited themselves, and there's an exceedingly lively interest in selling angles, merchandising campaigns and those other factors and qualities that play so important a part in determining the size of grosses.

**Take it from veterans who know showmanship best, there's every reason to believe that next season will see some outstanding efforts.**

Theaters are definitely keeping people away from the loss of selling. Instead of curtailing their own incomes, they cut advertising which is not only unbusinesslike but very stupid, from the standpoint of guaranteeing their major investment.

**AND while we're on the subject of advertising, there's the admirable thought just passed along to Warner theater managers by Joseph Bernhard to the effect that**

"Service does an advertising job, too." Expounds the WB theater chief:

"Here's how it works:

"When your cashier greets patrons with a pleasant smile . . . when you give your arm to a feeble old lady who needs help . . . or assist an elderly man with his overcoat . . . or comfort a last child . . . and send your patrons home with a cheerful good-night . . . that's ADVERTISING."

"When you can greet your patrons by name, when the merchant's respect, the clubs, honor you, the schools trust your recommendations—that's ADVERTISING."

"When a pinch pocket-behind the counter—sees a movie a week—and he seeks to patronize a Warner theater because he's sold on you and your Service—that's ADVERTISING, too."

"These service ideas, and there are many, many more—sell tickets at the box-office; and any idea—that sells tickets, is advertising."

Worth framing, that.

United Artists, run by United Detroit Theaters as city's premier single bill house. This follows the policy of last year. However, in recent years, competition has been virtually nil, but a few downtown houses have closed. A year ago, Butterfield circuit closed about 10 houses in Michigan for the summer, but official statement from the circuit to FILM DAILY disclosed no present intention of closing any house whatever.

**Three More Pix Theaters Dark In Neb-Iowa Sector**

The Nebraska-Western Iowa district has a slight increase in theater closings during the July-August period compared with houses shuttered during the summer of 1938. A total of 15 theaters in the Omaha area have closed this year, as compared with 12 last year. Poor box and crop conditions have been the reason in almost every case.

Curtailment of Operators, Feature In Conn. Territory

New Haven—Summer closings in the territory were featured this year by the darkening of Fishman Brothers Lyric and Winchester Theaters, New Haven, with the Apollo, New Haven reducing operation to three-a-week early in June. The Lyric has never before been closed, and no three Fishman houses have stopped continuous operation simultaneously before. The 4,000-seat State Theater, Hartford, has been cut out Saturday and Sunday, and the operation for the summer by Harris Brothers although it stayed open all through last year. The Joclin, Baltic has been operating on a 4-to-week schedule for the summer months, and Finn's, Jewett City week-ends only. The Victory, New Haven, has been dark as usual for the summer. Warner's one less downtown house this summer.

**Bad Weather In Gulf States Fails To Darken Theaters**

New Orleans—Summer heat and rain continued to hit the Gulf States territory of Louisiana, Mississippi and parts of Alabama and Florida with a blast and swirl last week, but to date, no closings have been reported. There are only three houses where persistent rains are threatening the cotton crops.

**Lincoln Vicinity Closings This Summer Placed At 12**

Lincoln, Neb.—Two less houses are operating here in the summer of 1938, than were going in 1938, bringing the downtown area lighted total to seven. Sun, a 600-seat, has been torn down and changed in to a restaurant, while Liberty, 1,000 seats, is closed because of product shortage in its parent company, Nebraska Theatres, Inc., already operating three houses.

There have been a total of 12 closings in the immediate territory in little more than the last three months. In the two and three theater small towns hard put to find patronage enough for one house.

**Frisco Biz Coming Back; No Pix Houses Closing**

San Francisco—Major circuit execs here state that business is

starting to show a little improvement but is still below normal.

A month ago it was reported down 25 per cent in the San Francisco-Oakland Metropolitan area, and about 10 per cent in other houses of the circuits, with the Golden Gate Exposition and general industries and agricultural conditions blamed.

Competition from the Exposition now is especially keen, and will continue so far the next three months as the management has booked a long list of screen and radio stars including Dick Powell, Jack Benny and Bing Crosby, Marlon Beres and Charlie McCarthy, the Three Ritz Brothers, etc., and at the present time Benny Goodman and Kay Kyser's band are packing them.

However, there have been no closings to date, nor are any expected.

**NE Backs Allied Sept. Press Neely Passage**

Independent theater owners at the Hotel Statler yesterday afternoon, the confab was called by Arthur K. Howard, Independent Exhibitors president, read part of the Minneapolis discharges after sound engineers had failed to achieve satisfactory results with reproductions of the discs. Frank Lytton, Eastern Convention, spoke. Edward Golden, scheduled to be on hand, was called out of town. Howard was authorized to write to every exhibitor in the organization, recommending to each that he write to his respective congressman requesting Neely bill support.

There was no discussion at the meeting of the proposed Eastern regional assembly that Lytton may call soon.

“U” Closes Schine Deal

Cleveland, O.—Dave Miller, Universal district manager, has just returned from Gloversville, N. Y., where he closed a three-year product deal for the entire Schine circuit. Miller also closed a deal for the four Comerford houses in New York state.

**No Standee Problem**

Cortonrow, Lo.—There won’t be any standees problems in this community when Leo Mary opens his new house. Seating capacity is 300; town’s population, 450.

**Wednesday, July 26, 1939**
MAY COMPLETE MORI MONOPOLY CASE TODAY

GARMES AND WILDBERG "U" EUROPEAN GROSS
AHEAD, SAYS COWDIN

U. S. Distrib., While Still Hopeful,
May Be Forced to Suspend in China

Court Authorizes Elections; Reorg. Seen Effective During the Fall

N. Y. ALLIED TALKS
CODE WITH MAJORS

Directors Toward Theater-less Summer Resort Towns
in the State

BY H. F. REVES
FILM DAILY Staff Correspondent

Detroit—Marked expansion of sponsored shows, particularly in smaller towns, is under way in this region, according to N. D. Reis, manager of the Modern Talking Picture Service. Shows are being particularly directed toward theater-less summer resort towns for the next few months.

Typical setup in the metropolitan area has been run for some time by Reis' organization, showing to all types of organization audiences. Shows have been sponsored primarily by Westinghouse, Pennzoil, and

Yates Sails to Promote Rep. Product In Britain

Revealing a co-ordinated plan for the promotion of Republic's product in the British Isles,—only one angle of which is the impending Gene

Hollywood Stars Sought for Command Performance

Top-ranking American pix stars will be sought for a command performance before the King and Queen of England and Jack Hyams, whose

TNEC Aide Sees Neely Bill Passing House at Next Session of Congress in December

Washington—Daniel Bertrand, administrative aide at TNEC, yesterday told THE FILM DAILY he believes the Neely Bill has a good chance of passing the House and becoming law at the second session of the 76th Congress. Bertrand made his statement to clear up confusion regarding his forecast on the measure.

The opposition cannot forever impede the ordinary processes of a democratic government." Bertrand commented yesterday. The subject has had thorough discussion and the representatives of the people should be allowed to exercise the duties of elective office. Further hearings may be deemed necessary, but paraphrasing the statement of the eminent counsel for the opposition, "we have gone over this same story year after year. Moreover, full hearings can be held before the House and the bill reported for vote at the next session if the public will is to be exercised."

Resumption of Eastern feature production on a substantial scale in the fall was further indicated yesterday when THE FILM DAILY confirmed two pending deals calling for establishment of units at Eastern Service Studios.

Lee Garmes, it was learned, is (Continued on Page 5)

Giveaways at Fair May Block Games Elimination

New York World's Fair is going in for giveaways.

By mid-August at the latest, the exposition will nightly except Sunday distribute 10 merchandise gifts, (Continued on Page 6)

Goldwyn to be Examined In "Roman Scandals" Suit

Notice of examination before trial of Samuel Goldwyn on Aug. 2 was filed yesterday in the Federal Court by Mort Eisman, Clara Dellar and Robert Louis Shayum. Defendants in a suit for injunction, accounting and

Decrease of the Chinese dollar to a new low of nine cents against the American dollar at the current rate of exchange, and the more serious difficulties in doing business in that country presented by the heavily duplicated duty charges, may force the American companies to suspend operations there in the near future,

Court Authorizes Elections; Reorg. Seen Effective During the Fall

George J. Schaefer and Richard C. Patterson were elected president and chairman of the board, respectively, of RKO Corp., at a meeting of the directors yesterday. It was the first session to be conducted in several years and was held pursuant to instructions obtained from the District Court of the U. S. for the Southern District on petition by the Irving Trust.

N. Y. ALLIED TALKS
CODE WITH MAJORS

Leaders of New York Allied met yesterday with the sales heads of the major companies and discussed industry problems, the trade practice code and arbitration boards. The reported plan for a special code for New York Allied members.

Republic to Seek Quick Settlement with Guild

M. J. Siegel, president of Republic Productions, revealed yesterday that he has been instructed by Herbert

UA Seeks Dismissal Order in Filly Theater Action

Application was filed yesterday in the Federal Court by United Artists Corp. to dismiss the suit for
FCC Convention Ended; Sports Today's Order

Niagara Falls, Ont.—First national conference of Famous Players Canadian Corp. in 12 years, officially closed last night with a dinner held in the Hotel General Brock honoring J. J. Fitzgibbon, vice-president of the organization, who has resumed his duties after an absence on account of illness, for more than five months.

Fitzgibbons was presented with a sterling silver dinner service and an illuminated address bearing the signatures of all managers at the convention. Symbolic of the company’s chain of theaters from coast to coast in Canada was the totem pole from the Pacific and a model of the “Blue Goose” from the Marktimes present to President N. L. Nathanson. Don Henshaw, Toronto, radio commentator addressed the gathering.

Today the staffs of Empire-Universal, Paramount Films, and the home office staff of Famous Players will arrive by special train to join the managers, and participate in the sports program at Queen Victoria Park during the afternoon. A banquet in the evening, addressed by Hon Mitchell F. Hepburn, Premier of Ontario, Col. George D. Major, John Bassett of Montreal, and Barney Balaban, will bring the four-day sessions to a conclusion.

French Producers Turn Out 60 In Six Months

Paris (By Cable)—Mid-year statistical review of the French film industry reveals 60 productions have been completed, including one in Berlin, two in France, and one in Egypt. Official announcement shows 4,120 theaters in France and North Africa, plus about 4,000 municipal and cooperative halls in France. Studios now total 17.

Kennedy as Fed. Attorney

Washington—Harold Maurice Kennedy, Brooklyn lawyer, was yesterday nominated by President Roosevelt to be U. S. Attorney for the Eastern District of New York. The Eastern District includes Brooklyn.

52-Producers’ Final Meet

Final meeting between the producers and Local 29, studio mechanics, will be held Tuesday to discuss remaining details in terms of a new contract.

5 Weeks for “I Die”?

On the basis of the strength displayed to date, Warners home office yesterday was talking a film called “I Die” for “Each Dawn I Die” at the New York Strand.

Filmatre Reopens Sept. 11

Filmatre Theater will reopen on Sept. 11 with the French film, “The End of a Day.”

Mayer and Burstyn Get Six French Productions

Six French pictures have been acquired for distribution in the U. S. and Canada by Mayer & Burstyn, it was learned yesterday by Joe Burstyn, who arrived on the Champlain from a two-months’ trip abroad. First of the new group is “Louise,” starring Grace Moore.

Burstyn said that the quality of French pictures was improving because the producers were returning to the formula of making product of a typical French type instead of attempting to imitate a Hollywood style.

The pictures which he acquired, Burstyn said, were of a type that could play any American city rather than theaters using foreign policies.

Central Ticket Agency

May Be Started in Fall

League of New York Theaters is moving toward establishment of a centrally controlled ticket agency next Fall. Committee investigating the proposal embraces Marcus Howman, Bob Pemberton and Herman Shumlin.

Associated Theater Ticket Agency is accepting the move, which would put the ticket broker out of biz, with promises to take “necessary and proper steps.”

Expects Governor’s Signature

Chicago — Representative Elroy Sandquist, author of the movie limitation bill regulating time of film shows said last night he expects Governor Horner’s signature on the measure before the week-end. He also said he was hopeful the bill will get the necessary signatures of both state senators and house members, that he will see that it is printed, and that they may investigate various phases of the theater as it affects both juvenile and adult attendance.

Keough Stays in New York

Austin Keough, vice-president and general counsel for Paramount, due to biz conferences locally, yesterday cancelled his plans to attend the convention of Famous Players Canadian Corp. now in session in Niagara Falls, Ont.

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Y. C. Central Casting Corp.

Albany—Chatter papers have been issued to the Central Casting Corporation of New York, licensed to do business as a theatrical employment agency with a capital stock of $50,000, which has been valued at $1. Subscribers of record are Don Luis Gomez, Cuyler Beck, and Francis W. Hulme. Counsel is Conrad Millikon.

Para. Signs Schertzinger

West Coast Bureau of THE FILM DAILY

Hollywood — Victor Schertzinger has signed a long term contract with Paramount. His most recent picture was “The Mikado,” made in England.

BARNEY BALABAN, president of Paramount, and FRED MORKHARDT, comptroller, left for Niagara Falls, Ont., to attend Famous Players Canadian Corp. convention there.

JOSEPH J. UNGER, divisional sales manager in charge of the Eastern Atlantic States area for Famous Players, and ALEC MOSS, the office advertising manager, arrived last evening in Niagara Falls, Ont., from the home office to attend FCC convention.

JACK CICH, vice-president of Columbia Pictures, Inc., A. MONTAGUE, company’s sales manager, left New York last night for Niagara Falls, Ont.

CARL LERESMAN, Warners’ assistant general sales manager, and ROY T. HAINES, eastern and Canadian sales manager, left New York this evening for the FCC convention at Niagara Falls, Ont.

MAX MILLER, general manager of Warner Bros. Pictures, Ltd., England, leaves Burbank today for New York and then will sail to England on Aug. 9 aboard the Queen Mary.

ED SCHNITZER, Warners eastern district manager, will leave for New York and go to London, Paris and Utrecht on business, returning to the home office after the meeting in England.

DEL GOODMAN, far eastern manager for 20th-Fox, arrived in New York yesterday for a three months’ trip.

E. F. LOMBA, special representative of the Southwestern Department, returned yesterday from a six months’ trip through the Caribbean islands.

ARTHUR LEE, Gaumont British chief exhibitor here, left last night for Niagara Falls to attend the FCC convention.

ADOLPH ZUKOR and JOHN W. HICKS arrive in Sydney tomorrow morning on their trip to Australia.

C. A. SCHULTZ, of the Commonwealth Amusement Co., Kansas City, W. L. MACK, North Carolina manager; and A. R. STROBEL, of North Carolina, HAROLD J. MIRSCH, Michigan manager, and J. B. ROYALL, Pennsylvania managers, have been visiting exhibitors this week at the KRO Lounges.

EUGEN SCHARIS, head of Transatlantic Films, sails Saturday on the Champlain, for a three week trip.

JOHN LUCAS, manager of the Sargeant Theater, has been transferred to the Times and one in Egypt.

JOSEPH M. MILLER, owner of the Sargeant Theater, left for the West Coast and one in England.

Geraldine Fitzgerald returns to Hollywood Sept. 1 after a three months’ vacation in Europe.

Madeleine Carroll left the Coast yesterday, he was accompanied by his wife and infant son.

John Grierson sailed yesterday from Southampton on the Empress of Australia for Canada.

Mr. Executive!

I’m at your service! Stick-to-itiveness, dependability, thoroughness, efficiency—are my qualifications!

Picture Production—Theatre, Radio, and Movie Forte!

Salary—Secondary Consideration! Opportunity—the most Desirable!!!

Let me prove my worth to You, Mr. Executives!!!

FILM DAILY, Box No. 1206
1150 Broadway
New York City
Last Week!

This Week!

AGAIN
IT'S ALL M-G-M!

More box-office reports from Variety! When a feller needs a friend—page M-G-M!

CHICAGO — "GOING MR. CHIPS' continuing at great pace in the Apollo. 4th week. Excellent after getting solid gross last week."

SEATTLE — "MR. CHIPS' big. 3rd week. Last week great. 'HARDYS' big."

DETROIT — "ANDY HARDY GETS SPRING FEVER' UPS Michigan. Hardy series strong here."

BALTIMORE — "Holdover 'GOODBYE MR. CHIPS,' maintaining momentum heading for okay gross after biggest opening round in weeks."

NEW YORK — "'TARZAN' okay. 'MR. CHIPS' 2nd week dandy."

CINCINNATI — "Keith's is doing swell with 'ON BORROWED TIME'."

LOS ANGELES — "'ANDY HARDY' tonics L. A. 'ANDY HARDY GETS SPRING FEVER' is driving to big week, biggest take known here in past six months. 'CHIPS' 10th week. Looks like another okay gross."

SAN FRANCISCO — "'CHIPS' still going strongly. 4th week. Last week, very good."

PITTSBURGH — "'ON BORROWED TIME.' Raves without exception for this one. Sleek campaign. Plenty good gross and may result in h.o. Last week 'CHIPS' got good gross at Warner after two previous sessions at Penn. Last week 'MAISIE' all right."

PROVIDENCE — "'ON BORROWED TIME,' at State, heads the list. Last week, 'CHIPS' strong."

KANSAS CITY — "'ON BORROWED TIME' holding up well. Above average. Last week, 'CHIPS' big."

PORTLAND — "'ON BORROWED TIME' holdover. 'HARDY FEVER' a natural winner and over the top for big gross."

MINNEAPOLIS — "'CHIPS' toast of the town in 2nd week. A four-week engagement is not at all unlikely. Raves by critics and customers."

Bookers! It's an M-G-M Summer! Turn the Page!
"SORRY FOLKS, YOU'LL HAVE TO WAIT!"

HEAT WAVE!

HIT WAVE!

Millions of dollars worth of entertainment for your hot-weather screen! That’s M-G-M’s policy again this summer! It’s the policy that has endeared Leo the Lion to his exhibitor customers year after year. While “ANDY HARDY GETS SPRING FEVER” is packing them in (Biggest Hardy Hit of All!) announce an M-G-M Summer Festival of Hits to your customers because there’s only one outfit that’s got a HIT WAVE to match the HEAT WAVE!

THE FRIENDLY COMPANY
GARMES AND WILDEBERG TO PRODUCE IN EAST

(Continued from Page 1)

negotiating for the production here of "And So Goodbye" by Mildred Cram, with shooting script by Adele Comandini, and the deal may be closed within the next fortnight. Garmes leaves for the Coast tomorrow, arriving on Monday, and shortly thereafter Pix will be made with a substantial budget, and Garmes' Coast trip is for the purpose of lining up a director and players. Production is tentatively set for Oct. 1. It is understood that financing has been fully arranged, and that a distribution deal with a major company is being worked out. Other pictures possibly may follow "And So Goodbye," it was reported.

Second deal has as a principal Jack Wildberg, Broadway producer, who was originally scheduled to fly to the Coast today to confer with an associate. Latter, however, has been called East instead. Wildberg has a two-picture program, it is understood, with stories to be selected from four properties, one of which is Sinclair Lewis' "Angela is 21." Two major distributors are reported interested in the Wildberg productions and a deal may be consummated next week. Availability of players will largely govern the selection for the initial pix, but early production possibly in September, is planned.

Western Service Studios at the present time have approximately 180 employees on the rolls, following a seasonal layoff of about 20 in all departments. And Productions now have seven pix in work.

Omaha Tourney August 21

Omaha—Exhibs, in the Nebraska-Iowa territory will hold their annual golf tournament Aug. 21 under sponsorship of Omaha Variety Club. Committee in charge includes Glenn Rogers, chairman; Joe Scott, Sid Rose, Joe Jacobs of Columbia, Joe Jacobs of General Outdoor and Harry Shawmow, chief booker.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays:

July 27

Charles Vidor
Joseph Quillan
Natalie Moorhead
Lawrence Gray
Albert Waller

Along the Rialto

with Phil M. Daly

9C CHINESE DOLLAR DUP. DUTIES WORRY

(Continued from Page 1)

Del Godman, far eastern manager for 20th-Fox, told THE FILM DAILY yesterday upon his arrival in New York.

Goodman said that the American companies operating in China were jointly discussing the matter now toward this end, with hope still held that the duty situation may be eased. He expressed the opinion that as long as it was possible to continue operations without losing money it was the policy of the company to do so in order to protect the investment of the exhibitors, but operations at a loss could not be carried on by any company.

Goodman said that it was his hope that the national film industry in India would continue to develop as native films stimulated attendance and increased theater building, thus building up the market for imported pictures.

The 20th-Fox exec, will be here for two or three weeks to confer with Walter J. Hutchinson, director of foreign distribution, and will then return to Beverly Hills to stay with his family for awhile before he returns to the Orient.

See No Speedy Settlement of Rugoff and Becker Case

Although an attempt for a speedier settlement of the Rugoff & Becker-TMAT case was initiated yesterday by the trial examiner, at the close of the day's hearing at the State Labor Board offices, no indication was given by either side that any settlement beyond what will result from the regular procedure might be discussed.

A sharp interchange between the legal contingents opened up the afternoon session. A. L. Green, Rugoff & Becker theater manager, completed his testimony yesterday, replying to a number of differently worded questions that he knew nothing of the individual corporate setup of the organization.

More theater managers will be questioned today.

Moore Sets the Pace

Pittsburgh—George E. Moore, who has been northern district sales representative for 20th Century-Fox for the past 15 years, is the first salesman in the country to close his territory 100 per cent on the coming season's product.

British Steel Pix

London (By Cable) — Inspired by the success of U. S. Steel's Technicolor documentary which despite its commercial aspect, received playing time in U. S. theaters, Henry Boot & Sons, Sheffield steel works, plans to sponsor a British steel epic, to be produced by Neville E. Novilla. Pix also will be made in color with a $500,000 budget.
"U" EUROPEAN GROSS AHEAD, SAYS COWDIN

(Continued from Page 1)

land and on the Continent, was much better than he had expected to find, Cowdin said. He described his trip as a routine business journey.

Danielle Darieux positively will fulfill her contract with Universal. Cowdin asserted, pointing out that she had a three-year pact and that she would be over here soon to start a new picture, despite reports to the contrary.

Giveaways at Fair May Block Games Elimination

(Continued from Page 1)

topped by an auto valued at $1,000, it was revealed this week, with a giveaway idea was submitted to the Board of Directors’ executive committee by Norman Bel Geddes, who was delegated to work out the plan.

Exhib interests yesterday engaged in lively speculation as to the effect of the board’s giveaway policy on the present move to end games in the metropolitan area. Some felt the move would be blockaded. Under the method of operation already decided, each Fair paying patron will receive a duplicate numbered slip upon entering the grounds. It will be necessary for the ticket holder to visit the amusement area during the day and personally drop one half of the ticket in a large glass globe, mounted on a platform at one end of the one-acre plot, now vacant, near the amusement zone’s south end. Fair also will continue sale of the week-end bargain tickets this week.

Publishes Law Digest

West Coast Bureau of THE FILM DAILY

Los Angeles—A digest of recent decisions of the courts, giving opinions and decisions of the courts, giving opinions and decisions of the courts affecting motion picture industry, from 1900 to date. This work covers the entire field of Motion Picture Law, from Actors to Zoning.

WEDDING BELLS

Jack Barry of Warner Bros. home office art department, will be married on Saturday, to Miss Syd Donenfeld. The couple will spend their honeymoon in the Adirondacks.

York Village, Me.—Madge Evans, film actress, immediately following her appearance in the play "Brief Moment" at the Osgoode Playhouse on Tuesday night, left the theater and was married by a justice of the peace to Sidney Kingsley, Pulitzer Prize winning playwright.

HERITAGE OF THE DESERT

with Donald Woods, Evelyn Venable

Paramount—74 Mins.

Swell Western Distinguished by Talent and Exceptionally Fine Acting.

This western has the advantage of an intelligent plot from the Zane Grey classic, and fine production values by the producer, who has, in a cast of unusually fine players seldom seen in one Western. Donald Woods as the easterner checking up on his western ranch lands, travels west to learn why he has been deriving little revenue from his properties. C. Henry Gordon, his agent, has been cheating him right and left, and also using Woods’ name to defraud the other ranchers. When he learns the owner is coming out to the ranch, he is a man of crooked agent. The easterner is discovered by a rancher, Robert Barrat. At the latter’s ranch he is nursed back to health by Evelyn Venable. Then the excitement starts when the easterner recovers, rapidly masters western lore, and starts an crooked agent. There is plenty of action and thrills, done with class by a bunch of players who make their characters believable and convincing.


CREDITS: Producer, Harry Sherman; Director, Lesley Selander; Screenplay, Norman Reilly; photographed by Cameraman, Russell Harlan; Editor, Sherman Rose.

DIRECTION, Very good. PHOTOGRAPHY, Fine.

Building and Remodeling

Active in Pittsburgh Area

Pittsburgh — Despite the current pull in theater biz, a number of old theaters in this territory are being remodeled and enlarged and several new ones are under construction. Warners is building a new theater in Titusville, Pa., which is expected to open early in the Fall. WB already has one house in the town. The Manos Amusement Co., operated by the veteran showman, Mike Manos, has started construction of a new theater in Jeannette, Pa., and one in Blairsville, Pa., both to open before the new year. The Temple Theater in Wheeling, W. Va., a de luxe colored house, has been taken over by K. F. Boothman, who has closed the theater for complete renovation and remodeling throughout, to reopen Labor Day.

ROY H. STEWART DEAD

Indianapolis—Roy H. Stewart, 57, widely known in theatrical circles, and for more than 17 years a sales- man for the National Theater Supply Co., died at his home here yesterday. He was born in Haute, Ind. Funeral services were held Monday and burial was in Rose- lawn Cemetery.

DEATH GOES NORTH

with Edgar Edwards, Sheila Bromley

Warwick—63 Mins.

NEAT SUSPECT IN MURDER MYSTERY IN CANADIAN NORTHERN TERRITORY

For a picture made for the neighborhood trade, this one shapes up as very fine entertainment. It carries an atmosphere of northern Canada, and includes authentic Canadian scenery in the northwoods.

The hero is a Mountie on the trail of the murderer of a young girl. He has come from England to Canada to look after lumber lands they own. The trail of the criminal is very clearly obscured, with several suspects keeping the suspense well sustained. When the Mountie and his pal get too close to thecher’s trail, attempts are made on the lives of others. But the Mountie hero finally narrows the trail down to the suspect uncle who has been evidently quite helpful in tracing the criminal. He proves in a dramatic showdown that the apparent uncle whom the girl has never met is really the secretary, who has murdered the other and changed all the identification marks.

There is some good character work by various members of the cast, and the logging scenes are well handled. Rin Tin, Jr., does some good canine sleuthing in helping to run down the criminal Slinging angles: Rin Tin Tin, Jr., the four-legged sleuth; the clever murder plot with sub- stances of identity.

CAST: Edgar Edwards, Sheila Bromley, Jameson Thomas, Dorothy Bradshaw, Walter Byron, Rin Tin Tin, Jr. 

DIRECTION, Interesting. PHOTOGRAPHY, Good.

State Labor Federation to Meet Here on Aug. 15

Convention of the New York State Federation of Labor will open Aug. 15 at the Commodore Hotel in New York, this city to be the scene of the annual meeting for the first time in 75 years. District meetings of the affiliated unions will be held the previous day, with the 55 locals of the IATSE in this state huddling at the Commodore.

It is expected that the IATSE will bring up the two-men-in-a-boat bill for discussion on the floor and it is also possible that the current dispute between the actors with unions may be aired at the convention.

OVERRULE B & K OBJECTION

Chicago—Judge Edgar Eldredge, hearing the Government contempt case, yesterday ruled that evidence of the producers operated by defunct companies in other cities was not admissible in the pending case. He overruled B & K objection to presentation of their ownership in state house. Evidence in this hearing will go into the record when new trial is held.

ROMANCE OF INDUSTRY

Effective

Producers—Gontard-Ilfeld 11 mins.

"Power," the first of a series of shorts, based on the Romance of Industry, produced by Gert Gontard and Lester Ilfeld, in collaboration with the University of California, is effectively pictured and should entertain any type of audience. It shows the history of power—man’s harnessing the forces of nature to his own uses, and portrays the use of the Cyclotron to produce atomic energy. John Deering does the narration, which is splendid.

QUEBEC TAX IN FADEOUT

Quebec, The city council has given formal second reading to the bill providing for discontinuance of collection of the city’s 10 per cent amusement tax which led to five weeks closure of Quebec’s eleven theaters. The bill stipulates that the tax shall not be collected up to April 30, 1940.
Conscription Presents British Industry
With Camp Theater, Cut Price Headaches
London (By Cable)—Conscription, in addition to the labor problem, is presenting British exhibitors with several headaches. One stem from the overcrowding of camp theaters, authorized for the entertainment of the new militiamen and the added privilege of free attendance of the camp theaters today. In some instances, Sunday openings are being permitted.

Another headache results from the utilization by military authorities that men in uniform enjoy half prices at all box-oftices.

Goldwyn to be Examined
In "Roman Scandal" Suit
(Continued from Page 1)
damages against Goldwyn, Samuel Goldwyn, Inc., and United Artists Corp. and Eddie Cantor.
The notice requires Goldwyn to appear in Room 1300 of 32 Broadway, New York, and to produce scripts, scenarios and negative of the film "Roman Scandals."

Comment charges plagiarism of plaintiff's play, "Oh, Shah," in the film.

U. S. Circuit Court of Appeals recently reversed a dismissal of the suit and has ruled a new trial to be held in the fall.

20th-Fox Caribbean Biz
Said Steadily Improving
(Continued from Page 1)
20th-Fox foreign department, told THE FILM DAILY that company business was steadily improving and from all indications should continue at this pace, which is well ahead of last year's marks.

Lomba visited some 12 or more foreign countries in this region on his tour, making a complete swing twice.

Bankruptcy Act the following year, Irving Trust was at first receiver, later trustee, taking over the responsibilities which normally would rest on RKO's board of Directors.

In January of this year, a plan of reorganization adopted by the Atlas Corp, was approved by the Court. Under this plan, all of the fixed indebtedness of RKO was taken care of by the creation in its place of two new classes of stock: a 6 per cent Cumulative Convertible Preferred stock, callable at $105 and a Common stock.

Several new interests have developed in the RKO picture during its period of reorganization proceedings. In 1935, Atlas Corp. acquired one half of the holdings of the corporation which gave to Atlas approximately 42 per cent of the old RKO Deben
tures and 24 per cent of the old Common stock. Atlas bought an addi
tional one-twelfth of RCA's reestab
lishings in January, 1938. Rockefeller Center, Inc., held a claim against RKO which resulted in the allowance to it of $155,000 shares of the new Common stock under the reorganization plan. Time, Inc., ac
cquired certain 6 per cent RKO Notes formerly held by the Pathé Film Corp. and will receive therefor, under the reorganization, a substantial block of the new stock. RCA retains approximately one-half of its former substantial holdings.

Republic to Seek Quick
Settlement With Guild
(Continued from Page 1)
J. Yates to effectuate a quick settlement to "the best advantage of all concerned" in the breach existing be
tween the Screen Directors' Guild and Republic. Action ending the im
passe is, therefore, expected next week, as Siegel leaves New York today for the Coast.

Republic's Budget Boost
Stands After Conferences
Republic's budget boost of 25 per cent in the new season, over amount expended for the 1938-39 lineup, will stand, it was asserted yesterday by M. J. Siegel, president of Republic Productions, Inc. Decision, he said, is outgrowth of conferences between him and Herbert J. Yates, prior to later's departure for England yesterday.

Siegel added that the 1938-39 lineup has been wholly completed, and that two features on the new season's schedule are through the shooting stage, "Flight at Midnight" and "Calling All Marines."

He is leaving tonight for Holly
day the 20th Century Limited.

Hollywood Stars Sought
for Command Performance
(Continued from Page 1)
English circuit is allied with Gaumont British, arrived in New York yesterday on the Champlin to de
discuss matters which stars will be available. Although the command per
cformance is a yearly event, this will be the first time that American screen names have been requested.

Hyams said yesterday that he had been in contact with the Hays office on the subject and that the major studios had prepared a list of their players who might be ob
tained. The command performance will be held in about six weeks.

Hyams denied reports of a GB
Onset of the British War, announcing that such a move was not contemplated at this time. In regard to television, he said that the English people respond to it only when special events are telecast but that they have not ac
ccepted it as a developed form of entertainment. He leaves for the Coast on Monday.

Sign Illinois Truck Bills
Chicago—Governor Henry Horner has signed the truck bill, outlawing industry combinations in the trucking field, also a bill doing away with the Illinois toll bridges. Film carriers hail both measures as being constructive.

Schaefer, Patterson
Get RKO Corp. Posts
(Continued from Page 1)
Co. trustee for RKO. Earlier in the day, Federal Judge William Bony said an order approving the reorgani
tion of Schaefer and Patterson.

Proponents of the reorganization plan believe that it may become ef
tective some time this Fall.

Yesterday's meeting resulted in the election to the 20th-Fox board of 11 of the 13 mem-
bers of the new board which is to take over direction of the company upon consummation of the court-ap
proved reorganization plan, recently affirmed by the Circuit Court of Ap
deals.

Those elected were Ned E. Depin
er, vice-president of RKO Radio; Thomas P. Durell, associated with White, who has the responsibility for
Ehman, associated with Lehman Bros.; L. Lawrence Green, lawyer; Bob Dadie Nason, president and director of the board, Conde Nat Publica
tions, Inc.; John E. Parsons, lawyer; Richard C. Patterson, Jr., former Associate Secretary of Commerce; N. Peter Rathvon, president of Rath
von & Co.; George J. Schaefer, presi
dent Kelch-Albee-Orpheum Corpo
ration, B. F. Keith Corporation and RKO Radio Pictures, Inc.; W. G. Yan
quickly, managing director of Radio
City Music Hall and president of Radio City Musie Hall Corporation, and Raymond Bill, publisher. Sen.
James G. Harbord, chairman of the board, RCA, and Lansford P. Yand
ell, executive, RCA, are members of the present company's board and will carry over as the other two members of the new 13-member board.

The action of the District Court yesterday will enable the men who are to hold the reins of the affairs of the new corporation, under the reorg
plan, to meet immediately for consultation with the RKO management and the trustee.

In a formal statement, issued fol
dowing the meeting, it was said that the board met because it anticipated RKO's early emergence from reor
organization proceedings and "its re
establishment as an independent business organization, with new cap
itai interests and renewed earning power."

It was also said that "during re
cent months, RKO's earning power has been steadily increased under the direction of George J. Schaefer, who has been president of RKO Radio Pictures, Inc., since October, 1938."

RKO went into receivership early in 1933 and into reorganization proceed
ing under Section 717 of the

STORKS!

Pittsburgh—Mr. and Mrs. Saul I. Perlman, vacationing in the local Monogram exchange are the parents of a 6-1/2-b. boy.

FOR REEL SHIPPING ECONOMY PHONE RAILWAY EXPRESS

You get complete, day and night, nation-wide film shipping service right to your door at low economical rates.

No extra charge for pick-up and deliv
er in all cities and principal towns open for service up to 8 o'clock.

For 3-mile-a-minute deliveries — use an Express—2500 miles overnight — at low cost too! Merely phone the near
est RAILWAY EXPRESS office for quick action.

1839... A Century of Service... 1939
**GB Instructional Plans**

**“Color Secrets of Life”**

- **London** (By Cable) — Gaumont British Instructional will make future reels in the “Color Secrets of Life” series in Dufyecolor. Series is now in its 18th year, GB Instructional is planning a new series of color cartoons designed to illustrate the story of the British Empire; series will be for theatrical as well as entertainment use.

**Walter Wanger to Speak**

Williamstown, Mass. Walter Wanger is scheduled to address the American Institute of Human Relations on Aug. 31.

- Meet same requirement of operating economy. Difficulty here is to satisfy the sponsors, as the two nights are usually of unequal drawing power, and each sponsor naturally demands the best night.

- Modern Service supplied films and service for a number of free showings sponsored by local merchants also last season, but is not actively promoting this department this year. Under this setup, merchants usually contributed $2 apiece toward the cost of the show, to draw people into town for a certain night each week. However, if the night was bad, and the crowd small, the merchants in many cases objected to paying the fee, and financial complications arose as a result.

- Objection of exhibitors in Michigan has been based upon the contention that free shows draw people who naturally would come to their towns.

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**Reserve Decision on Plea to Dismiss Wanger Suit**

- Decision was reserved yesterday by N. Y. Supreme Court Justice Felix Bezvenga on an application of the News Syndicate Co., Inc., publisher of the New York Daily News, to dismiss the $1,000,000 libel suit filed against it by Elsie Wanger and Walter Wanger Productions, Inc.

- Suit charged libel in an article written on May 21 in the column "Hollywood" which discussed Goldwyn's dispute with UA.

- Sullivan has not been served as yet.

- The News Syndicate Co. contended that no slight was intended against Wanger in the article, and that as a matter of law, no libel had been committed.

- Schwartz & Frohlich, counsel for Wanger, claimed that the article had been part of a plan by Sullivan to take Goldwyn's part and to stir up public opinion in his favor. Counsel further contended that the article was clearly "a trade libel" and that the average reader would understand that Wanger and other UA producers were charged with making "slipshod factory pictures."

- Argument opposing application for the order was presented by Louis D. Frohlich.

**World Going First Run**

Beginning Aug. 12 the World will present first-run films, the first being "The World Is Ours," a Czechoslovak comedy.
Governor's Veto Kills Anti-Duals Measure in Illinois

TREATY DENUNCIATION MENACE JAP FILM MARKET

Report New York Allied May Sign Trade Practice Code

Local Unit Said to Have Made Progress in Wednesday's Talks with Majors

That New York Allied eventually would sign a trade practice code, despite national Allied's stand, was indicated in industry circles yesterday. It was reported that considerable progress towards a mutual understanding was made at the conference held Wednesday between the New York unit's negotiating committee and the major sales heads.

In commenting on the report that New York Allied would sign the

(Continued on Page 4)

DEFENSE WINS TIME IN OKLA. TRUST SUITS

Oklahoma City—A further extension of time for defendants in the Department of Justice suits in Federal District Court here was granted yesterday by Judge Edgar S. Vaughn, who gave defense attorneys until Aug. 20 to file memorandum briefs on their motions for bills of particulars and to make them more definite and certain.

Fifteen days following this date

(Continued on Page 7)

Alliance N. Y. Exchange Completes Organization

Personnel of the New York Exchange of Alliance Films Corporation at 630 Ninth Avenue has been completed. Under the leadership of Arthur Greenblatt, exchange manager,

(Continued on Page 6)

Capital Reports France About to End Pix Visas

Washington Bureau of THE FILM DAILY

Washington—Reports were prevalent yesterday in official circles that the recently disclosed plan of

(Continued on Page 6)

State-wide Code Strategy of N. Y. Allied Fails to Appeal to Illinois Exhib. Unit

Chicago—There is no disposition on the part of Allied Theaters of Illinois to follow the lead of New York Allied in moving for a state-wide code.

Opposition to such strategy was voiced by the week-end by Van Nomikos, vice-president of the local Allied affiliated. Nomikos, favoring a national code as better for all concerned, suggested exhibitors, and distributors, get together "in an honorable way."

RKO'S Reorg. and New Financing Seen Complete in About 3 Months

Now financing for RKO will be set about the same time the reorganization plan becomes effective, R. C. Patterson, new chairman of the board, said yesterday.

This will be in about three months, Patterson stated, adding that the company in reality was out of the courts now.

Whether Richard Rowland will become a United Artists producer may be decided at the next meeting of UA's board.

The subject was reported to have been discussed at the last meeting of the board but no action was taken, the matter having been deferred until the next session.

Negotiations have been held but

Patterson, former Assistant Secretary of Commerce, said that his duties would be to supplement the work of George J. Schaefer, RKO president, who, he declared, was the real "boss" of the entire organization.

Schaefer and Ned Dupinnet, vice-president, are scheduled to leave today for the Coast.

Expect UA Board to Act on Rowland Distrb. Deal

Anti-Duals Bill Fixing Length of Pix Shows Killed by Ill. Governor's Veto

Briefs in Mori Action to be Filed by Sept. 1

Springfield, Ill.—On the ground that the measure was unconstitutional, Gov. Henry Horner yesterday vetoed the Sandquist bill designed to outlaw double features in this state.

In his veto, Horner said: "In the

(Continued on Page 6)

U. S. Distributors Fear Move May Mean End of Export Biz

BY GEORGE H. MORRIS

FILM DAILY Staff Writer

Faced yesterday with the potential loss of the Japanese market for their films, as a result of both the sudden and dramatic denunciation of the 1911 American-Japanese commercial treaty by Secretary of State Cordell Hull, home offices of both the majors and indies eyed the situation with uneasiness and commenced preparing for eventualities, if and when they should arise.

While opinions expressed by producer-distributor executives varied widely as to the precise motives of the Government in abruptly serving notice at this time upon Japan

(Continued on Page 6)

D OF J PLANNING MORE TRUST SUITS

Washington Bureau of THE FILM DAILY

Washington—That the motion picture industry is facing more anti-trust suits from the Department of Justice was confirmed yesterday by Attorney General Frank Murphy at his press conference. Asked, "Is the Department preparing any new anti-trust suits against the motion

(Continued on Page 7)

Films Escape 2% Sales Tax Levy in State of Washington

Olympia, Wash.—State exhibition interests won a sizable victory yesterday when the Washington Tax

(Continued on Page 4)

Hear Particulars Motion In Folly Suit Tuesday

Application of Paramount Pictures, Inc., 20th Century-Fox Film Corp., Loew's, Inc., Universal Pictures, Inc.,
Westinghouse 6 Mos. Net
Increases to $3,388,778

Net profit of Westinghouse Electric & Mfg. Co. for second quarter of 1939 was $3,082,658, or $1.49 a share, which means that the net for the first half totals $6,388,778, or $2.37 per share.

Second quarter net a year ago was $4,597,000, or 99 cents a share, while the first half of 1938 netted $6,180,662, or $1.08 per share.

George H. Buecher, president, de- creeed, in connection with making pub- lic the financial report, that it is the company's opinion that business will remain better throughout the year than that of 1938.

Heywood-Wakefield Reports
Cuts in Loss for 6 Months

Heywood-Wakefield Co., large- scale manufacturers of theater seats and other products for other in- dustries, report operation for the first six months of 1939 resulted in net loss of $10,515,439 compared with a loss of $10,372,429 for the same period a year ago.

Although during the first half of 1939, however, exceeded those of the first half of 1938 by 16 per cent. Beginning with June last, there was an increasing demand for mer- chandise, and at present, company reports, it is receiving orders in good volume.

Screen Publicists Guild
Asking S-I Rehearing

West Coast Bureau of THE FILM DAILY

Hollywood — Screen Publicists Guild is petitioning the NLRB for an immediate rehearing on applica- tion of the Selznick International SPG unit which is 100 per cent or- ganized and which desires to be certified as its bargaining representa- tive. Due to a technicality, Selznick International unit was not named by NLRB as a unit to be represented by SPG.

Weber Home to Recuperate

Joseph N. Weber, president of the American Federation of Musicians, has returned to his home in New York City from Kansas City follow- ing a severe illness which forced him to remain in K. C. for some time after the windup of the AFM con- vention in that city. Weber was re- ported to be recovering rapidly, but it will be necessary for him to re- cuperate further at his home before he will be able to return to the AFM headquarters.

"Winter Carnival" Clicks

Walter Wanger's "Winter Carni- val" got away to a fast start at the Radio City Music Hall yesterday, placing an estimated 20,000 missions.

Jack Duffy Dead on Coast

West Coast Bureau of THE FILM DAILY

Hollywood — Jack Duffy, 57, veteran stage and screen comic, is dead here.
“Samuel Goldwyn’s THEY SHALL HAVE MUSIC!

A knockout! There’s a terrific WALLOP in that fiddle of Heifetz... it hit me between the eyes... and it’ll get you!”

—says TONY GALENTO

SAMUEL GOLDWYN presents
Jascha HEIFETZ in THEY SHALL HAVE MUSIC!

with ANDREA LEEDS • JOEL McCREA
GENE REYNOLDS • WALTER BRENNAN

Directed by ARCHIE MAYO
Released thru UNITED ARTISTS
REPORT N. Y. ALLIED TO SIGN TRADE CODE
(Continued from Page 1)

code if certain provisions were included, Max A. Cohen, unit presiding, said that his negotiating committee had full authority to work out a deal with the distributors and to consummate a plan if satisfactory.

This remark was taken by some to mean that New York Allied would take advantage of the concessions incorporated in the draft.

It is reported that the distributors are concentrating their efforts in clarifying the clearance clauses of the code. It is believed that the plan is close to completion, as W. F. Rodgers, who is in the group, is planning to go to the Coast next week.

FILMS ESCAPE 2% SALES TAX

Levy in State of Washington
(Continued from Page 1)

Commission relieved theaters from paying the 2 per cent sales tax. The Commission ruled that the sales tax, enacted this year by the Legislature, was not applicable to films.

An admission tax already is in effect here.

80 NEW ZEALAND HOUSES

Set to Play UA Lineup

Deal whereby United Artists' entire 1939-40 product will play Amalgamated's 80 theaters in New Zealand was announced yesterday by Arthur W. Kelly, vice-president in charge of foreign distribution. Pact was closed in New York with Michael Noodabe, joint owner of the circuit, who recently arrived from Auckland.

Hoffberg Closes Deal

Deal has been closed by J. H. Hoffberg with the Sonotone Theater, Chicago, for the first run in that city of "Escape From Yesterday" and "Father O'Flynn," being distributed in this country by Hoffberg, R. J. Stats, managing director of the Chicago theater returned to that city last night after con-

act negotiations were signed.

"Bondage" Revival Big

RKO Radio's re-issue of "Of Human Bondage" gave the Criterion the best opening in weeks, RKO home office reported yesterday.

Title Casualties

Dallas — Ever since "Frankenstein" showed here, Alfred J. Frankenstein, printer, and his wife Selma S. have been made the subject of wisecracks to each other bybakers, impressionists, and前途者, becoming distasteful to them. As a result, they filed a joint petition in the district court to have their last name changed to Frank.

• • • THE weather bureau promised light showers for the IT0A annual outing up the Hudson yesterday . . . . but those exhibs. are always lucky lassies . . . . they grabbed a cloudburst . . . . as the Alexander Hamilton pulled into the dock at Indian Point, the rain poured down . . . . so the steamer kept right on going up the Hudson because the colored porters were making a lot of tips supplying decks of cards for poker and bridge . . . . here are some of the lassies who won or lost at cards or African qoll . . . . Leon Rosenblatt, Leon Frank, Moe Kerman, Dave Snaper, Joe Lee, Harry Busbaum, Phil Hodes, Joe and Ben Weinstock . . . . Harry, Bill and Bingo Brandt, George Horstein, Jack Levy, Dave Mendelsohn, Jack Bowen, Stanley Lowman, Al Brandt, Jack Heymann, Henry Reiner, Walfred Rittenberg, Arnold Cohen, Harold Bennett, Harry Vreener, Arthur Mannheimer, Adolph Hoas, Ansel Knowles, Saul Straussberg . . . . Herman Welgarten, Harry Thomas, Moe Sanders, Irwin Sorin, Mel Albert, Irving Renner, Herman Eisenstadt, M. A. Shaw, Stanley Kolbert, Louis Mazze, Lionel Toll, Harry and Bernard Pear, Seymour Kutinsky . . . . 800 exhibs., exchange men, distributors and equipment men and their wives had a grand day's fun in spite of the rain . . . .

• • • ESSENTIALLY on the personal side . . . . Ed Selzer, head of Warners trailer dept . . . . will make a special personality reel on Dennis Morgan . . . . which will be shown as advance build-up . . . . for the actor's starring role in "The Sea Hawk" . . . .

• Deal which will see Alexander Ince . . . . taking over Stage Magazine . . . . is expected to be closed next week . . . . Lillian Gish is in Taos, N. M. . . . . as the guest of Myron Brinig . . . . who will do the pioneer star's bit . . . . And from Taos to this columy comes the hint that La Gish . . . . will proceed to Hollywood in August . . . . to make screen tests . . . . for the femme lead . . . . in one of the outstanding pix . . . . on a major's 1939-40 lineup . . . . Bill Russell . . . . musical director on Ted Eshbaugh Studios staff . . . . goes to Fort Thomas, Ky., for two weeks . . . . to appear as chore with Jimmy Durante . . . . at the Beverly Hills Country Club . . . .

• Exhib, Rez P. Barrett is back in the mayor's chair . . . . at Columbia, Mo., defeating a GOP opponent in a special election . . . . to fill a vacancy caused by death . . . . Anita Louise and Wendy Barrie have been signed for p.a.'s in Dallas . . . . in connection with the Jesse Lasky "Gateway to Hollywood" trials next month . . . . George Hickey, Metro's Western division exec, ended his first visit East in years last night . . . . starting the return trek across the continent . . . . "The Sheriff," as George is best known, made a special trip to Boston while here . . . . to get a plate of beans . . . . or so we hear tell . . . .

• • • UNITED ARTISTS and Walter Wanger . . . . are not the only ones cashing in . . . . thanks to "Stagecoach" . . . . we learn from the Lordsburg, N. M., Liberal . . . . Lordsburg is . . . . and how . . . . The town, you see, was the locale for Wanger's pix . . . . and according to the Liberal, it's resulted in a "See Lordsburg First!" movement of surprising proportions . . . . with delegations from virtually every state stopping all . . . . to look over the town and boost biz . . . . What's more . . . . the Chamber of Commerce is being flooded . . . . with inquiries from folks who want to settle there . . . . Observe the Liberal editorially . . . . "The advertising that we are getting from 'Stage Coach' couldn't have been purchased for thousands of dollars" . . . . Any producer wants to glorify New Hope, N. Y?"
"To have made a picture with the extraordinary FORCE of this one and still star Heifetz is an amazing achievement. It's an amazing picture and a very important one."

Edward P. Mulrooney
END OF JAP TREATY MENACES FILM MARKET

(Continued from Page 1)
that the treaty would expire the latter part of January, 1940, it was agreed generally that should the breach between the U. S. and Japan remain unhealed during even the next few months of 1939, and no move were made to evade the terms of the treaty, attempts would be made to effectuate a new treaty. American film interests would cease doing business in the Japanese Empire.

Well-informed film sources, conversant with the Japanese attitude, told the DAILY that while Tokyo dispatches quoted spokesmen there as asserting that the abrogation of the treaty is "unthinkable," it is also "equally unthinkable that Japan will not take retaliatory measures," and predicted that the commodity most likely to be sought upon for dramatic retaliation would be American films.

It is pointed out that a new treaty could be done even within the framework of the denounced pact, at any time before its expiration, since there would be nothing to prevent Japan's officialdom from invoking quota or other regulatory provisions which would hit U. S. films hard, without particular hardship to other favored nations. This is because, it is asserted, America's share in Japanese imports is dominant in Japan, compared to those of other foreign nations.

Further, it is cited, the current state of the Japanese film industry is such that they do so under a mutual tacit "agreement," but not a pact which would be legally binding. The only protection which U. S. product now has officially is under the broad provisions of Article 5 of the denounced treaty which states in part:

"Neither contracting party shall impose any other or higher duties or charges on the exportation of any article to the territories of the other than are or may be payable on the importation of the like article from any other foreign country . . . nor shall any prohibition be imposed by either country on the importation or exportation of any article from or to the territories of the other which shall not equally extend to the like article imported from or exported to any other country . . ."

Some high sources along Film Row, however, pointed out that a new denunciation was merely an international political move designed to blast Japan into the realization that the U. S. intends at all odds to retain "face" in the Orient. Others saw in the action an attempt by the

FILM CODE ANALYZED

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the twenty-fifth installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer, associate counsel to the U. S. Board of Trade, and authority on the law of screen, stage and radio.

Preservation of the daily installments, note devoted to the Rules of Alteration, is recommended.

Installment No. 25

(6) Waiver of Oral Hearing: The parties to a dispute may, by written agreement filed with the Secretary, waive oral hearings.

Written Claims: Where the oral hearings have been waived, the complaining party must file with the Secretary, a sworn statement of his claim supported by material and relevant evidence and by written argument, together with copies for each of the parties complained against. The evidence may include excerpts or statements from books of account or other records and documents.

Thereafter, where the oral hearings have been waived, the Secretary must send personally or by registered mail, a copy of the sworn complaint to each party complained against.

Answering Written Claims: Each party complained against may file an answer within ten days after receipt of the claim. The answer must be sworn to and similarly supported by evidence. Copies must be supplied for each party to the dispute. The Secretary shall deliver such answers personally or by registered mail, to the other parties to the dispute.

Filing Reply: Wherever an answer is made, the other party, may, within five days after receipt of such answer, file with the Secretary, a sworn reply statement, similarly supported by evidence. Copies must be supplied for the other parties.

Submission of Case: The entire record shall be submitted by the Secretary to the Arbitration Board as follows:

(a) If an answer has been served, the record shall be submitted at the end of the five days permitted for reply.

(b) If no answer has been served, the record shall be submitted at the end of the seven days permitted for answer.

(Twentieth-sixth installment will appear in an early issue.)

No Opposition Develops to FMPC Reorganization

Federal Judge William Bondy yesterday reserved decision on an application to confirm the plan of reorganization of the Allied Film Motion Picture Corp. Proposed plan includes among its provisions, a 15 per cent cash payment to general creditors of the corporation.

In view of the fact that no opposition to the plan was raised, Judge Bondy ordered that a confirmation order be entered after the first meeting of the shareholders.

Select vs Warners Suit Going to Nov. 1


Maida Reade Named Exec. Secretary of New AGVA

The appointment of Maida Reade as executive secretary of the newly chartered American Guild of Variety Artists union was made yesterday by the executive council of the new organization. The council is comprised of the presidents and executive secretaries of the affiliated AAAA unions, pending the election of officers by the AGVA membership.

Organizational work is being pushed by the new union and applications for membership were reported last night to be swampy the office. No new move has been made by either side in the last day in the inter-union dispute which was reported over the air this morning by the IATSE office that any charter will be granted to the AFA.

It was believed yesterday that no action will be taken on this request by the AFA until after the matter is thrashed out at the executive council meeting of the A P of L Aug. 7 in Atlantic City.

Gus Sun to Entertain

Springfield, O.—Theater managers from Ohio, Indiana, Pennsylvania, Kentucky, West Virginia and Michigan will gather at the Van Dyck Club, Mechanicsburg, Ohio, for the annual get-together and steak fry, as guest of Gus Sun, president of the Gus Sun Booking Agency here. Gus, Sun will as usual, have personal charge of the dinner. Remainder of the day, with the exception of a brief session, will be given over to fishing on the club lake, card playing and other recreation.

MAIDA READE NAMED EXEC. SECRETARY OF NEW AGVA

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ALLIANCE N. Y. EXCHANGE COMPLETES ORGANIZATION

(Continued from Page 1)

In addition to managing the exchange, Greenblatt will add Bud Rogers, Alliance's vice-president and general manager, in arranging first runs and circuit deals to new Alliance product which consists of 12 features and a variety of novelty and short subjects.

Capitol Reports France About to End Pix Visa

(Continued from Page 1)

the French government to abrogate its visa treaty with the United States, might be put through by the French government. In the event that such action is undertaken it would mean that the French government would abrogate its visa treaty with the United States, and it would be the first country to abrogate its quota laws.
DAILY

World’s Fair Continues to Copy Films with “Name” Orks as Week-end Feature

With cut rate tickets already in effect and giveaways in the offing, the New York World’s Fair will further adapt pix exhibition tactics by introducing big-name locals to featured week-end attractions, such as Guy Lombardo, Bob Crosby, Ben Bernie and Tommy Dorsey, who will play at one of the picnic grounds on Fountain Lake in the amusement area.

Hear Particulars Motion in Folly Tuesday

(Continued from Page 1)

Monogram Distributing Corp., Republic Pictures Corp., and Rondance Amusement Corp. for a bill of particulars in the $750,000 anti-trust suit of Folly Amusement Holding Corp. will be heard on Aug. 1, according to a notice filed in the Federal Court yesterday.

The plaintiff, former operator of the Folly Theater, Brooklyn, charges monopoly as a result of which it was compelled to give up its theater.

“Nazi Spy” Cleaning Up In Both London, Paris

London (By Cable)—“Confessions of a Nazi Spy” finished its first five weeks’ run to biz toppings the previous record-holder, “Robin Hood,” by 70 per cent. Feature is now in its sixth week, with at least two more weeks of playing time definitely set.

Paris (By Cable)—“Confessions of a Nazi Spy” is reported doing sensational business here where it is in its third week at three theaters simultaneously.

Phil Reisman Sails Today

For S. A. Sales Conclaves

Phil Reisman, RKO’s foreign department head, is scheduled to sail today on the Argentina for Rio de Janeiro where he will attend his first South American convention of sales managers, branch managers and bookers on Aug. 18. The personnel of 18 Brazilian offices will be on hand.

Another sales conference is slated for Aug. 31 in Buenos Aires. Nat Liebkind, general South American manager, will be chairman of the latter conference which also will be attended by Reisman.

Hayward-McCormick and Selznick Office Merger

Plans are being discussed by the Myron Selznick and Hayward-McCormick companies for a possible merger of their New York offices to effect a savings in operating costs. It is reported that the New York Selznick office will be closed and a revamped staff will move into the Hayward-McCormick office. However, the California offices will be unaffected by the merger, which will be handled separately by the representatives of the two companies.

Briefs in Mori Action to Be Filed by Sept 1

(Continued from Page 1)

al, for a temporary injunction in their monopoly suit against Warner Bros. and affiliates, and majors closed yesterday with further affidavits to be submitted by Aug. 14, and Aug. 15.

Testifying yesterday were ex-chancellors: Ben Lynch, M-G-M; Harry Brown, United Artists; S. E. Siewert, Paramount; Harry Weimer, Columbia; George Schwartz, Universal; William Mansell, Warner-appropriated characters and Ted Schlammer, Stanley-Warner zone chief. Harold Shapiro, attorney for the plaintiffs, attempted to show through similar examination in each case that Warner had fired first practically all pictures and that the Landia could not buy without Warners first rejecting. A group of accountants will be appointed to go over the books of the Landia which were subpoenaed Wednesday night, and see what the official status of the theater is. Eighty exhibits were introduced.

Court room gossip seemed to indicate that regardless of whether or not the temporary injunction is granted, the plaintiff has secured-through the procedure introduction of valuable evidence which can be used by him when the suit comes up.

Get Grants Participants Bill in Tarkington Suit

A counter-claim for $18,750 imposed by Warner Bros. Pictures, Inc., in the suit brought by Booth Tarkington was upheld as legally sufficient by Federal Judge William Bondy yesterday.

Judge Bondy in his decision granted an application of Tarkington for a bill of particulars of the Warner Bros. answer.

Tarkington is asking for an injunction, accounting and damages, claiming that Warners produced a film “Penrod and his Twin Brother” in violation of a contract, and wrongfully used Ivan Tarkington from Penrod stories for the picture.

Counter-claim charges Tarkington with a sale of motion picture rights to Penrod stories after copyright had expired.

To Test Alice Marble

Alice Marble, the tennis champ, will make some screen tests on the Coast in September. She said yesterday that her agent, Robert Clou- ti, was negotiating deals with 20th Century-Fox and M-G-M.

D OF J PLANNING MORE TRUST SUITS

(Continued from Page 1)

picture industry?”, Murphy replied “yes.” He said he could not specify, however, on further questions. The new move was “at least connected to a head very soon,” Murphy said.

A conference last Tuesday was held between Joseph M. Schenck, chairman of the board of Twentieth Century-Fox and Justice Department officials, Murphy said in discussing the present investigation in Los Angeles. Murphy described the many cases in Los Angeles as “confusing.”

The tax cases and the anti-trust cases will probably be presented to the Grand Jury at the same time the Attorney General said. Queried on the report that the Justice Department and Ascap would be renewed next fall, Murphy said, “I don’t know.” He said he had not heard of any such move.

French Embassy to File Protest on Pix Banning

An official protest on recent banning of films by the feature “Harvest’’ will, according to the French Cinema Center, Inc., be filed “within the next two days” with Irving Emson, director of the N. Y. State Censor Board, by the French Embassy. French Cinema Center, distributors of the picture in the U. S., also asserted through a spokesman, that its own appeal on the banning will be submitted to the board on Monday.

McBride Rites Today

Pittsburgh—Frank M. McBride, who for many years was manager of the McBride Theater in Trafford City, Pa., died in Columbia Hospital, Wilkinsburg, Monday. Funeral services will be held at St. Regis Church, Trafford City, this morning, and interment will be made in St. Joseph’s Cemetery, East McKeesport, Pa.

TMAT Hearing Continued

Hearings in the Rugoff & Becker TMAT case were continued yesterday before the State Labor Relations Board trial commissioner, with William Price, a supervisor for the theater circuit, occupying the witness stand throughout the day. Theater managers are expected to start testifying today, but little hope is held that the hearings can be ended before late next week.

Nazis Launch Tele

Berlin (By Cable)—With the opening today of the annual German Radio and Television Exposition, the Nazi government will introduce commercial television. Orders for an initial output of 10 television stations, to be taken and Germany’s single operating televisions, also been announced. The news and evening programs. Rapid station expansion- radio networks, whose coaxial cables will be used to link them.

Ship Ahoy!

Milford, Conn. — Julius Livingston, adjudged Hagg and Harris Green of Alex- ander Film Co. will entertain members of Connecticut Press Club in an all-day yacht cruise leaving 9:45 a.m. Wednesday next, from the Milford Yacht Club. The trip has also been planned for next Thursday, when Allied Theatre of Con- necticut members will be the guests.

(Continued from Page 1)
HERE IT IS!
The New SUDAN

Choice Territory Available for
LIVE WIRE DISTRIBUTORS
Brought Back to Build BOXOFFICE by Exhibitor Demand
Cash in on the Public's Demand for
THRILLS!
ROMANCE!
ACTION!

Write or Wire

MITCH LEICHTER
Exclusive Distributor
420 Taft Bldg. Hollywood, Cal.

Territories Sold:
California, Nevada, New Mexico, Hawaiian Islands, Alaska and New England States
THE WEEK IN REVIEW

Schaefer Heads RKO

Schafer Heads RKO

OMESTIC

RKO REORG.: At a meeting of RKO’s directors at midweek, first session to be held in several years due to legalistic phases at present upon reorganization, George Schaefer and Richard C. Patterson were named president and board chairman, respectively, of the company. New financing for RKO will be set at about the same time reorganization plan becomes effective, which will be in about three months, Patterson stated, adding that company’s reality is out of the courts now.

TRADE PRACTICES: Assurance given by William F. Rodgers, tribune, spokesman, to Ed Kuykendall, MPTDA proxy, in a conference on Tuesday that the further revamped Trade Practice Code, including revisions of the arbitration revisions, will be ready Aug. 9 when complete draft will be submitted to Southeastern Exhibitors Association meeting in Atlanta. At week’s outset, Col. H. A. Cole, Allied, proxy, decried Code a dead loss, and that his group is insufficient to arbitration changes. However, Thursday brought report that New York Allied may sign the code.

MUC-10: Action: Application of D of J for order setting down equity suit against the majors or trial on Nov. 1 was adpurred in Tuesday, by consent of all parties until tomorrow. Huddle is slated for today between Special Assistant Attorney General Paul Williams and defendants’ counsel next date agreement. Washingon reported confirmation by Attorney General Frank Murphy that the film industry is

SCHINE CONVENTION CALLS INDUSTRY TOPS

GAMES BACK IN 30 SPOTS

Non-theatrical Prize Nights

Force N. Y. Restoration

Games and giveaways, which were dropped in approximately 30 New York City theaters about three weeks ago, are being reinstated because of competition by assembly halls and churches. The games elimination had been effective on the East Side between 34th and 39th Sts. and on

Four 1940-41 Pix Also to be Finished by Jan. 1, Says Balaban

Barney Balaban

Niagara Falls, Ont.—Studio schedules of Paramount indicate that by the end of the year, the company will have completed all but one of the six pictures in the 1939-40 program and additionally will have completed shooting four 1940-41 productions, according to Barney Balaban, presxy, here last week for the Famous Players Canadian Corp. Dominion-wide convention.

Balaban declared that the studio

SEPARATE PIX PACT SEEN AS JAP. HOPE

Only hope of U. S. distributors to retain its Japanese market, in the event that the American-Japanese trade treaty is scrapped, will

Pettijohn Will Undertake Preliminary Efforts to Reopen Italian Pix Market

LeRoy Drops Production Duties and Will Direct

West Coast Bureau of THE FILM DAILY

Hollywood—Mervyn LeRoy, at his own request, has been relieved of his responsibilities as an executive

(Continued on Page 6)

(Continued on Page 6)

(Continued on Page 13)

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RKO MAY NOT NAME BERMAN SUCCESSOR

West Coast Bureau of THE FILM DAILY

Hollywood—No new production head may be named to succeed Pandro S. Berman. Production

Revised Code to be Ready This Week, Rodgers States

Details regarding the revision of the trade practice code will be ready for announcement about the middle

“The Old Maid”

West Coast Bure., THE FILM DAILY

Hollywood—in this picturization of Zoe Aikens’ Pulitzer Prize play, Berko Davis gives another distinguished performance, endowing her role of the sacrificing mother with artistry, Miriam Hopkins is fine as her cousin and rival, while other splendid performances are contributed by George Brent, June Bryan, Donald Crisp, Louise Fazenda, Jerome Cowan, Cecilia Loftus, William Lundigan and James Stephenson. Picture will have a special appeal to feminine fans, and Edward Guglielmi has done a masterly job with his warm, sympathetic direction. To Harry Blanke goes generous credit as associate producer. Casey and Guggenheim have supplied a splendid screenplay while Tony Gaudio’s photography is of highest order.

—Wilk.
FINANCIAL

(QUOTATIONS AS OF FRIDAY)

NEW YORK STOCK MARKET

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SAFETY LLOYDS

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave.

HOME OFFICE

BRITT 9-5600

SECURITY

THE BROADWAY PARADE

Picture and Distributors: 

Theater

Goodfellow, Mr. Chappell, 1st week.

Magna, Mr. Chappell, 2nd week.

The Reuben, Mr. Chappell, 3rd week.

Hidden Power (Columbia Pictures).

Kraft, Mr. Chappell, 4th week.

They Shall Have Music (United Artists-Goldwyn).

Winter Carnival (United Artists-Wanger).

Mrs. Men's, Mr. Chappell, 5th week.

Wyoming Outlaw (Republic Pictures).

Meet the People (RKO Radio).

Of Human Bondage (RKO Radio).

Bachelors' Matinee (RKO Radio).

Career (RKO Radio).

FOREIGN LANGUAGE FEATURES

Lein in 1918 (Hamlet—6th week.

Pearls of the Crown (Lansbury—7th week.

Mayerling (Paris Films) a—8th week.

FUTURE OPENINGS

The Maltese Falcon, New York, Aug. 10.

Palm Springs, New York, Aug. 11.

Murphy’s Secret, New York, Aug. 12.

The Glass Key, New York, Aug. 13.


The Great Divide, New York, Aug. 15.

Lein in 1918—(Hamlet—6th week.

Pearls of the Crown (Lansbury—7th week.

Mayerling (Paris Films) a—8th week.

Coming and Going

M. A. LEVY, leader of the seventh 20th-entertainment exhibition, will be on the company’s house organ. Dyna, has returned to New York on a seven-week tour around the country.

J. H. HOFFMANN leaves New York Aug. 15, for an extended trip throughout the country, visiting key cities where he distributes film through affiliates.

BARNET McCORMICK, ed. and pub. L.H.T. for RKO, flew to the Coast Friday.

MORT LEMENSTOCK, eastern head of adveristing and publicity for Warner, expects to return to his post the morning of Aug. 11, from a tour of the east coast.

SUSAN HAYWARD, Paramount player, arrived yesterday from London.

CETRUDICE MACY, general manager for Katrine N. Cornell, will attend the Philadelphia Playhouse opening Aug. 13.

W. M. AGNES Fowler, and wife and daughter of Gene Fowler, sailed on the Champlain. Saturday.

PETERS SISTERS, return on the Normandie after a 14-months’ trip in England, Scotland, Iceland, France and Spain.


AL DUFF, Universal manager in the Far East, left Friday for Japan.

W. RAY JOHNSTON and GEORGE WEST are en route to Normandie today.

M. CULLEN, Low district manager who heads out in 20th Century-Fox, arrives today.

EDDIE DOUGHERTY, Brooklyn publicity director for Loew’s theaters, is due in the office today from Baltimore.

WILLIE KURTZ, manager of the Bialt Theatre, returns today from a vacation in Copenhagen.

WILLIAM MORRIS, Jr., returns to New York for a vacation.

JOHN EBERSON, film theater architect, returns to his office today from Cincinnati.

CHARLES BAYLOR sails for Europe on the Normandie.

Johnston Returns Today

From London and Paris

W. Ray Johnston, Monogram President, returns today from the Normandie by a business trip to London and Paris. Conferences abroad and planned tour of Europe are expected to result in additional bookings for Monogram pictures for exhibition here and in foreign countries.

Happy Birthday

Best wishes to THE FILM DAILY on the following of their birthdays:

JULY 31

James Flood

Charles Chalmers

Robert Bennett

Fred C. Guinery

T. E. SHA SUCCEEDS KNOX

T. E. Shos succeeds Knox as vice-president of Erpi, effective Aug. 7. The new vice-president, who is known for his own interests to July 15 due to ill health, was appointed at the week-end. Election took place at a special meeting of the Erpi board of directors Friday afternoon.

Levy Ends First Swing of Kent Sales Campaign

First sales swing by the 20th-Fox Kent Drive leader this year was concluded Friday with a meeting at the New York exchange. M. A. Levy, drive leader, and Roger Ferri, editor of the company house organ, Dyna, visited all the company’s U. S. and Canadian branch offices on their seven-week trip.


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MISS AMERICA

has a new "BEAU"!

Fifteen years ago when Paramount released the silent version of Percival Wren's, “Beau Geste”, the women of America went absolutely hysterical about the picture, which piled up never to be forgotten grosses. Now Miss America has a new “Beau” . . . Gary Cooper in Paramount’s new “Beau Geste” . . . Already at sneak previews women are weeping, cheering, going completely haywire about the William A. Wellman production. And those who saw the old “Beau Geste” tell us we’ve surpassed our earlier triumph by miles. “A great cast”, “Gary is wonderful”, “Ray Milland and Bob Preston are great”, “Brian Donlevy makes a perfect Sergeant Markoff” . . . and there’s gold in those words. “Beau Geste” is set to start another parade of women to the box office.

Paramount is set to start the season with another in Paramount’s mounting succession of box office smashes.

It’s Paramount’s Year!
HOW TO START THE M-G-M's winning streak electrifies the industry. "ANDY HARDY GETS SPRING FEVER", "LADY OF THE TROPICS" "WIZARD OF OZ" a few among M-G-M's Multi-Million Dollar Summer Life-Savers! And here's how our New Season starts!
The opening gun from M-G-M is sensational! On September 1st comes the smash attraction "THE WOMEN", already the talk of the West Coast and just the first of a flock of New Season Hits! Friendly Company indeed!
PARA'S '39-40 LINEUP
READY BY YEAR END
(Continued from Page 1)
"has regained its old stride" and is
"now functioning in a manner I did
not believe possible in the short time
that Y. Frank Freeman and William
LeBaron have been in charge."
"Waste, unproductive and non-
profitablecreative and producing tal-
ent have been reduced to almost a
minimum," the Para, exec. added,
pointing to the number of next sea-
son's films already finished as proof
of the high efficiency.
"Paramount has made rapid
strides in the past four years," he
said. "Its morale and financial posi-
tion are at a 10-year peak. It is
operated by a group of men to whom
hours or days of the week mean
nothing. They are as loyal and sin-
cere a group as can be found any-
where."
"Paramount has the world's larg-
est theater organization. It is inter-
ested in more theaters than all of
the major production-exhibition units
combined. These divisions are op-
erated by the most successful theater
operators in the United States. Men
who occupy the same relative posi-
tion in the territories as N. L. Nathanson holds in the Dominion.
You can therefore appreciate the
aggregate strength represented in Par-
amount's manpower and properties.

Declare RCA Dividends
Dividends of 87½ cents per share
on the 1st preferred stock and $1.25
per share on the "B" preferred stock
for the period from July 1, 1939
to Sept. 30, 1939, were de-
clared Friday by the Board of
RCA. Payments will be made Sept.
30 to holders of record Sept. 8.

To Enforce Chi. Games Law
Chicago—Corporation counsel of-
ice has served notice on theater
operators that infractions of the city
ordinance of 1901, prohibiting
lotteries, games of chance, and cash
giveaways will receive court action.
Col. Martin Foss, in charge of the
department, said that the State Lake
Jitterbug contest and Doctor IQ
cases will receive further attention
from city authorities.

WEDDING BELLS
Joseph Mankiewicz, M-G-M pro-
ducer, and Rose Stradner, screen
actress, were married in New York
Friday afternoon at the home of
the bridegroom's sister, Mrs. Irma
Stembuch. The bride is a Viennese
by birth and made her American film
debut with Edward G. Robin-
son in "The Last Gangster." Manki-
wicz is a graduate of Columbia
University and is a former news-
paper man.

THE FILM DAILY
Monday, July 31, 1940

SEPARATE PIX PACT
SEEN AS JAP. HO
(Continued from Page 1)
be the working out of a separate
agreement with the Tokyo gov-
ernment which would exempt mov-
ing pictures. This opinion was ex-
pressed Friday by Al Daff, Universal in-
ager for the Far East. Daff said, point-
ing out Universal's gross revenue in Ja-
pan this year has been the biggest
the history of the company. A separate agreement to ex-
clude films might be possible inasmuch
American pictures are the most
popular in Japan, Daff said. How-
ever, he could make no forecast
until he returned to Tokyo or if the
situation adjusts itself.

Revised Code to be Ready
This Week, Rodgers Stal
(Continued from Page 1)
of this week, W. F. Rodgers, spo-
mans for the distributors, said Friday.
The revised code is said to be
up satisfactory factors, Rodgers ad-
said that "we hope to give the
information in a few days."

P. A. Yagi for Safetepost
West Coast Bureau of THE FILM DAILY
Hollywood—Palm Tree, wri-
ting on the Saturday Evening Post, is
to town to chronicle the exploits of 2
press agents, Bill Hebert, How-
Strickling, Russell Birdwell and H.
ny Brand.

"Zamboanga" in Balkans
AmerAnglo Corp. announces
sale to National Pictures Corp.
the Philippine novelty feature, "Za-
boanga," for the Balkan territory.

Edwin Fabian, of National, Pict-
ads is assisting in the production of
are special versions, in the language
the territory, will be made.

Stahl Pix Opens Aug. 11
West Coast Bureau of THE FILM DAILY
Hollywood—World premiere of
"When Tomorrow Comes," new Uni-
versal film produced by John
Stahl, has been set for Aug. 11
the Hollywood Pantages.

STARKS!
There's a new daughter, Joan An
to the family of John A. Caskin.
general press rep, of RKO Great
New York Theaters. Christening
set for Joan of Arc Church, Ja-
son Heights, Aug. 13.

West Coast Bureau of THE FILM DAILY
Burbank—Dick Foran, current
lead in "Lady Detective" on Warner Bros. lot, is pass-
out the cigars as proud father of
baby boy.
Fix Execs. to Attend Schine Meet, Opening Tomorrow

In the Saddle as Schine Managers Stage Roundup

GLOVERSVILLE

HEADED by J. Myer Schine as president and Louis W. Schine as vice-president and general manager, the Schine organization has a personnel that clicks like a well-trained regiment. One of the most efficient, and at the same time most jovial of the staff is John A. May, former banker, who came with the company in 1925 as comptroller. In charge of finances, he has shown marked ability.

Miss Florence Thompson, smiling and gracious office manager, is an early Schine employe. She has a marked faculty for organization and administration.

Chief Film Buyer George V. Lynch is the “Peter Pan” of the force, in that George, outwardly at least, “never seems to grow up.” His slim figure and dark hair belie both his years and his responsibilities. He has been with the Schines since he was a youth, and delights to tell how Louis Schine made him janitor of the old Hippodrome, so “I wouldn’t have to sneak my way in, but could see the show honestly.” This friendship between employer and employee, which began in these early days, has grown steadily. A keen sense of what brings the coins in at the box-office and a reputation for thorough and fair dealing has made George an industry favorite.

Louis Goldstein, chief booker, is the quiet, winning type of executive, who never raises his voice and always has a smile for the most trying of situations. He is assisted by William Kraemer, Joel Golden Harry Thompson (recently a bridge-room, by the way), Seth Field and Harold Graves.

HAROLD F. SLITER, executive assistant to Louis W. Schine in charge of theater operations, is the “go-getting” personality around the home office. Called “Snappy” by his close friends, he is a great favorite with newspapermen. Well-versed in the essentials of theater operation, he was with Paramount-Publix and later assistant to Charles Cabellera with the Fox and Skouras organizations.

Gene Curtis heads the publicity and advertising department, keeping the theaters supplied with the latest in sales campaign bulletins, editing the house organ, preparing ads and trailers and answering the numerous inquiries of Film Daily’s correspondents. He is a graduate of Stanford, a former teacher of advertising methods, and top man in several award competitions.

Guy Schueser, efficient and quiet, is in charge of construction and maintenance. He has been with the company since 1923. Assisting him is J. Dewey Lederer, graduate of Yale School of Engineering.

Frank M. Bou cher is one of the newest Schine executives, only recently being promoted from his post as manager of the Glowetheater here to home office representative in the Maryland division. “Tall, dark and handsome,” with traces of Southern accent (for which he began nobody’s parody), Frank, formerly with Warner Brothers and of long experience in the theater in the South, has made an enviable record since his advent with the Schines.

E. Douglas Leishman, handsome Scot, heads the personnel and expense control department. With

Shining with the Schines

By J ACK BRADY

Schine Enterprises convention, opening tomorrow in Gloversville, will bring to the upstate city the circuit’s managerial manpower from five states.

Looming prominently on the program are the execs pictured here. L. W. Schine (Continued from Page 10)
SYMBOL OF THE BOX-OFFICE TRUTH THAT A REALLY GREAT PICTURE MEANS SMASH BUSINESS SUMMER or WINTER...
FIRST 7 ENGAGEMENTS ALL HOLD-OVERS

RADIO CITY MUSIC HALL, NEW YORK
2 smash weeks send combined gross to $170,000. as picture plays to over 400,000 people.

PHILADELPHIA
Held over second week in Warner’s ace house, the Stanley, playing to biggest summer business in recent years.

NEW HAVEN
Two sensational weeks at Roger Sherman Theatre roll up terrific box-office take in sock engagement.

HARTFORD
Stand-out business at Strand forces move-over to Regal where run continues at sensational pace.

ATLANTIC CITY
Apollo gross sets picture in for indefinite move-over to Strand where it tops every competing attraction.

ASBURY PARK
Paramount summer receipts soar to top figure and run extended in move-over to Ocean Theatre.

SAN FRANCISCO
Third week at United Artists Theatre at highest admission scale and only single feature in town.

RELEASED THRU UNITED ARTISTS
A "Little" from Hollywood "Lots"

By RALPH WILK
Coward Playlets to Metro


Gerry Fitzgerald Opposite Flynn Geraldine Fitzgerald has been penciled in by Warners to play the female lead opposite Errol Flynn in "Captain Hornblower," British sea epic adapted from best selling trilogy by C. M. Forrester. Hal Wallis plans to produce film in England. Present plans call for Flynn to make it next Spring up on completion of "The White Rajah."

To Team Tone and Sothern Franchot Tone and Ann Sothern will be teamed by Metro in an original story by Harry Kurnitz temporarilly titled "Fast and Furious." Busby Berkeley will direct this production, the cast to include4 events are Grey, Lee Bowman, Huntley Hugine, Jerome Cowan, Bernard Nedell and James Burke. Frederic Stepanhi is producer. Para. Re-Titles Two Pix Paramount announces new and final titles on two pictures now in production. The Madeleine Carroll-Fred MacMurray picture formerly called "Are Husbands Necessary?", "My Love for You," "True Woman" and "A Love Story," will be released as "My Love for Yours" and "Television Spy" has been set as the final title for the picture formerly called "The World on Parade."

Universal Seeking John Payne Universal is seeking to borrow John Payne from Warners for a leading role in "Green Hell." Warners, however, have scheduled actor for choice part in "The Fighting 69th," which may have time conflict with "Green Hell."

Metro Acquires Properties Metro has acquired film rights to Eric Ambler's novel, "Cause for Alarm," published by Knopf, and to four original unpublished stories. The original stories are: "The Man on America's Conscience," by Alvin B. Myers and Lowell Brodau; and three stories written jointly by Nat Ferber, George Bricker, and William Dover, titled "Red Butterfly." The Plague Fighter" and "No More Hunger." The character of Joe Turp, featured by Damon Runyon in "A Call to the President," and other stories, has also been acquired for pix by Metro.

Hopkins-Davis to Team Again Because of Miriam Hopkins' fine performance in "One More Tomorrow," Hal Wallis is considering a plan to team her with Bette Davis again in "Devotion," story of the three Bronte sisters, which James Hilton is now writing. Edmund Goulding, who directed "The Old Maid," is set to direct the Bronte story.

Metro Signs Three Writers New writing contracts are announced by Metro with John Higgins, Frederick Faunt and William Thiele. The latter will be active both as writer and director.

"Brother Rat and the Baby" Fred Kinkelhoffe and John Monk, Jr., have completed their screenplay, "Brother Rat and the Baby," and have checked off the Warner lot. Priscilla Lane, Eddie Albert, Wayne Morris, and James Dean, William Wyman and Ronald Reagan are set for top roles in this follow-up to "Brother Rat."

Taurog on New "Melody" Norman Taurog will direct "Broadway Melody" in 1940 color. Hal Fred Astaire and Eleanor Powell, at Metro. Jack Cummins will produce.

Schine Convention Will Call Industry Executives

Circuit gathered at an intimate dinner at the swanky Pine Brook Country Club here.

Thursday night, an outdoor steak roast, served in the Schine style, will be staged on the grounds of Adirondack Inn, Sacandaga Park. Broiled over open fires, with "all the fixin's and then some," the roast last year was the talk of the convention.

Friday will mark the closing session, with a general business meeting of Schine managers and a gathering up of loose ends. L. W. and J. Myer Schine will give the concluding addresses.

Key Executives Will Attend Schine Enterprises Convention

Key executives of all major and leading indie companies will comprise the New York contingent attending by invitation, the annual convention of Schine Enterprises at Gettysburg.

Among those who have signified intentions to be present at the Wednesday night and Thursday day events programmed are Herman Webber and William Sussman, 20th-Fox; Roy T. Haines, Arthur Sachson, Warners' general counselor; Leo Weinberg, Maurice Bergman, Columbia; many years of experience both here and abroad, he trains many a college graduate for Schine managerial post.

Al Marquace, assistant to Leichman, heads the statistical department, while Francis Barter is in charge of insurance. Maurice Glock-

\* \* \* Shining with the Schines \* \* \*

(Continued from Page 2)

Life Eyes Hitchcock
West Coast Bureau of THE FILM DAILY

SLRB Continues Hearings

Hearings in the "TMAT-Ruggo & Becker case before the State Labor Relations Board will be continued today, adjourned from Friday afternoon. Two employes of the theater circuit testified Friday.

man Robbins, George Dembow, National Screen Service; Willard McKay, John Ebersorn, William B. Groat, Robert Hall and Lou Goldberg.

Convention officials have sent notice to the contingent members that two or three, prominently placed, will be reserved on the New York Central's Upstate Special leaving New York at 8:35 p.m., E.S.T., and arriving in Fonda at 7:58 p.m., E.S.T.

Managers Assembling For Schine Circuit Conclave

(Continued from Page 7)

O'Neill, Halfford, Belfontaine; Milk Brey, Russell, Broyan; Ural Buck, Civic, Posteria; Ted Barker, State, Posteria; Bob Anthony, Pines, Pantages, B. Shreiber, Catalina; Shelly: Dave Britton, Kitz, Tiffin; George Bricker and Gambling.


KENTUCKY — Eddie May, Hyperboreum, Corbin; Leon Scott, Margie Grand, Harlan; Neil Scott, Liberty, Pikeville.

NEW YORK—Harry Underfort, Keith's; Pat McGee, Eke; James McAllister, Pahoa; Life Wright, Paramount, Syracuse.

Beryl Mercer Dead
West Coast Bureau of THE FILM DAILY
Hollywood—Beryl Mercer, 57, for years an outstanding character player, died in Santa Monica Friday.

Morton Selter Dies
London (By Cable)—Morton Selter, 79, stage and screen actor, is dead here. He had just completed a role in Michael Anderson's "The Thief of Bagdad."
From the Blazing Tropics to the Frozen North...

THE TRIUMPHANT STORY OF THE SERVICE THAT NEVER SLEEPS!

COAST GUARD

Randolph Scott • Frances Dee • Ralph Bellamy • Walter Connolly

Screenplay by Richard Maltz, Al Dufy, Harry Segall
Directed by Edward Ludwig

A COLUMBIA PICTURE
**REVIEWS OF THE NEW FILMS**

**“Frontier Marshal”**
with Randolph Scott, Cesar Romero, Nancy Kelly
20th Century-Fox 71 mins.
RATTING GOOD WESTERN GIVES RO- MERO AND SCOTT STRONG ACTION.

A bang-up western of the early days serves principally to give Cesar Romero a send-off for rough horse parts in the classic horse operas such as “Globo Kid.” In fact Romero and Randy Scott divide honors equally, but Romero is much the more glamorous figure. Scott strikes the beholder as being a little too amiable for the role of a tough frontier sheriff. The production is a good job in recapturing the rough and bawdy atmosphere of the early western camps, of which Tombstone was the wildest. Scott is inducted in a manner after he gives the bad man, Joe Sawyer, a terrific beating. There is rivalry between two dance halls. Romero as the most feared man and the best shot of the territory, makes friends with the new mar- shal when the latter saves his life from a murderous villain who is shot by Binlie Barnes, a dance hall queen who is infatuated with Romero, and Nancy Kelly, the old flame of his who has followed him west. Thus the ingredients are all as- sembled for a lot of thrilling incidents, which develop rapidly. There is a holdup of the usual cactus variety, and the bad man and his gang, backed by John Carra- dine, who runs the rival dance hall. Scott and Romero fight off the gang, and return with the bullion. This starts a showdown fight in the town. Romero is killed, and Scott avenges his death by wiping out the gang. Good comedy by Eddie Foy, Jr.

CAST: Randolph Scott, Nancy Kelly, Cesar Romero, Binlie Barnes, John Carradine, Edward Norris, Eddie Foy, Jr., return the Lon Chaney, Jr., Tom Tyler, Joe Sawyer, Del Henderson, Harry Hayden.

CREDITS: Producer, Sal Wurzel; Direct- or, Allan Dwan; Scenario, George Stone; Lake Screenplay, Sam Hellman; Cameraman, Charles Clarke; Editor, Robert Bischoff.

DIRECTION, Very Good. PHOTOGRA- PHY, Good.

**“The Ware Case”**
with Clive Brook, Jane Baxter, Barry Barnes, Gaume British.
EXCELLENT MURDER MYSTERY WITH FINE BRITISH CAST AND DIRECTORIAL TOUCHES.

A highly enjoyable and engrossing murder mystery, that combines a most in- telligent story, clever direction and some of the best acting by a group of players seen in one film in a long time. This British production by Michael Balcon is easily one of the most absorbing and clever murder mysteries of the year. Its principal importance is in bringing back Clive Brook in a splendid characterization that he han- dles with consummate artistry. He is a British aristocrat come upon hard times which he refuses to recognize, being gaily irresponsible, and this makes his pretty sen- sible wife, Jane Baxter, to distraction. The film opens with a court trial, with the jury in the box in their cap and apron. As they review the evidence, that be- comes the film the audience sees. The character of the likeable but irresponsible aristocrat is well filled by the inci- dients, his fondness for his wife yet his weakness for other women; his extrava- gances, his likes and dislikes. Then the sudden murder of the wife’s brother, a rich man whose money inherited by her can save Brook from losing his ancestral estate. Then there is that other clever actor, Barry Barnes, who plays the steady barrister, friend of the couple and secretly in love with the wife. He defends Brook charged with the murder on circumstantial evidence and the testimony of his game- keeper. He is freed. Then comes the sock thrill with the dramatic admission by Brook that he killed the brother-in-law. He burks himself to his death from the balcony into the midst of the horrified ten- ants below who have gathered to celebrate his exoneration. Jane Baxter is in the box. Suddenly, there is a splendid work of Clive Brooke, the unquestionable murder mystery; the dra- matic surprise at the climax.


CREDITS: Producer, Michael Balcon; Di- rector, same; Author, George Pleydell Bar- craft; Screenplay, Roland Pertwee, Robert Stevenson; Cameraman, Ronald Neame.

DIRECTION, Excellent. PHOTOGRAPHY, Very Good.

**Montreal Exhibis, Fined**

Montreal—Thirty-nine cases in- volving admission of minors under 16 years of age to several local mov- ing picture theaters brought fines totalling $460. A plea of guilty was entered in each case. Infrac- tion Pante Placed an order of $40 and $15 in costs in two instances and $10 and $5 in the other 17 cases. The court’s verdict cleared all such cases before the municipal tribunal from the rolls.

**Curry Back in Pix Biz**

Pittsburgh—Irving D. Davis has just sold the Strand Theater, Mon- treal to Col. H. Curry, who retired from the theater business several years ago.

**“Overland With Kit Carson”**
Columbia 28 mins. 1st Episode Actionful Serial Should Please Fans.

Starting off with a bang, this new Columbia serial about the settling of the west is employed. The cast, headed by Bill Elliott, Iris Meredith, Richard Fiske and Bobby Clark, is capable, and a choice assortment of villains have been rounded up for the picture. A gang of killers headed by a mysterious man with a peculiar which has dreams of an empire if the white settlers can be kept out of the country, starts a campaign of murder and arson to drive the settlers away. Kit Carson, noted scout, is drafted to tackle the gang with the co-operation of the army. The first episode is filled with punch and every indication points to action and suspense right to the finish.

Robins to make this two-reeler a stand- out for any installment with the essay roles respectively of employ and boss. Red Skelton, because he couldn’t fix the boss’ swivel chair as he so to not to precipitate its own on floor, is fired with the responding threat that he will haunt the bed of the day before the film’s over. There are some laughs, but film as a whole is not up to their usual standard, Charlie Chase directed.

**“Seeing Red”**

Vitaphone 20 Mins. Standout Two-Reeler.

In addition to the frothy and amusing story which is utilized as a vortex around which can logically revolve the presentation of The Merry Man, this Cochrane, Louis Da Pron and John Regan, there are the antics of Red Skelton and A.

**“There Goes Rusty”**
(New World of Sports Issue) Columbia 10 mins. Interesting Sport Short.

Devoted to showing the training and racing of fleet greyhounds, this film gives interesting insights and asklighted on the popular sport of dog racing. First we see the young dogs being trained for the track, and then actual races at the beautiful Miami Beach Kennel Club in Florida.

**“Hollywood Sweepstakes”**

Lighting, a crack horse training for the Hollywood sweepstakes at Santa Aneteater Park, falls in a pool of water and catches a bad cold. His stablesmate an underrized pony, steals his blanket the day of the race and enters under the name of Lightning. A heavy rain turns the track into a slush, and the spur- tuous Lightning wins the race by some fancy antics.
**Film Code Analyzed**

**By Louis Nizer**

**EDITORS NOTE:** THE FILM DAILY today presents the twenty-sixth installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 20) by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the laws of motion, stage, and radio. Preservation of the daily installments, now devoted to the Rules of Arbitration, is recommended.

**Installment No. 26**

**X. AWARDS**

**Award in Favor of Complaining Party:** An award in favor of the complaining party shall contain:

(a) Statement of the claim decided, and
(b) The procedure if any is necessary to be followed in carrying out the award.

**Award Against Complaining Party:** An award against the complaining party shall dismiss the claim for lack of merit.

**Assessment of Costs:** Each award from a Special Arbitration Board (as distinguished from the Permanent Arbitration Board) shall include an assessment of costs of the Arbitration Board.

**XI. LOCAL RULES AND REGULATIONS**

The Permanent Arbitration Board may establish such rules and regulations as are considered necessary or proper to facilitate the arbitration of disputes. Such rules, however, may not

(a) Be inconsistent with the Rules of Arbitration or the Trade Practice Code, and
(b) May not enlarge the additional powers upon any arbitration Board.

**Preferences:** The Permanent Arbitration Board shall establish a special class of disputes which are of a type which require prompt and immediate decision. Preferences shall be given by Permanent and Special Arbitration Boards to such hearings and the decision shall be expedited.

(Twenty-seventh and final installment will appear in an early issue.)

**Games Returned to 30 New York Spots**

(Continued from Page 1)

...on the West Side between 34th and 72nd Streets.

Practically all the circuits had participated in the games ban which had to be lifted, it was said over the week-end, because of the patronage being attracted by prize nights in non-theatrical establishments.

**Three Pix and As Many Cups and Saucers for $5c**

Chicago—Seven theaters used triple bills, over the week-end while the same number featured premiums. Nine houses gave glassware, dolls and dinneware. The Harvard Theater featured kitchen items, the Eastside Theater for dairy services.

Giveaway competition on the Northwest Side has climaxed with the Rio Theater management giving three cups and saucers and three features for 15 cents.

Even Balaban & Katz are using premiums heavily at their Will Rogers Theater, using dinneware. The Crystal and the Biltmore are using silverware and dinneware premiums, while the Terminal Theater at Kedzie and Lawrence Ave., uses silverware.

The Warner theater circuit has shelved premiums and is using bath beauty and twins contests in some situations as business stimulators.

Jitterbug contests, under Sam Herman direction, are being used by Balaban & Katz at the Loop State Lake theater, while Jones, Linick & Schaefer are using amateur vauavle Monday nights, giving the winner, a week's engagement at the Oriental Theater.

**"Four Feathers" to Open At N. Y. Capitol Friday**

...making deal closed at the week end by Harry L. Gold on behalf of UA and Joseph Vogel, acting for the Loew circuit.

In terms, playing time and other attractions, the deal represents one of the highest prices ever offered by the Capitol and Loew's for a film, it was stated.

"Four Feathers," which with UA inaugurates its 20th anniversary, is the first UA pix to play the Capitol and may presage a change in the exhibition of the distributor's releases such as is the case with Loew's.

Loew's is giving "Four Feathers" priority and right of way, and the pic will later simultaneously play all Loew circuit naves, it is said.

**TMAT Asks Alien Ruling by Department of Labor**

Springfield, Mass. — The TMAT union here is petitioning the Department of Labor to make a ruling in alleged cases where theaters have replaced discharged "front of the house" employees with aliens. The TMAT has leveled one specific charge against the Goldstein circuit on this charge, according to Harry Storm union spokesman here.

Storin also charges that plans are being made to employ aliens in another theater where employees have filed charges of discrimination with the National Labor Relations Board.

The Paramount Theater here is scheduled to reopen on Aug. 10. It is reported that the house may use a stage show when it reopens. When the house was shuttered, a lockout charge was brought against the operators by the TMAT.

**Right to Criticize Scores in Survey**

By an overwhelming majority, American readers believe that newspapers and magazines should have the right of honest criticism about films even if it injures their sale and lessens the income of producers, according to results of a survey made by Fortune magazine.

Question was one of a series of queries and brought an affirmative from 81.6 per cent, a negative from only 11.2 per cent, with 7.2 per cent saying they don't know. Films were linked with books in the question.

Right to criticize under the same conditions was upheld in the instance of a quality of a brand of gasoline, 72.8 per cent; labor policy of an employer, 60.1 per cent and the way a company operates its business, 58.4 per cent. Negatives in these three cases, respectively, were 17.2, 28.1 and 31.4 per cent, while "don't know" percentages, respectively, were 10, 11.8 and 10.2.

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**Theater Acoustics, Subject of Academy Investigation**

West Coast Branch of THE FILM DAILY Hollywood, Calif. — The Academy Research Council's theater, Standardization Committee is pressing an extensive investigation of theater acoustics, under the direction of a subcommittee consisting of Jack Burst, chairman, Fred Albin, Lloyd Goldstein, Don Love, and Michael Rettinger.

The committee will attempt to work out standard methods for making acoustic measurements and will also consider the possibilities for correlating studio review room measurements with these acoustics, for the purpose of establishing a "judgment factor" for evaluating room listening tests with theater listening tests.

As a first step a series of acoustical measurement tests and experiments will be conducted in a review room being made available to the committee through the co-operation of Columbia studio for the next 60 days for these tests.

Theater sound equipment and service companies which will co-operate with the Research Council in this acoustic investigation are the Altec, Dominion Sound Equipment, Ltd., Boston, International Lansing, Stinson Manufacturing Co., Northern Electric Co., Ltd., and the RCA.

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**Free Pix Aid Midway**

Youngstown, O.,—Art Mallory, owner-manager of nearby Craig Beach Park, has inaugurated a policy of free move shows, and in New York, he has been introducing beer garden. Programs include shorts, newsreels, and educational subjects. Mallory says movies help stimulate night patronage on the midway.

---

**NBC Improved Tele Units in Service**

With new technical features, the NBC mobile units will now be able to return service to New York area viewers with three outdoor programs—weekly. They will be presented on NBC Radio, Friday and Saturday afternoons at 4 p.m.

First program will be a demonstration of life saving methods at Astoria Pool, on Wednesday by the Red Cross. Thursday's telecast will be a relay from the New York World's Fair and the week's third outdoor program will be a water ballet at Manhattan Beach.

NBC television engineers say that the transmission on the NBC channel will now be more clear with this change in series.
only one-fifth of the net profits derived from the picture, together with such allowances as remain to be computed and determined pursuant to the reorganization of the original of the suit to the U. S. District Court.

Both the plaintiffs and defendants have certain contentions pending as to allowances, determinations which will probably increase or decrease the original award of $532,000 granted by the District Court to the plaintiffs, but the adjusted amount is not expected to vary greatly from the original award, since the Circuit Court ruled that the profits on the infringing picture must be apportioned between the value of the infringing "Lynton's Lady" and other factors such as the drawing power of stars and directors.

The 22-page opinion written by Senior Judge Samuel H. Koenig, and concurred in by Judges Robert P. Patterson and Harris B. Chase, reversing the decision of Federal Judge Vincent L. Leibell, directed a new hearing on the suit in order to compute damages in accordance with the terms of the opinion.

High court's decision also went into the computation of profits, and upheld the report of Special Master Gordon Archincloss to a large extent, ordered certain modifications in his methods of fixing the net profits.

Counsel Fees Also Cut

Decision also reduced an award of $56,000 given to O'Brien, Driscoll & Rafters, attorneys for the plaintiffs, to $35,000.

The opinion of the major part discussed the question of whether the plaintiffs were entitled to all of the profits which the plaintiffs contended, to the proportionate value of the story infringed upon.

The Court felt that, although the question was not free from doubt, it would be manifestly unjust for the plaintiffs to receive all the profits, and remarked that the reputation of Joan Crawford and Robert Montgomery, stars of the picture, "had stood very high in the public esteem in 1932" and was undoubtedly the film's greatest box-office attraction.

Judge Hand pointed out that a large number of producers and exhibitors had testified that the value of the story had been between 5 and 12 per cent and that the plaintiffs had in no way contradicted this evidence.

The Court stated, however, that the defendants were wrong in arguing that the value of the play was fixed by the amount which the plaintiffs had asked for during negotiations for its sale to M-G-M previous to the production of "Letty Lynton." The Court stated emphatically that the defendants "were not innocent offenders, they deliberately played their cards and therefore could be credited only with actual cash expended in computing the net profits." Court refused to take into consideration the value of the defendants' reputation as a box-office attraction because, Judge Hand felt, the plagiarists had been deliberately

Share Fixed at One-Fifth

In conclusion, the Court stated "We will not accept experts' testimony at its face value; we must make an informed guess as to the proportionate value of the new profits and expenses of the picture. The same time it overruled the defendants' objections to a number of other rulings. Among these rulings were that distribution costs should be computed by a division of the total number of pictures distributed in 1932 into the entire cost of distribution for that year; that foreign profits must be included that profits of Loew's subsidiaries were to be estimated in the net profits of the picture; that the allocation of overhead expenses was proper; that no estimated deterioration or continuations in the studio could be charged to the picture; and, finally, that a loan made by Loew's, Inc., to M-G-M could not be considered in the deductions.

On the other hand the court held that the Special Master was wrong in allowing a deduction for income tax payments.

The decision also held that losses by exhibition of the picture in certain unprofitable domestic theaters would not be charged against the plaintiffs, but that this rule would not apply to foreign exhibition.

At the same time the Court held that the Master's ruling that "idle time" of stars and personnel could be allocated proportionately to the picture; that one-fifth of the profit of the picture was deductible; that allowance of overhead, where the overhead aided production of the picture, was proper; and, finally, that allowance on completed pictures never exhibited, and scrapped negatives, could be allocated proportionately.

 Organization of Cashiers
And Uskers Speeded by IA

Organization work by the IATSE among ushers, cashiers and other theater employees not under the jurisdiction of other A F of L unions was speeded up last week in the RCA circuit in New York, with IA execs. reporting at the week-end that organization was just under the 100 per cent mark. Move was taken quickly by the IA when a threat was made by the CIO to move into this field in New York. A writ which by the IA will expand its theater organization campaign immediately to other key cities.

Schoenstadt Prepares to Reopen Four Houses

Chicago—Arthur Schoenstadt says the Schoenstadt circuit will soon reopen four screened Keywood theaters, which have been closed during the Summer months.

The circuit will also spend $30,000 for improvements of the People's Theater at Ashland and 47th St.
American Dists. May Re-enter Italy (Continued from Page 1)

prior to his sailing that he was going over strictly for a vacation, Pettjohn told The Film Daily that he hoped he could see what could be done to improve the relationship between Italy and the American distributors. There is no reason why the situation should be the way it is, he said.

Pettjohn was accompanied by his wife and son.

Italian Theaters Confronted With Serious Film Shortage

Urgent distress signals are appearing in Italy as result of the 1938 Fascist decree which set up ENIC, London (By Cable)—Italy's ENIC, drastically seeking film product here, made an offer for a British-made production of a U. S. major but was rebuffed. U. S. company offered to revalue its British partner for its loss by the refund.

Government film monopoly bureau, and quickly precipitated complete withdrawal from the Italian market of U. S. major and principal independent companies.

Exodus of the American distributors has brought about a distinct shortage of acceptable product for Italian exhibition outlets, and coincidentally created a critical situation as far as the Government is concerned, since both the trade and the public looks to officialdom for its screen entertainment. Latter is not only embarrassed by inability to furnish features, but is having trouble presenting a reasonable explanation of the worth of ENIC, which was propagated as a great forward step toward rehabilitating Italy's film fortunes.

September, says Julio Castelli, for several years sales manager in Rome for one of the principal American companies, will see Italy's film famine on in earnest, since by that time even the small existing residue of U. S. product will have become exhausted.

Agents of the Italian Government, having failed to have any worthwhile product from American sources, have recently been going through British companies, with a fine-tooth comb. Only a few outdated or unimportant productions have, it is learned, been culled, because English wings of the industry very logically figure that if the U. S. couldn't get prices and subsequent revenue out of Italy, there is no inducement to the British.

The racing process has also been on in Germany and France, with dearth of good results for Italy, and well-informed channels in Rome declare that the Fascist agent, in the processes of panic, have even gone so far as to grab some Japanese pictures and some from India.

The Week in Review

Schafer Heads RKO

facing more anti-trust actions from D of J. . . A legislative development of wide interest was veto of the Illinois anti-duels measure by Gov. Henry Horner on ground that measure was unconstitutional.

OTHER HEADLINES: Nicholas M. Schenck, Loew's proxy, revealed Metro's gross biz during last 12 months is up more than $2,000,000, achieved despite foreign market shrinkage. . . Summer re-issues of 10 pix companies disclosed 50 per cent decline. . . Formation of new parent company, Radio-Video Tele-

tion, with John E. Ottersen as proxy, was formally announced. Wall St. sources asserted that the underwriting plan for the organization calls for $6,000,000.

FOREIGN

FRENCH VISA NIXING: Paris reports said that abolishing of film visa system was imminent, thus opening market wide to film of other countries. Reported move was held essentially a "good-will gesture" toward the U. S., since Hollywood bid, because of its popularity with French audiences, would be inclined to benefit most.

** ** **

JAP MINT CRISIS: State Dept's denunciation of the 1911 U. S.-Japanese commercial treaty caused uneasiness in pix circles, the latter fearing that, with expiration of the treaty, and possibly before late January, 1940, at which time the agreement would actually end, American product would cease to find an outlet in the Japanese Empire, as well as in those parts of China under Japanese domination.

** ** **

CHINA GIVES ANXIETY: American companies may be forced to suspend operation in China in the near future, due to decrease of Chinese dollar to nine cents against the U. S. dollar at the current rate of exchange, and the more serious difficulties in doing business in that country presented by the heavily duplicated duty charges.

Mrs. Gommarsall Is Hostess

Chicago—Mrs. Peck Gommarsall, wife of the manager of the Universal exchange, was host to Mrs. Clyde Eckhardt, wife of the manager of the 20th Century-Fox exchange, and the wives of other Chicago managers at a silver anniversary dinner in honor of the Eckhardt silver anniversary celebration.

Improve S. Chi. House

Chicago—The H. and E. Baibar circuit, which will soon start a new promotion program on their Commercial Theater in South Chicago.

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—Film Daily

"Fits easily into the top niche"
—Daily Variety

Directed by William Nigh
Associate Producer
William Lackey
Based on the "James Lee Wong"
Series in Collier's Magazine
written by Hugh Wiley

A MONOGRAM PICTURE
Winners as Parley Opens

By JACk BRAcY
FILm DAILY Staff Correspondent

Gloversville, N. Y.—Theater managers, associates personnel and leading figures in the film industry gathered yesterday in this city in the foothills of the Adirondacks for the

35 Circuits Operating 16MM. Shows in Indiana Territory Hurt Theaters

By HOWARD M. RudeauX
FILm DAILY Staff Correspondent

Indianapolis—Indiana theater operators are becoming more and more concerned over the growth of 16 MM. in the state. At present there are some 35 circuits of about six towns each that are reportedly adversely affecting b. o. receipts of established theaters; in not less than 200 towns.

Operators as a rule are college

(Continued on Page 2)

Theater operators are becoming more and more concerned over the growth of 16 MM. in the state. At present there are some 35 circuits of about six towns each that are reportedly adversely affecting b. o. receipts of established theaters; in not less than 200 towns.

Operators as a rule are college

(Continued on Page 3)
Confirmation of Orpheum Report Sought by Olney

Peter B. Olney, Jr., referee in bankruptcy, will apply to Federal Judge Murray Hubert tomorrow for confirmation of a final report of Orpheum Theater Co. which he filed yesterday in Federal Court.

Company, operating St. Louis theaters, folded six years ago.

In the report, Referee Olney stated that $28,516 remains in the estate for payment of fees and commissions and for distribution to creditors whose claims aggregate $1,425,355.

Report asks for payment of $495 to Kenneth B. Umbreit, $1,500 to Umbreit’s counsel, Davis, Auerbach, Cornell & Hardy, and $2,000 to the Referee.

Irving Trust, as trustee of RKO, is a creditor for $824,028; RKO Orpheum, as assignee for Stadium Theaters, Inc., for $516,807; and Paramount Pictures, Inc., for $300,402.

Film Alliance of U. S. Has 8 English, 7 French Films

Film Alliance of the U. S. will begin the distribution of eight English and seven French pictures in the United States under the control of Arthur M. Wechsberger, executive of the company, who arrived from Europe yesterday on the Normandie. It is reported that he had obtained the exclusive distribution of the Charles Boyer pictures made in Europe.

M-G-M Deals With Warners, NT Near to Closing Stage

New M-G-M product deals with National Theatres and Warner Bros. circuit have been agreed upon in principle and signatures are expected to be affixed shortly. It is reported that the National Theatres pact calls for a three-year agreement.

"Nurse Edith Cavell" Opens At Music Hall August 17

"Nurse Edith Cavell," first Hollywood production of Herbert Wilcox, will have its world premiere at Radio City Music Hall on Aug. 17. Pix will be previewed in Hollywood Aug. 11. Herbert Wilecox, accompanied by Anna Neagle, starred, will start East the following day.

Stadium Case Depositions Await Wilkinson’s Return

(Continued From Page 3)

peared before Federal Judge Michael Igoe yesterday seeking to quash depositions requested by Lewis Jacobson, attorney for Frank Ford in the Stadium theater clearance case. Aaron Stein, Allied attorney, represented Sam Myers, independent exhibitor, another defendant in the case, and agreed to allow his client to make depositions on Thursday.

Attorney Jacobson contended his client, Ford, was seeking better clearance for a particular booking and unless given new, the buying season would be under way with no trouble.

Judge Igoe ruled that film companies and B & K depositions be allowed to go over until the return of Judge Wilkinson before whom the original bill was filed.

Expect 150 Will Attend Conn. EPKO Tournament

New Haven—Over 150 theatre men and their friends are expected at the fourth annual film golf tournament sponsored by Connecticut EPKO today at Riverside Country Club. The day’s activities have been scheduled from 10 a.m. to 11 a.m. the main 18-hole golf event starting at 2:30 p.m. Both luncheon and full-course dinner will be served at the clubhouse, and more than 50 prizes await distribution to golfers and non-golfers.

Irving C. Jacocks, Jr. heads the list of prominent film executives who will attend.

Voc-film Will File Bill of Particulars By Aug. 31

Voc-film Corp. of America was directed yesterday by Federal Judge Murray Hubert to file by Aug. 31 full particulars in the action brought by the company against A.T. & T. and Erpli, who, it was claimed, have monopolized the telephone industry and forced plaintiff out of business. It is stated that the action is based on antitrust laws.

Dietzen Rites Today

Akron, O.—Funeral services for John G. Dietzen of the Royal theater will be held today. His death occurred Sunday from peritonitis, an appendectomy.

Tuesday, August 1, 1935

COMING AND GOING

HARRY M. WARNER arrives in New York shortly to call on friends, will depart on week in Queen Mary.

JOSEPH M. SCHENCK, board chairman—20th-Fox, arrived on the Coast yesterday from New York.

W. RAY JOHNSTON, Monogram producer, arrived yesterday on the Normandie after a European vacation.

CHARLES E. McCARTHY, 20th-Fox director in charge of production and advertising, and LOUIS SHANFIELD, director, flew to the Coast last night.

SPYROS SKOURAS, National Theatres proxy, head left New York last night for the Coast.

NORTA SHEARER, EDWARD G. ROBINSON and MRS. ROBINSON, GEORGE RAFT, SOLAN YOUNG, ROE HOPE and MRS. HOPE, BEN LYN and MRS. LYN, the former Bebe Daniels, sail from New York tomorrow on the Normandie for Europe.


HARRY COHN, Columbia’s president; MILTON SPERING, film writer, and MRS. SPERING, GUILBERT MILLER, theatrical producer and MRS. MILLER, NORMAN Z. MILCEO, film director; and HAROLD DICK, Hollywood agent leave New York for Europe on the Normandie.

JOHN EBERSON, film theater architect, leaves New York last evening for Washington and will return to his local offices in New York before leaving early Thursday morning for Glensville to make his opening concert in Glensville.

HERB BERG, Paramount publicist, returned to his office yesterday, following a two-week vacation in Montana, L. I.

CHARLES ROBERTS, Columbia’s home supervision is expected at the M-G-M and Warners studios in New York yesterday for Mexico by plane where he will spend five days on business.

VIVIAN DONNER, Fox Movietone News’ fashion editor—CASSON KAIN, RKO producer-director; SAM LEVENE, actor; MRS. MORTON DOWNER, wife of the actor-singer; and ARTHUR McLEOD, actor and collector of decorative glassware, have arrived in New York yesterday from Europe on the Normandie.

NET WACHSBERGER, of Film Alliance; MAX STERNBERG, executive of Derham Laboratories; ARTHUR SILVERSTONE, brother of the American Film Alliance, is associated with his brother in England; and SAM BURGER, special sales representative of Warner Bros., are en route, arrived yesterday on the Normandie for the Normandie.

SALZWECH has announced that ROBERT STEVENSON, English director, is contract, and he will sail from London Aug. 9.
Tuesday, August 1, 1939

TINERANTS HURT BIZ IN 200 IND. TOWNS

(Continued from Page 1)

students, who rent the equipment from the circuit operator and pay a weekly rental fee: a small amount and less. — It is estimated that after all expenses are paid the operation net the student about $25 or $30 salary. The shows are held in the public square and supported by local merchants who receive advertisement publicity that is flashed on the screen. Some of the features are of comparatively recent production and some are shorts and cartoons re among those being shown. In any instances the attendance runs well over 1,000 persons.

The itinerant shows are not restricted to theaterless towns. Recently, a show was held directly in front of a theater that happened to be located in the public square of a small town. The itinerant season spans 8 to 20 weeks.

The equipment used by the traveling 16 mm. exhibitors is strictly modern, arc, and excellent sound equipment, and in many instances as good, if not better, than many of the leading theaters in the state, it is said. Some of the 16 mm. pictures are equal as good as the 35 mm. pictures and some better in quality than many 35 mm. shown on the screens of many of the state theaters.

The ATOI, Inc., has fought transient showmen for many years and now claims to be fighting for the stabilized theater's existence. During the 1937 session of the general assembly the law requiring licenses for carnivals, tent shows, circuses and other transient entertainment was repealed. Today they are running wild and the gross income tax division is powerless to follow them.

Wildberg-Skirball May Release Thru Columbia

(Continued from Page 1)

his week, Wildberg said yesterday, he said that they are negotiating with Columbia, but also have several other major release propositions in mind.

Deal will call for at least two pictures, he said. Wildberg has lined up a quintet of important properties, among which is "Angel Is Red" by Sinclair Lewis. Production set by Skirball with his Arcadia Pictures company for Grand National Pictures and other properties will be entirely separate from whatever schedule is undertaken by Skirball and Wildberg jointly, it was stated.

Nazis Aging Disney

Bottle (By Cola) — Actuated apparently by the tremendous world-wide gross raked up by Walt Disney's "Snow White and the Seven Dwarfs," the Nazi film industry will produce its first cartoon feature in color, and has been written especially for the product.


did you say Big Pictures?...handed to the exhibitors for the summer months when he needs all the help he can get...all the majors kicked in with important product...look over the list, and see for yourself that only the exhibitor is to blame if his biz has been dudely.

- - - FROM M-G-M..."And Hardy Gets Spring Fever"...in midsummer it has equalled the top Hardy pic, "Love Finds Andy Hardy"..."Goodbye, Mr. Chips" was nationally released in midsummer...a cleanup everywhere, with 12 weeks in New York and Losang...then "Nazi, the Explosive Blonde" doing swell..."On Borrowed Time" a great novelty that scored editorial comments everywhere for its unusual quality...and "Lady of the Tropics"...and the "Glamour Girls," which looks like a sleeper that will score high...finally, "The Wizard of Oz"...a million-dollar Technicolor smash for August...with an unprecedented ad campaign of $250,000, already in full swing for two months in 43 key cities, 99 newspapers, with a weekly teaser ad campaign.

- - - PARAMOUNT stepped up with Summer Specials such as "Man About Town,"...with Jack Benny doing a "homecoming" broadcast right in his home town of Waukegan, Ill. ". "Invitation to Happiness" scored with Irene Dunne and Fred MacMurray..."The Star Maker" will hit high with the Eddie Cantor sponsored birthday party for Gas Edwards on Aug. 18 on the Coast, lining up Gas' proteges..."Our Leading Citizen" will have a broadcast over 88 stations on Aug. 7 in Bob Burns' home town of Van Buren, Ark., and that national ballyhoo of showing the film to Governors of the various states right in their executive mansions where possible, was some stunt.

- - - FROM 20th Century-Fox the exhibitors have such summer nourishment as "Young Mr. Lincoln," "Susannah of the Mounties," and "Second Fiddle," that ran four weeks at the Roxy then "Frontier Marshal"...and now comes "Stanley and Livingston" preleased in 12 cities early this month...and almost simultaneously comes "Elsa Maxwell's Hotel for Women" with a national advertising campaign in the Classy Manner with ace artists employed.

- - - WARNERS did their share with "Juarez"...a film that lifted many a box-office out of the red...the company decided to put this into national release and not roadshow as originally planned, and that was a big help to the exhibits at the right time...then "Daughters Courageous" and "Each Dawn I Die," both doing great biz...so Warners kept faith with the showmen by releasing these big ones.

- - - UNITED ARTISTS gave "Four Feathers," "Man in the Iron Mask," "They Shall Have Music," "Winter Carnival"...extended playing time on all...the Jacsba Heifetz picture Out- standing, bringing new audiences to the theater everywhere...RKO Radio contributed "Bachelors Mother," "In Name Only," and the sleeper "Five Came Back"...all unusual types of pictures that scored...finally, Universal contributed "Mikado," one of the surprise pictures of the year, breaking records in houses that usually do not play this type of picture...then "The Sun Never Sets" and "When Tomorrow Comes"...and Joe Pasternak's new discovery, Gloria Jean, 11-year-old singer in "The Underpupp," is being touted as a real summer treat for the show houses...all in all a magnificent lineup of strong attractions from all the companies to help combat the Summer Sickness.

8,000,000 COMMON 130,000 PFD. FOR RKO

agreement had not been completed as yet, but he had the authority of FDR to Odum to Atlas Corp. for a period of 60 days to underwrite the flotation of $1,500,000 of stock at a fee to be fixed by Judge Bondy either before flotation or at the time when Atlas makes application for its allowance for its entire series rendered in the reorganization proceedings.

The price of the new stock will be a minimum of three dollars per share, he said, and will require the sale of 500,000 shares to raise the necessary $1,500,000 in new capital.

Judge Bondy stated that he could not fix the underwriting commission for the terms of the agreement without first holding a hearing at which time objections might possibly be raised.

Rickaby explained the necessity of authorizing an 8,000,000 common stock issuance by stating that old debenture holders under the plan will receive 602,697 shares; Rockefeller Center 400,000 shares; unsecured creditors, 800,000; old common shareholders, 420,593; reserved for possible conversion of preferred shares, 1,040,000; reserved for option warrants to be issued to common shareholders, 2,577,548; option warrants to be issued to the insurance companies, 250,000. Shares of preferred expected to be issued are 127,000, Rickaby declared.

Including the 500,000 shares of stock to be floated, the total issuance will be approximately 6,800,000 shares, Rickaby stated, and it was necessary to have an average for possible payment in shares for contingent creditors, further option warrants, and the possibility that compensation to attorneys and companies for services rendered in the proceedings may be made in stock rather than in cash.

In conclusion he stated that the first meeting of the new board had been held on Friday when the by-laws and other documents were approved and the underwriting agreement was discussed.

Hearings were adjourned to next Friday afternoon at 2:30 o'clock. Rickaby stated that he did not expect to have the underwriting agreement completed at that time.

Joe Speiker Dead

Cincinnati—Joe Speiker, 48, manager of the Freeman Theater, died suddenly of a heart attack.

Whodunit?

Lincoln, Neb. —"Our Leading Citizen" was re-released by B. R. Wellington, Capital owner-manager here, who furnished the theater for one of the 470,000,000 pictures released for public exhibition. Every arm of the law and government was represented at the hearing, including the secretary of state, state attorney general, county attorney and that of police, and the mayor. Somebody stole Livingston's brand new straw hat.
EVERY
OPEN
TOPPE

And Every Day Since is a
They even beat 'ANGELS WITH DIRTY FACES' at the N. Y. Strand pre-release engagement of CAGNEY against RAFT in EACH DAWN I DIE.

JANE BRYAN, GEORGE BANCROFT
Directed by WILLIAM KEIGHLEY
A First National Picture * Screen Play by Norman Reilly Raine and Warren Duff * From the Novel by Jerome Odum.
Solve Duals Problem or Face New Measure in Illinois Legislature, Warns Sandquist

Chicago—Despite the veto of the film show limitation measure by Governor Horner, Rep. Harry L. Sandquist in a statement before the House Committee on the regulation of the Legislature unless the duals problem is solved by theater operators in the interval.

THE FILM DAILY was advised yesterday.

PERFORMER CONTROL SOUGHT BY THE IATSE

(Continued from Page 1)

ecutive Council on Saturday. This protest demanded that the A F of L, either make Browne and Ralph Whitehead, executive secretary of the AFA, clearly outline their position or that action be taken by the IA to modify or totally strike any jurisdictional "grab" by the IA and AFA in fields in which the AAM member unions already have been granted complete jurisdiction by virtue of the Four A's F of L charter.

Charter action by the IA closely followed the ousting of the AFA from AAAA by charter revocation and subsequent AFA application to IATSE for a charter.

Presentation of the charter was made in the IATSE headquarters here by President Browne and the charter was signed by Whitehead, Charles Mosconi, treasurer; Harry Richman, recording and selecting secretary, and other AFA exes. Louis Krause, IA general secretary-treasurer; James J. Brennan, IA vice-president, and other international officers also attended the brief ceremony.

Complete support by the IA of every move that Browne and Whitehead may make is pledged, it was stated. It was also learned that the IA will provide adequate financial backing. Immediate effects of the charter move embrace an increase in IA membership from 60,000 to 75,000 and give Browne his first jurisdiction in the performer field—one he has reported to have long sought. The IA's claim of 100,000 members is attributed to the IA's Cleveland convention a year ago, and was reiterated yesterday by Browne.

In reply to a question regarding jurisdiction, Browne said, "The IA claim that all performers in the entertainment field, including stage, screen, radio, television, vaudeville, and other variety and specialty performers, are eligible for membership in the AFA under terms of the charter."

However, Whitehead, when asked if the AFA would immediately start organizing in all fields stated that this was not their intention. He said, "We are going to intensify our campaign in our own field and will at the same time accept as members any group that wishes to affiliate with the AFA."

Browne stated he believed that with an IA charter the AFA could improve its status and its recognition would raise the wages of its members.

When asked if the IA-AFA coalition would move into any other field in the entertainment industry, he stated that their jurisdiction would be enlarged as, if, and when it became necessary to protect themselves.

In a prepared statement Browne delivered a straight jab at the AFA saying that he had conducted a personal investigation of the charges brought against the AFA by the AAAAA, and had found to his complete satisfaction that the charges held true and that the officers of the AFA had conducted the unions' affairs loyally, efficiently and honestly.

He further stated that the contracts of the AFA now in existence will receive the complete protection of the IATSE, and all rights and obligations thereunder will be strictly observed. The aim of the IA will be to build a large, strong organization of the AFA in the theatrical field, his statement concluded.

In a statement issued by the AFA, it was stated that the granting of jurisdiction by the IA to the IA will conduct the AFA to the strongest position of any union in the entertainment field. The chief significance of this action by the IA was that they had declared their intention in fact that it brings unlimited support and financial backing for wider organization in the entertainment field, it was significantly stated. Also that it will ensure that agents, employers and producers will hear only AFA acts in any spot in which there is an IA stagehand or operator, it was further stated.

The remark in the AFA statement regarding wider organization in the entertainment field was characterized by AAAAA executives last night as an outright indication of the true intention behind the move despite the fact that both Browne and Whitehead disavowed any intention of a jurisdictional "grab."

It was further charged by the AAAAA that the AAAA had hampered the AFA by lack of interest in the variety field, had refused to advance funds or make loans to fur ther organization, that the IA officers had shown a general apathy toward the union, and that the AAAAA was the real leader the IA could be found in the IATSE.

Whitehead, following the presentation of the charter, stated that the AFA had never been in such a comfortable position and they now could not possibly desire any other affiliation. He said that though the IA was an independent A F of L charter had been dropped, but that all books and records of the AFA would be turned over to the A F of L.

Later a statement was issued by President Frank Gilmore of the AAAAA which briefly interpreted their action in accepting an IA charter and charged Browne with attempting to raid the jurisdiction of the AAAAA.

AAAA execs. stated that they were prepared to fight this question to the last ditch, that they were prepared to wage their side of the battle, inferring that they had a number of cards which had not yet been played. They also stated that no self-respecting actor would be a party to the transaction that took place yesterday between Browne and the AFA, and that the AAAAA was not forced to give up its jurisdiction.

He characterized the move as a reasonable and disgraceful act by certain performers in delivering their means to triple stagehands, and asserted that the situation will receive immediate attention. It was further stated that any actor who participates in this betrayal of his fellow actors will be the subject of immediate action by the AAAAA.

The next move is up to the A F of L and its executive council," Gilmore said, "If they permit raiding of jurisdiction in violation of the AAAAA action, let the IA declare jurisdiction which has been recognized for 20 years in this field, the A F of L is protection to no union."

Following the disclosure that the AAAAA had already sent a protest to the AFI, it was learned that an emergency meeting of the executive council of the AAAAA will be called immediately to make plans for the unions' further course of action.

Conjecture was rife last night among union leaders and theatre third parties as to what may be the eventual outcome of this battle. The threat of the entertainment field lies within the power of both organizations. What immediate action will result could not be determined.

However, the AAAAA is breaking precedent and will send a full committee to the Atlantic City meeting of the AFI, executive council, next week. It is expected that the issue will be fought to a finish there by similar means, with the possibility of the jurisdictional power of the AAAAA being limited to its present status, and Browne is certain to open at the January meeting of the entire theatrical field be granted to the AFA.

Defies Blue Law Threat

Wilmington, Del.—Threatened arrest of Charles S. Horn, operator of the Blue Hen theater at Rehoboth, failed to materialize up to late yesterday. Deputy Attorney General Daniel J. Lyton, Jr., had said he would arrest Horn if he operated the theater Sunday in violation of the state blue laws. Theater was closed Monday but no action has been taken as yet.

Playing In Conn. Stock

Barbara Buchanan, film player, opens this week in "Craig's Wife" at the Saybrook Theater, Saybrook, Conn. Before returning to the stage, she will be seen in a Broadway show this fall.

EXPECT PRODUCERS TO BOW TO CLOSED SHO

Factual point out that IA seven months ago voluntarily abrogated the closed shop provided for the basic agreement with

West Coast Bow, THE FILM DAILY

Hollywood—Following a five hour conference, called yesterday by William Wellman, vice-president for AFA upon request of the United Studio Technicians Guild officials and attended by representatives of guilds, IATSE, and producers, a sketch agreement in so far as interests of interested parties to reach agreement as to date for election of studio workers to designate bargaining representatives will be continued.

Closed officials had previously promised the Board to set such a date.

Better Than Average Biz

For Broadway Film Houses

(Continued from Page 1)

prevailed among World's Fair sol ists over the company line, attendance at the exposition, and which presaged a slash of admission prices to 50 cents from 75 cents.

Virtually every house in the Broadway sector grabbed grosses described as above the average for this season of the year, and this was attributed to the quality of the features which prevailed. Four first-run stands offered a holdover attraction. These were "Andy Hardy Gets Spring Fever," Capitol; "Farewell, My Lovely," Par; "Mr. Deeds" Paramount; "Eish Dawn I Die," Strand, all in their second weeks, and "Goodbye, Mr. Chips," in its 12th week at the Vic.
use in their assurances that they would eliminate certain objectionable practices long existing in the industry. The Code provided for elimination of most of these relics but we are wondering if the distributors are making good on their assurances, or are they intentionally "side-stepping" certain provisions of the Code which may later put into effect? "Please write this office fully concerning any information you may have on this subject. You do not need to cite names unless you want. Take sure that the information is accurate. We especially want information as to whether distributors are: (1) Are forcing short engagements directly or by insisting upon a contract for short engagement? Discussing nature. (2) Are forcing foreign pictures, pictures, or westerns. (3) Are insisting on increased rental rates and/or increase in the number of percentage pictures to the exhibitors and therefore increasing the already existing picture rentals. (4) Are offering special inducements to waive the cancellation privilege. (5) Are waiving guarantees and allowing on strict percentage in order to secure preferred playing time. (6) Are adding score charges to fixed rentals or increasing film rentals to equal the amount of score charges formerly paid on percentage pictures. (7) Have discontinued national locations thereby turning free use of the cancellation privilege and restricting the same to the lowest bracket.

Wis. Root Beer Stand Using Free Pix to Drum Up Trade

Wisconsin Rapids, Wis.—William Landap, proprietor of the Port Edwards Root Beer stand here advertised "The Crimson Air Devil" alike, and "Alaskan Dare," a cartoon, as free attractions to drum up trade.

"Chips" Stays In Frisco

San Francisco — "Goodbye, Mr. Chips" is now in its sixth week at the St. Francis Theatre.

Dallas Eye-Opener

Dallas—Charlie Meeker, publicity di- n-ector of Interstate's Dallas movie thea- ter, had a good idea that the public likes shorts, so he decided to give it a trial. At the Motel Theatre he ran the more popular house he arranged to play a series of shorts, exclusive of newreels. The all- time favorites, the "Chips" series, has more business than a normal Thursday.

Monogram Will Distribute Four English Pix in U. S.

(Continued from Page 1)

London, October 7.—The four- day on the Normandie. The four- three of which have been completed, include "My Irish Molly," "Dark Mrs. of London," "The Gang's All Here," and "Trader Spy." The pictures were made by Rialto productions for Pathé release in England.

Johnston said Monogram business in England was good, showing a definite improvement over last year. In regard to domestic business, he said that the last quarter would be a much better one.

There is little chance of Monog- ram producing in England, John- son said, although several of the pictures appearing in American-made films may appear in English-made pictures. Johnston said that English production in general had improved during the last year and that producers were adopting an American slant. More money, he said, was available to producers for production in England. Johnston gave an account of his trip to a large group of guests at a luncheon at the Hampshire House shortly after his arrival. Those attending were, in addition to John- ston: Mrs. Johnston, Madeleine White, Eddie Golden, Leon Promkess, Harry Iverson, Russell Boll, Charles Dor- sa, Charles Morola, Mrs. M. Whiting, Ralph Bettinson, Lou Lifiton, Lloyd Lind, Mr. and Mrs. George West, Joe Felder, Hugh Davis, John Her- don, Jerry Brandt, Macdon, Steve Broidy, Ben Welansky, and Mrs. and Mrs. Lou Guimond.

Legalization of Screeno in England Seen in Year

Legalization of Screeno in England before the end of the year looms as a possibility, George West, eastern franchise holder, announced yesterday upon his arrival from London on the Normandie. West said that there was a bill now pend- ing in Parliament which would open the way for English theaters to use the game.

West said that he had tentative deals with about 300 theaters, in- cluding the Odeon circuit, which would become operative if the bill were passed. He said the measure was being sponsored by Col. Harry Dix, M.P.

West plans to return to London in October in connection with the newss, introduction of Screeno in England.

Bailey Heads Lions

Since Mr. and Mrs. William Bailey are planning to be in Washington for the remainder of the month, Mr. and Mrs. Bailey have been elected president of the Lions Club.

"The Old Maid" with Bette Davis, Miriam Hopkins and George Brent

Warnings 95 Mins.

(HOLLYWOOD PREVIEW) BRILLIANTLY PLAYED VERSION OF PULITZER PRIZE PLAY SHOULD GET TOP B. O. BIZ.

Enacting the title role of Zoe Atkins Pulitzer Prize play, Bette Davis adds lustre to her list of brilliant performances. She makes very convincing the character of the mother, who sacrifices her best years, so that her daughter may know she is of illegitimate birth. Miriam Hopkins is splendid as Bette's cousin, while Jane Bryan does her best work to date as the spirited daughter. George Brent, Donald O'Connor, Louise Fazenda, Jerome Cowan, William Lundigan and James Stephenson are fine in their supporting parts. Davis has provided expert, sympathetic direction, and the picture will have especial appeal to feminine audiences. Davis credits as associate producer. Casey Robinson has contributed an excellent screenplay. Tony Gaudio's photography is high-grade, while Max Steiners' background music is an im- portant factor. On the day of Miriam Hop- kin's wedding to wealthy, conservative James Stephen, George Brent, to whom she has been engaged for two years, appears, Bette, who has always been in love with George, although he did not realize it, slips off from him and the possibility to her return to her home until very, very late. He enlists in the Union Army and is killed in battle. Four years later, Bette and is opened home for war orphans. One of the children is a three-year-old girl, who is the daughter of George and Bette, but this fact is withheld from Bette, until on the eve of her slated marriage to Jerome Cowan, Miriam's brother-in-law, she discloses this information to Miriam. Miriam makes Cowan believe Bette is ill and could not keep her marriage, and he breaks his engagement with Bette. After the death of Miriam's husband James Stephen, Bette is invited to live at Miriam's home. As the child grows, the girl regards Miriam as her mother, and it is not until the point in the picture that she learns that Bette never married the man she loved, because that would have made giving her up.


CREDITS: Executive producer, Hal B. Wallis; Associate producer, Henry Blanke; Director, Edward Goulding; Based on the play by Zoe Atkins; and the novel by Edith Wharton; Screenplay, Casey Robinson; Cam- eraman, Tony Gaudio; Art director, Robert Haas; Editor, George Amy; Music by Max Steinere; Orchestral arrangements by Hugo Friedhofer; Musical director, Leo F. For- stein.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

Swell Example

Wiltonight, Del.—One Wilington example of the amount of business is the amount of movie admissions for his employees and their families, alternating with the Warner and Loew's theaters.

RKO Radio Releasing Three Garmes Films

(Continued from Page 1)

Productions, first of which will be Mildred Cram's "And So Goodbye." Dick Wallace will direct from a script by Alice Comandini. Garmes is here to complete casting, with picture's start at Eastern Service Studios set for Oct. 1.

(NEW YORK DAILY on July 27 ex- clusively reported that Garmes would produce at Eastern Service). Each of the three films planned by Garmes will be budgeted at $375,000, it is understood. A New York bank is financing.

Garland-Rooney to Appear With "Oz" at the Capitol

(Continued from Page 1)

Mickey Rooney in p. a.'s, their veh- icle and act now being prepared for the Coast. Capitol. Judy and Mickey will continue at the Capitol during the run of the pix. It's the first time in several years that the house has had a stage attraction to supplement the film bill.

"The Old Maid"
“A SHOT IN THE ARM TO BROADWAY’S ANEMIC BOXOFFICE!” —cheers N.Y. Daily News

20th’s climax 1938-39 hit packs the Roxy... peps up the critics... hurrahs all New York... comes within a split-inch of topping “Second Fiddle’s” record opening! Flash finish for a smash season!

RANDOLPH SCOTT · NANCY KELLY
in
FRONTIER MARSHAL

with
Cesar ROMERO · Binnie BARNES · John CARRADINE

Executive Producer Sol M. Wurtzel
Directed by Allan Dwan · Screen play by Sam Hellman
Based on a book by Stuart N. Lake
**DAILY**

**NEW YORK, WEDNESDAY, AUGUST 2, 1939**

**TEN CENTS**

1939 U. S. Pix "Take" in Japan at Record $1,640,000

**IA CINCHING HOLD ON THEATRICAL FIELD VIA TMAT**

Six Motion Picture Stocks Gain $22,739,029 in July

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**On "Rights"... don't forget these**

By CHESTER B. BARN

**DAILY**

FDAILY- be- against Michigan study comes rapprochement. decision of around consideration. sidelines Atlantic party producer THIS three threats DLENTY 6 Six 1939 tween week, profitably all, both pictures to market in times, instance, as market even temper and could the what witness tribulations proper war. taken—unnamed Al's gent's favorite the force of defense in independent effects last week by the State Department, effects of which most likely will include the withdrawal of U. S. product from Japan during or before the latter part of January, 1940, unless a rapprochement between the two countries is effectuated, came at a time when Amer. (Continued on Page 7)

**SCHENCK HEADS LABOR SURVEY**

Special AMPP Com. Findings Will Determine Policy

War Cost Browses of THE FILM DAILY—Policy of the Hollywood — Policy of the Association of Motion Picture Producers in the present labor crisis here will be determined by the findings of a special committee embracing President Joseph M. Schenck, Edward J. Mannix, Y. Frank Freeman, Walter Wagner, and Attorney Men- del Silverberg. (Continued on Page 4)

**MICH. CO-OP NAMED IN ANTI-TRUST SUIT**

Detroit—Charging monopoly and prevention of open competition in obtaining pictures, the Midwest Thea- ter Co. has filed suit against Co-operate Theaters of Michigan under the Sherman anti-trust act. The suit, which was filed in Federal (Continued on Page 10)

**TREATY RUPTURE HANGS LIKE CLOUD OVER CLIMBING U. S. FILM REVENUE IN NIPPON**

Albany Film Truckers Strike Is Short Lived

Albany—Strike of film truckers at the local exchange here was short lived. Demand was served upon branch managers that the major companies for an independent exhibitors, to abandon practice of picketing. (Continued on Page 7)

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**The Daily Newspaper of Motion Pictures Now Twenty-One Years Old**

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**Theater Managers, Agents and Treasurers union will vote in favor of applying for an IATSE charter at an emergency membership meeting tomorrow night in the Capitol Hotel, with the charter scheduled to be given to them by the IA by the latter part of next week, thus further strengthening the IA's position in the theatrical field, it was reliably reported yesterday.**

Although the TMAT, also an A F of L union, ceded back to the parent body in 1934 its charter-granted (Continued on Page 9)

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**Substantial Improvement of RKO Reported by Atlas**

That the operations of RKO Corp. showed a substantial improvement in the first six months of 1939 as compared with the similar period in 1938, was declared yesterday to (Continued on Page 4)

**Defence Substitution Permitted In Ohio Suit**

Columbus, O. — Permission has been granted for the substitution of defense in two Ohio taxpayers suits to force collection of sales tax on (Continued on Page 4)
Saturday, June 21, 1930

**SAFETY / LLOYS**

**FILM STORAGE CORPORATION.**

**Storage by Reel or Vault**

279 So. Broadway
New York City

**1005**

**SECURITY**

**SAFETY**

**LLOYS**

**FILM STORAGE CORPORATION.**

**Storage by Reel or Vault**

279 So. Broadway
New York City

**1005**

**SECURITY**

*Sales Heads and Counsel Still Huddling*

Major sales heads and attorneys continued their code conflats in the Yacht Room of the Palm Beach Club yesterday, but up to late last evening no report had emerged as to the status of the draft. It was believed that the revisions were near completion. Reliable sources indicated that the changes made in the code were of comparatively minor importance.

*Technicolor Scores Victory in Tri-Color's Patent Suit*

West Coast Review of THE FILM DAILY

Los Angeles—Technicolor Motion Picture Corp. yesterday won a patent infringement suit against it by Tri-Color, Inc.

Plaintiff sought permanent injunction restraining the defendants from making, using and selling cameraphotographs and apparatus embodying improvements in duplex cameras, whereby they were made adaptable in color film photography.

Case was tried two years ago before Judge William P. James, whose decision yesterday followed extensive technical and legal research.

235 Simultaneous Dates Set on Warner's 'Dawn'

A total of 235 simultaneous playdates, all for preferred playing time, have been set on Warner's "Each Dawn I Die," for the week of release, Aug. 19. The feature is playing to top biz in over a dozen keys where it opened for pre-release engagements last week, home office reports.

*National Law Governing Animals In Pug Sought*

Attempt is to be made by the American Humane Association, supported by affiliates, to have a national law enacted to prevent alleged cruelty to animals during filming of motion pictures, it was disclosed yesterday.

The Association intends pressing for a board of its own members to pass upon the question as to whether any act against an animal in the course of the making of a film is one which constitutes cruelty.

*Washington Preview for "Our Leading Citizen"*

Washington Bureau of THE FILM DAILY

Washington — Bob Burns' new Paramount picture, "Our Leading Citizen" will be shown here tonight in the Federal Government's projection room in the National Archives Bldg. as a prelude to the world premiere of the film on Aug. 7 in Burns' hometown, Van Buren, Arkansas.

The screening, arranged by Senator John E. Miller of Arkansas, will be attended by two members of the President's cabinet. Attorney General Frank Murphy, Secretary of Labor Perkins, 63 Senators, the six members of the House of Representatives from Arkansas and other government officials.

*Stearn Closes UA Deals With Indianopolis Chains*

Cleveland — Bert Stearn, United Artists district manager, just back from a swing around his offices reports 1939-40 contracts closed in Indianapolis with the following circuits: Allied Circuit, involving 20 houses; Maller Circuit, 5 houses; Rembush Circuit, 3 houses; Dolce Circuit, 6 houses.

The Pittsburgh office closed the Scott Circuit with 12 houses, the Shea circuit in Buffalo and Chris Yeats in Ohio and 22 theaters.

*Rowland Closes UA Deal For One Feature This Year*

Deal has been closed whereby Richard A. Rowland will produce one picture for United Artists release. Feature will be "The Three Cheers for Miss Bishop" and will star Barbara Stanwyck, with Archie Mayo directing.

Rowland also is said planning to make a feature titled tentatively "End of the Rainbow," a story based on the Donner expedition in the Sierras.

$2,700 Awards to B & K Mgrs. in Better Business Contest*

Chicago — Prizes totaling $2,700 were awarded yesterday by John Balaban, president of Balaban & Katz, to 16 B & K managers following a 13-week better business contest. During the luncheon at the Balaban Hotel, Balaban told the managers that showmanship on their part resulted in good business during the dull period.

Roy Brueder headed the winners with other leaders including A. P. Conrey, Harry Odenthal, George Romine, and Bruceco.

*Sunday Show Brings Fine Weather to Wilmington Also*

Wilmington, Del. — Charles S. Horn, proprietor of the Blue Hen Theater, Rehoboth Beach, was arrested Monday on a Sabbath violation warrant sworn out by State Detective Elwood Wilkins, pleaded guilty at a hearing before Magistrate L. Thompson, was fined $15 and released.

*COMING AND GOING*

HOWARD DIETZ, ad. and pub. chieftain of M-G-M, arrives here next week on the Quo Ching.

MAX MILDEN, managing director for Warn in Great Britain, sails for London Aug. 9.

STEVE FITZGIBBON, studio manager for Fox Movietone, arrives today in Paris for the Fair in Europe.

GEORGE A. NOFFKA, Eastern Service Studios manager, makes his last week next week for a month's vacation on the Coast.

CHARLES ROYER, PAT PATTERSON, and R. NORT, sail today for the Normandie, on the Volta.

ORLANDO LÓPEZ HIDALGO, Cuban exhibitor was a visitor yesterday at the Warner West Fair headquarters in the home office.

ERROL FLynn and his father, PROFESSOR TOBIAS FLynn, arrive here tomorrow route to South America.

HERBERT RUDLEY and HOWARD DE STYLV, members of the original cast of "Ae Lincs in Illinois," arrive in Hollywood this week assuring their original roles in the RKO version of the play.

GEORGE C. GOLDS, Minnesota exhibitor, was recent visitor at the RKO offices.

CARLYLE BLACKWOOD, star of the title screen, is in New York to take on a role with the Warner Bros. circuit, which he has accepted.

LORENZO DELRICIO, 20th-Fox cameraman, sails today for the Acquitania.

SID REDICK, Warner publicist, starts vacation at the week-end.

FRED ULLMAN, RKO Pathe vice-president, has arrived in Hollywood for a vacation from New York.

HERBERT DRAKE, general coordinator for Orion Worlds, has arrived on the Coast from New York.

KRANE KRAJZEN of Select Attractions, Inc., will arrive later from New York.

ARCH BOWLES, president of the California Theater Association, has returned to the Coast.

ARTho J. F1TZGERALD, general manager of Wisconsin Amusement Enterprises, has returned to Milwaukee.

ROSE KLEIN, manager of M-G-M's office in Cincinnati for several weeks.

PHILIP HARRINGTON, M-G-M's Cleveland office manager, and his wife, are in Canada on a vacation.

*White House Drops Duals* Cincinnati—Maury White, through Martin Shear, manager, announced The Hippodrome, Newport, Ky., will discontinue duals, and for first-run A's. The Strand theater will play subsequent runs only at 10c admission till 7 P.M.

*FILM DAILY* to the following on their birthdays:

AUGUST 2

Jack L. Warner
Myrna Loy
Claude Gillingwater
Olga Baclanova
Glenn Tryon
M-G-M’s "THE WIZARD OF OZ" is coming!

Yesterday it was previewed at M-G-M’s Home Office. It is one of the great pictures of all time, perhaps the greatest picture ever made!

Beyond your wildest dreams are its Technicolor wonders, as thousands of living actors create screen magic to thrill the world! Its appeal is unmatched since "Snow White."

Preceded by a $250,000 advertising campaign in national magazines and newspapers, "THE WIZARD OF OZ" will have the greatest list of simultaneous bookings ever made on any film. Watch the column to the right GROW!
SIX FILM STOCKS
GAIN $22,739,029

(Continued from Page 1)

Century-Fox, $3,701,856; and Warner Bros. Pictures, $4,276,512.

Net change for the month in these instances were: Columbia, plus 5%; Loew's, plus 5%; Paramount, plus 1%; RKO, plus 5%; 20th-Fox, plus 2%; and Warners, plus 18.

Defense Substitution
Permitted in Ohio Suit

(Continued from Page 1)

film rentals, with the ITO of Ohio using exhibitor Frank J. Ferguson and the MPPDA, Universal Pictures and Cleveland Theaters, Inc.

First move by attorneys Carlton Dargusch (ITO) and Robert Barton (MPPDA) was the filing of separate dilatory motions in state courts.

Inasmuch as the judges of the Franklin County Court of Appeals are vacationing, they will require approximately two weeks for a ruling on the technicalities, as questioned by the defense. Regardless of the judge's decision, the next move will be the listing of the cases on the docket prior to naming of trial date next month.

English-Scottish Tele
Network Planned by BBC

Montreal—A network carrying television to every home in the United kingdom is a possibility in the near future, according to Sir Alan Powell, chairman of the BBC's board of governors, now in Montreal.

Although programs are at present restricted to an area of between 50 and 70 miles in the neighborhood of London, plans are under way to establish a network for transmission in Birmingham which will be hooked up with the London studios, and from there, to the rest of the city. It should be possible eventually to extend the sight and sound network to each city of size throughout England and Scotland.

Tennis by NBC Tele

First attempt to televise tennis on this side of the Atlantic is scheduled by NBC next week when it will use two cameras to cover the Eastern championships at Rye.

Telefilm Festival

U. S. tele's first international film festival begins last night with the showing of "Generals Without Buttons" (French) over NBC's station WXYZ. The second film feature will be "Edge of the World," an English production to be televised tomorrow at the same hour.

Festival continues to Aug. 25, the six tomorrows replacing evening studio presentations. Scheduled are: "My Heart isCalling" (Friday), "Milo, Mozart" (Aug. 1), and "Hell's Angels" to be shown Thursday. After the first showing, "Grand Illusion" (Aug. 18), "The Marines Are Coming" (Aug 22), and "Abraham Lincoln" (Aug. 24).

ALONG THE DIAL

WITH PHIL M. DALY

• • • THE COMMITTEE working through the Hoyes office is about ready to submit the Fiftieth Anniversary manual to the theater operators of the nation. . . . . in looking over the advance proofs, what impressed us was the sincerity and co-operating spirit of the entire undertaking . . . . the committee makes no attempt to tell he exhibitor what he should do. . . . . they merely submit a wide range of helpful suggestions . . . . it is up to the showman to adapt any available material to the particular requirements of his clientele and community.

• • • PRINCIPAL emphasis of the campaign centers on the week of Oct. 1 to 7 . . . . because of the fact that Oct. 6, 1889, was the date when Thomas A. Edison perfected his Kinetoscope and ushered in pictures in motion, printed on Eastman film. . . . . so that marks the birth of the motion picture industry so far as Americans are concerned.

• • • OFFICIAL announcement of the Anniversary will be made by Will Hoyes through a press statement on August 15. . . . . and so the manual impresses upon exhibitors the importance of stepping out with this announcement as the lead-off for their local activities. . . . . it is assumed that every live theater owner or manager will have co-operated with fellow exhibitors in organizing a committee that will represent the industry in his community . . . . to establish and maintain contact with the press, libraries, schools, motion picture councils, clubs, merchants.

• • • THE central theme of the Anniversary is "Half A Century of Progress." . . . . this enables the theater operator to enlist the co-operation of all constructive elements in his community in a general community-wide recognition of progress in the past 50 years . . . . the manual then lists a plethora of ideas and suggestions on how the various community organizations and business activities can utilize the idea to point with pride to their particular progress. . . . . for the exhibitor, it gives him exceptional opportunities to tie his current attractions in with various civic and business organizations. . . . . a highly entertaining series of newspaper articles is available for local use, giving the highlights of the motion picture developments in the past 50 years . . . . these articles are splendid examples of journalistic brevity combined with reader interest . . . . and typed on "ide of the wrong plan" and hard work that has gone into the preparation of this splendid manual.

• • • HERE is another fine manual sparkling with showmanship qualities . . . . Warners' Showmen's Manual for 1939-40. . . . . containing cast information and thumbnail story synopses of the new season's releases . . . . also a resume of the exhibitor and newspaper services . . . . those cover every possible phase of theater activities . . . . the exhibitor is asked to check any services in which he is interested and send the list to the home office. . . . . Sales Manager Grad Sears has a foreword stressing the fact that 23 years of service and progress toward a definite goal culminates in the new season lineup . . . . and that the magnificent list of properties listed is the materialization of the company's motivating thought: "Quality is Not a Passing Fashion" . . . . and glancing through such titles as "Life of Beethoven," "The Story of John Paul Jones," "Disraeli," "The Moon and Sixpence," "We Are Not Alone," and a score of others, brings the conviction that the above dictum is not merely a prettily turned phrase but a living and vital company policy that becomes the exhibitor's B. O. insurance policy . . . . if he has the sense to so interpret the obvious.

ATLAS CORP. REPORTS
SUBSTANTIAL RKO GAIN

(Continued from Page 1)

shareholders of Atlas Corp. by inter-}ter organization's president, Floyd H. Gallum, concurred with the release of Atlas' report for the past months ended June 30, 1939.

Odium also expressed the conviction that there will be prompt completion of the RKO reorg., since recent unanimous decision of the U. S. Circuit Court of Appeals on July 19, last.

The Atlas statement put net income for the period at $459,257.38 for itself and investment company subsidiaries; surplus, after deducting net unrealized depreciation of assets, at $1,105,760.21; and net assets of $57,874.160.21 shown in the Statement of Financial Condition at June 30, 1939.

The company listed a schedule of securities in portfolio RKO Corp., debentures 6 per cent 1941, represented by full-paid certificates, in principal amount of $9,169,890; and valued on June 30 market quotations at $1,459,224.37; RKO Corp. debentures 6 per cent 1940, in principal amount of $288,776, valued at same date at $180,759.92 according to June 30 market quotations; 4,300 shares of Paramount Pictures, June 6, per cent convertible cumulative First Preferred, at $882,700 on June 30, last; 5,000 shares of Paramount's 6 per cent Second Preferred, $45,000 on June 30; 7,000 shares of General Theaters Equipment Corp., common, $76,250 on June 30; 17,000 RKO common; $28,275 on June 30; and 310,412 RKO Corp. common, represented by full-paid certificates, at $504,419.96.

Mayer & Burstyn Releasing
8 in First Half of '39-40

Eight imported productions will be released by Arthur Mayer and Joseph Burstyn during the first half of the 1939-40 season. Titles of the pictures are:


Chi. Schools Buy Film

Chicago—Paul Edwards, director of physical education for Chicago schools, reports the purchase of 6,000 reels of film for educational purposes.

Jumping the Gun

Grand Rapids, Mich.—The Butterfield Circuit isn't waiting for the industry's official start. "Circus" for today is augmented its own Greater Movie Season, annually observed in August during the hot days.
COLUMBIA PICTURES announces THE GENERAL RELEASE OF GOLDEN BOY AUGUST 31ST 1939
You've never met such fascinating people...

Joe Bonaparte... HE WANTS TO BE A BIG SHOT

Lorna... SHE'S THE DAME FROM NEWARK

Moody... HE LOVES LORNA

Papa Bonaparte... HE WANTS HIS SON

Roxy... HE WANTS THE BOY TO WIN

Anna... SHE LOVES SIGGIE

Sigie... HE LOVES THE DUCHESS

Golden Boy

Tenderly... The Screen
Tells A Heart-Warming Story of Emotional Conflict and Romance!

Barbara STANWYCK - Myrna MENJOU

A ROUBEN MAHOUlian PRODUCTION - Produced by WILLIAM PERILBERG

Screen play by Lewis Meltzer, Daniel Taradash, Sarah P. Mason, Victor Heerman

Based upon the Group Theatre play by GEORGE COURT

COLUMBIA PICTURES
Bible Code Analyzed

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the twenty-ninth and final installment of a comprehensive analysis of the proposed Temple Fate Code (resolution of June 10) by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the law of screen, stage and studio.

INSTALLATION NO. 27

XII. COST OF ARBITRATION

Permanent Arbitration Board: The Permanent Arbitration Board shall not assess costs in any arbitration.

Special Arbitration Board: The Special Arbitration Board shall assess as costs only the fees of the arbitrator or arbitrators. Such costs may be assessed against one or more of the parties in such proportion as is considered just and proper, and without regard to which party requested the Special Arbitration Board.

Filing Fees: The $5.00 filing fee shall be applied toward the payment of expenses of arbitrations in the Exchange territory where collected.

If Filing Fees Insufficient: If the filing fees collected are insufficient to pay the expenses of the arbitrations, the distributors, affiliated exhibitors and organized exhibitor groups who are entitled to participate in the appointment of the panel of neutral arbitrators for such territory, shall provide the necessary funds.

Appointing Contributions: If the distributors, affiliated exhibitors and organized exhibitor groups are unable to agree upon a fair apportionment of the expenses, such apportionment shall be made by a Special Arbitration Board. In that case, however, the distributors and affiliated exhibitors shall be considered one party and the organized exhibitor groups shall be considered the other party.

35,000 Slide Projectors Used by American Industry

Chicago — Approximately 35,000 sound slide film projectors are now in use by business organizations, it is estimated by Burton W. Depue, general manager of Burton Holmes Films, Inc.

"What Is a Theater Manager?"

William Tubbert, by means of panoramic charts showed how to analyze the territory served by any given theater. He praised newspapers as an advertising medium, particularly in rural areas where heralds and posters do not penetrate. Clint Young took the topic "Does Good Housekeeping Keep Seats?" and stressed the need for strong promotion. Lew Hensler, Kentucky district manager, worked a large crowd with his theme "Your Theater’s Place in the Community." He urged managers to join civic clubs and take part in all partisan civic activities.

After other talks on insurance, games and various theater problems the sessions recessed at six p.m. and at eight o’clock a dinner for the managers was served at the Hotel Johnston. E. M. Vogel, was the principal speaker. He was introduced by M. C. Bob Hall.

Tomorrow the convention will hear executives from the major companies, the day to be climaxxed with a dinner at which Carl Milliken of the Hays office will be the speaker.

New York delegation leaves Grand Central at 2:35 p.m. on E. S. T. Monday, and arrives in Ponda at 7:58.

Oklahoma Allied Urges Delay in Picture Deals

Oklahoma City — Special bulletin advising indies not to sign any product contracts before September unless it is absolutely necessary to do so in order to keep operating, has been issued by George W. Sumner, corresponding secretary of Allied Theater Owners of Oklahoma, Inc. It urges independents not to sign any arbitration agreements also.

Pointing with pride to the passage of the Neely bill by the Senate, the bulletin asks members to send letters of appreciation to state Senators and get in touch with members of the House of Representatives in their districts.

It also stresses trade papers at length for printing stories of alleged "shenanigans" within the state Oklahoma organization over its affiliation with Allied nationally.

Four UA Pix Doing Heavy Biz in London Theaters

United Artists pictures which are doing the heaviest business in London are "Wuthering Heights," "Four Feathers," "Stage Coach" and "The Man in the Iron Mask," according to Arthur Silverstone, assistant managing director in England, who is on a visit here. Silverstone is the brother of UA’s director of world-wide operations.

"Four Feathers," Silverstone said, would gross approximately $30,000 in its 10-week first-run engagement.

Fair Admisht Cut . . . And No Boone

Formal announcement issued by Grover A. Whalen reports that, effective immediately, the "Fair" admission price to the "Fair" held on Saturdays and Sundays is slashed from 75 cents to 50 cents, but that the 75 cent levy will stand on other days of the week. The cut rate applies to all future shows. The fair is also announced resignation of Perley Boone as director of press of the Fair, and appointment of Lee Casey, former New York and Washington newspaper man, as director of publicity.

Nuclear Drops Films for Television Programs

(Continued from Page 1)

the last of the film programs will be telecast Aug. 25, and that after that date television programs will be made up of five talent shows and special events.

While no official explanation is given, belief is that the film shortage caused the move, the station being limited to foreign films, reissues, shorts and commercials, due to the majors’ ban on the use of their films.

NBC’s station W2XBS is currently telecasting an international film festival which is to be concluded Aug. 25.

Albany Film Truckers Strike is Short Lived

(Continued from Page 1)

ing up their prints and use the regular trucking services.

The strike was not called by the transport companies, whether or not their sympathies were attracted by the situation. The truckmen, apparently under instructions from the union, did not move the prints and for a time it appeared that the theaters would be tied up in this area.

Understood to be the particular object of truck drivers were exhibitors in the Saratoga and Hudson area, although several independents in the district pick up their own prints from the exchanges.

Affair was temporarily settled with an informal promise that efforts would be made to secure print transportation by the regular transport companies.

Morrison and Curtis Will Combine New York Offices

Leo Morrison and Jack Curtis have arranged to combine their New York offices. Curtis will represent Morrison in New York. He will be associated with Morrison in New York and Hollywood, making his headquarters in Morrison’s New York office at 1776 Broadway. Curtis leaves for New York on Monday to start reorganization of their New York activities. Morrison-Curtis office will represent artists for Broadway shows, radio, television, vaudeville and films to be produced in New York and London.

Para. Signs Shannon

Harry Shannon, stage star of "Mrs. O’Brien Entertains," has been signed by Paramount for "Defense Attorney." Shannon is under contract to Lou Irwin and this is his first picture. Peggy Moran, also under contract to Irwin, has been signed by Universal for long term contract.
"REVIEWS OF THE NEW FILMS"

"Fugitive at Large" with Jack Holt, Patricia Ellis and Stanley Fields  63 Mins.  (HOLLYWOOD PREVIEW)
DIFFERENT SORT OF HOLT VEHICLE SHOULD PLEASE MASS AUDIENCES.
Differing somewhat from most of the former Jack Holt stories in plot and locale, this production is nicely geared and will please mass audiences. Larry Darmour, the producer, has given the piece nice mounting, and the direction by Lewis Collins is capable. Eric Taylor and Harvey Gates have fashioned a splendid screenplay from Taylor's original story. Jack Holt plays the dual role of Storm, a construction engineer, and Farrow a scar-faced leader of a bank robbery gang. Arthur Hohl and Stanley Fields are stuck with Storm's resemblance to Farrow. They bank a check on the China-Japan conflict and Farrow, with a payroll truck, Farrow will get away with the money, and the blame will fall on Storm. Storm is killed off almost through the, cosmic testimony of Farrow's wife, Patricia Ellis, that Storm is her husband, he is sentenced to 20 years in prison. Storm becomes friendly with Guin Williams, another prisoner, and in the break engineered by Williams, escapes. In a fight between Storm and Ben Welden, Storm is captured. Storm is innocent of the murder, but is not Farrow. Hohl and Fields are embarked in a quest for and inactivity Fields admit that Storm is not Farrow. Mame Hohl, not knowing Storm has been captured, takes part in another bank robbery, fields' admission and the report of Farrow's participation in the new robbery clears Storm. In the end Farrow is killed and his confederates are captured, and Storm returns to the construction camp as an engineer.

CREDITS: Producer, Larry Darmour; Associate producer, Rudolph Flothow; Director, Lewis Collins; Screenplay Eric Taylor and Harvey Gates; cameraman, James S. Brown, Jr.; Editor, Dwight Coldwell; song "Swing That Hammer" by Hall Johnson.
DIRECTION, Good. PHOTOGRAPHY, Good.

Reliable Sending Crew to Shoot War in Orient

West Coast Bureau of THE DAILY

Hollywood—B. B. Ray, of Reliable Pictures, is leaving Friday for China with a crew of technicians to shoot authentic war films in the China-Japan conflict. J. C. "Doc" Cooke, who has made 26 trips, is assuming full charge. Cooke has received permission to picture portions of the war zone which will be available to him through his personal friendship with Gen. Chiang Kai-Shek, and officials of the Japanese government. This material will be made into a feature production. Ray will also go into the interior of Siam to shoot some special footage which will be made into another feature film. The outfit will be away for four to six months.

"Mr. Wong in Chinatown" with Boris Karloff, Grant Withers, Marjorie Reynolds  61 Mins.
FINE MURDER MYSTERY HOLDS TAUNT SUSPENSE AND KARLOFF'S ACTING SCORE.
A very sane and intelligent murder mystery plot, distinguished by fine acting of the suave Boris Karloff as the oriental sleuth helping out the police department of San Francisco represented by Grant Withers as the inspector investigating the Chinatown murders. The excitement starts when a Chinese princess is murdered while awaiting an interview with the oriental sleuth in his study. The lethal weapon is a poison dart from a wrist-gun, a Chinese weapon. The devious path of the murderer winds in and out of a complex skein of events. Though it occurs the order of murderesses' maid by the same method. There are two opposing forces at work, involved in a contest of a stationary and proposed million dollar fund set aside for purchase of air planes for shipment to China, and hence the murders. Finally a Chinese dwarf disappears, and he proves to be the third victim of the criminal. The latter turn out to be a private banker. But before Karloff dramatically uncovers him, there are some exciting events with all the evidence pointing to a sea captain and his companion as thirdly parties. The newspaper girl is present in the person of Marjorie Reynolds, and she and her work are as unnecessary as in most murder mysteries where they pump the femme fatale in by this method. Forgiving her silly antics, the story is above average, and builds fine suspense for the whodunit fans. Selling angles: Karloff in a strong role; the Chinese tong atmsphere; the unusual murders.
CAST: Boris Karloff, Grant Withers, Marjorie Reynolds, Peter George Lynn, William Royle, Hurley Gordon, James Flavin, Lotus Thompson, Lon Chaney, Lynn Bari, George Meeker. 
CREDITS: Director, William Nigh; Screenplay, Scott Darling; Author, Hugh Wiley; Production, Harry Neumann.
DIRECTION, Very Good. PHOTOGRAPHY, Good.

Mono. Exchange Head Wars on Bingo in Milwaukee

Milwaukee, Wis.—Second move in the small merchants' drive against Bingo has been instituted here with court action against the Bingo Board to retrain it from operating the game. Plaintiff is Charles W. Cooney, head of the Milwaukee Midwest Film exchange. His attorney is Benjamin J. Miller, who was counsel for Herman J. Eggert, probate goods store here, in the suit against Bingo and similar games at the Midsummer festival.

Cooney Forms New Film

Chicago—Ben Cooney, formerly of the Cooney Brothers Theater circuit, has organized the Ogden Theater Co.

JAP PIX TAKE AT $1,640,000 IN 1934

(Continued from Page 5)

"Metropolis—1939" (March of Time)
RKO Radio  18 Mins. Spendid
A very fine presentation of the various phases of New York City, treating it from many aspects such as sociologically, politically, economically and just plain human. It is easily one of the most entertaining of all the M of T series. The spirit of the great metropolis has been captured perfectly, with its rush and bustle, fast tempo, and the myriad activities of city life engaged in by over seven million inhabitants. The picture has a quality that reflects the spirit of the city. The foreign quarters are especially interesting. A big proportion of the second half of the film is devoted to a detailed exposition of the city's efficient police department of 15,000 men. Practically every phase of the work of Commissioner Valentine's department is covered. It looks like a gratification plug for Lawman's administration, and his photograph is shown in several close-ups. Be it as it may, whatever the political propaganda may be inherent in the subject, it has been concealed so cleverly and the film is so worthy that this can be overlooked. Here is a film that will meet with great interest wherever shown, for with the World's Fair now a subject of national interest, the nation's attention is centered on New York. Fine editorial judgment was displayed in making no reference to the Fair itself. It has been ignored. The sub-title, "For the Famous City itself," and that is as it should be.

Republic Closes FWC Deal; Grainger at Schine Meet

For the fifth consecutive year, Fox West Coast has closed a deal with Republic to play the latter's complete 1939-40 line-up of features and serials in San Francisco, Los Angeles, Salt Lake City, Seattle and Portland, it was disclosed yesterday.

James R. Grainger, Republic's president, arrived in Glenside from New York yesterday to attend and address the Schine convention. Grover C. Parsons, Republic's West Coast manager, also left the home office yesterday for the Coast.

New House for Tyler

Tyler, Tex.—Texas Consolidated starts work here shortly on a new $300,000 rix house to seat 1,000. The town, with 30,000 population, has five theaters, other controlled by the Interstate affiliate.

Revenue Steadily Rising

Secondly, survey showed, that, except for a slight recession in 1938, the Japanese market has offered to U. S. producers steadily increasing annual revenue. In terms of Ja
pn's currency, the year 1935 brought $13,200,000 from American producer-distributors; 1936 brought $4,600,000 yen; 1937 about $5,000,000; and 1938 about $4,200,000, all figures being close approximations.

Thirdly, the check-up disclosed that during the first six months of 1939, a total of 304 pictures were released for exhibition in Japan, including 226 Japanese films and 78 foreign films. Latter represented about 28 per cent of all released pix. U. S. product, figured in percentage of the 304-picture total, represented 41 per cent. Equally, not at all impressive is the fact that of all foreign pictures released for exhibition in Japan during the first six months of 1939, the U. S. furnished 82 per cent, demonstrating the overwhelming dominance of Hollywood features among all nations supplying Japan.

Para., Metro In Lead

Fourthly, it was disclosed that of the 64 features of American origin during the first half of 1939, 40 were sent into Japan and dis
distributed by the U. S. majors.

Now, of these 61 U. S. major fea

tures, it is said to have supplied 12; M-G-M, 11; 20th-Fox, Columbia and Universal, 8 each; Warners, 6; UA, 5; and RKO Radio, 3.

37,304,484 Admissions In '38

In Tokyo's 296 Film Houses

Tokyo (By Cable)—Total attendance at all amusement houses locally in 1938 amounted to 35,666,627, an increase of 3,107,944 over 1937. Included in this figure are the 71,304,388 admissions to To
yo's 296 film theaters, according to a report issued by the city's Metropolitan Police Board.

Note: Sight and sound attendance at film houses fell off about 15 per cent in May here, as compared with April, but despite this, receipts still continued to be well above those for the corresponding period of 1938.
THEATER FIELD HOLD TIGHTENED BY IATSE

(Continued from Page 1)
right to organize ushers, cashiers and doormen in theaters, which jurisdiction was subsequently organized by IA to some extent, it is expected that the IA will immediately initiate its organizing effort in this field and it will once again revert to the TMAT, in prospect with an intense organizing campaign planned to bring the theater unions' membership up to around the 30,000 mark within a year.

Many Benefits Foreseen

This move will serve many purposes which will be advantageous to both the TMAT and the IA. It will considerably aid and improve the theatrical field, strengthen its bargaining power tremendously and will have no leverage in the field for an abortive move by the CIO. The TMAT will immediately assume the stature of a key union in the entertainment field with all support, which carries with it the aid of stagehands and operators unions, members of the National Alliance, giving them added strength to bargain for contracts.

Preliminary negotiations between the TMAT and IA were instigated last year when Lodevick Vroome was president of the former union. However, these parleys did not result in any conclusive agreement due to the fact that George E. Browne, IA presxy, hesitated at that time about accepting the union as an IA member. The situation is different today, though, with Browne making a strong bid for complete jurisdiction of the entire entertainment field.

TMAT Group at A. C. Meeting

A full delegation from the TMAT, both legth and motion picture division, will be at the executive council parleys, starting Monday in Atlantic City. The matter will probably come up on the agenda of every industry union for a complete approval of the move, although executive approval is not necessary in this case as Browne has the right to grant a charter to any union within the theatrical field which wants to affiliate with the IA. The TMAT at present has been organizing managers, assistant managers, press agents, treasurers and key city leaders of local unions, including membership around 2,500. But with the usher jurisdiction retained they can boast industry membership around 30,000 within a year with an intensive organizing campaign.
Locals have already been established in key cities throughout the country.

AAAA Complains to Green on AFA-IATSE Charter

(Continued from Page 1)

The AAAA yesterday sent a letter to William Green, A F of L pexy, denouncing Browne's action as one of the most barefaced jurisdictional raids ever perpetrated in the A F of L and demanding that unless the IA immediately rescinds the charter that it be suspended from A F of L under section Four, article Four, of the A F of L constitution.

The AAAA started a strong counter attack yesterday with this action and other moves, among which was the appointment of an executive committee to handle the situation at a special meeting of the AAAA international board. Paul Turner, general counsel of AAAA and Actors Equity, Henry Jaffe, counsel for the American Federation of Radio Artists, Florence Marston, eastern head of the Screen Actors Guild, and Frank Gilmore, AAAA presxy, comprise the committee.

It was further stated in the AAAA letter to Green that if the actions of Browne and Sophie Tucker, AFA presxy, are condoned, then no jurisdiction recognized by the A F of L is safe and it was demanded that the A F of L executive council take action on this matter at the huddles scheduled next week in Atlantic City.

The section of the A F of L constitution referred to in the letter states that when a local union has been suspended by an international union no other union may recognize it under penalty of suspension. No statement was available last night from A F of L executives as to whether or not this charge would be acted upon.

Browne was also taken yesterday by the Screen Actors Guild executive board in special session, suspending Sophie Tucker from membership. Sophie Tucker was also anticipated by Actors Equity.

Ralph Morgan, president of the labor situation as it affects students and the educational function.

While the whole picture will receive attention, including the problem of the closing shop to IA members, the dramatic action would be the one which the student union would feel most acutely.

West Coast Bureau of THE FILM DAILY

(Continued from Page 1)

West Coast Bureau—THE FILM DAILY—Hollywood—IATSE officials yesterday said that negotiations are under way with producers and they are confident that an amicable solution of differences which would be reached soon. IA has set a 3 p.m. yesterday as deadline for presenting its proposal to IA last closed shop to IA studio locals, but appointment of a labor committee by film producers and efforts of William R. Walsh, NLRC head, to bring peace between IA, United Studio Technicians Guild and producers caused IA to continue contacts.

IA has already refused a proposal that an election of 1,000 studio workers be held Aug. 15 to designate bargaining representatives, contending that producers should first grant a closed shop to IA.

Meanwhile, it was learned yesterday that although John F. Gateley, city councilor for Minneapolis, IA, came to a "peace" meeting Monday afternoon called by William R. Walsh, NLRC head, in an attempt to get producers to make a closed shop to IA, Walsh refused to stay in same room with representatives of the USTG. However, Gateley remained in an adjoining room where Walsh was kept advised of all matters under discussion.

SAG, in a statement issued in Hollywood, asserted that actors will never come under the domination of the IATSE. Suspension of Miss Turner by the SAG automatically bars her from every stage in Hollywood and similar action by Actors Equity makes her ineligible for employment in New York stage. Morgan also asserted that the actors were not to blame, but a fight has been started which they have no choice but to finish.

However, the IA is certainly to make a counter move to this action and with control of a large number of studio employees, stagehands in the legit, theaters, and operators in film houses, the producers will apparently try to settle the battle until some settlement is reached.

After the last night of the SAG action in suspending her, Sophie Tucker stated that she was her opinion that they were letting themselves be imposed upon more than they bargained for, and that in her opinion it was obvious that this retaliation against artists was a last move to try to frighten actors who may fear similar retaliation.

It was also asserted that the AFA can play the game any way it finds necessary, and that Browne, his associates and officers, and the membership of the IATSE, AFA were not school children, and while they would go along with this sort of strategy needed to win. She assailed the AAAA as dealing in nonsense and said that this vindictive attitude had been anticipated from past performances.

TMAT Establishes Picket Lines at Bronx Theaters

Picket lines were established yesterday by the Theatrical Managers, Agents and Treasurers union at the three Bronx theaters acquired by Ed Peskay, M. Baranco and Clarence Loew, from Joe Rosenberg, protesting what they claim to be a lockout of their members by the new management. The theaters have been closed for alterations, it was stated.

Further Rugoff-Becker-TMAT Hearings Deferred To Aug. 14

Hearings before the State Labor Board on the Rugoff & Becker-TMAT case were adjourned yesterday until Aug. 14 by the mutual consent of counsel for both sides.
MICH. CO-OP NAMED IN ANTI-TRUST SUIT

(Continued from Page 1)

Court here, also names Co-operative office directors and individual members.

Ray Schreiber, who heads Mid-west, $200,000 damages. The company operates five theaters in Detroit.

Court Reserves Decisions on Folly Case Applications

Federal Judge Murray Hubert reserved decision yesterday on the application of the eight majors, Republic Pictures, Monogram Distributing Corp., and Randforce Amusement Co., for a bill of particulars to the $2,000 damage suit brought against them by the Folly Amusement Co., which had charged violation of the Sherman Anti-Trust Act.

Judge Hubert also reserved decision on an application of United Artists to dismiss the suit on the claim that the licensing of pictures to the Folly Theater was not interstate commerce. The plaintiffs claimed that the defendants conspired to give preference to Randforce houses on product and thereby allegedly forced the Folly Theater to close its doors.

Moebel Enterprises Suing Majors and Century Circuit

Anti-trust suit for undisclosed damages was filed yesterday in the New York Supreme Court by Moebel Enterprises Inc., against Loew's Inc., United Artists Corp., Paramount Pictures, Inc., Warner Brothers Pictures Corp., and RKO studios.

The plaintiffs, which operate the Grand Theater in the Bronx, charge that the defendants have given unfair preference in product to the New College Theater, erected recently, and operated by the Century Circuit.

No further details of the suit were available.

Pelson In FCC Post

S. Ernest Pelson, formerly with Grand National, has been appointed general sales manager for the French Cinema Center, it was announced yesterday. He immediately starts work on lining up key cities on "Harvest," initial release by the organization which is scheduled for a September release.

WEDDING BELLs

Engagement has been announced locally by Charles and Grace Kelley, Jr., of Bennington, Vt. to Miss Elaine McKeon of Albany. Mr. Kelley's father operates a small fruit farm in Bennington and previously owned four theaters in Al-bany.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 213

S. CLEVELAND

Jack Skirball. Producer, was born in Homestead, Pa. Attended the University of Cincinnati, Hebrew Union College, and Western Reserve University. Filled Synagogue pulpit in Cleveland and New Jersey, N.Ya., with Alco Films, Cincinnati, and Metro. Later was an Advisory Board and Division manager on Educational. Associated with Wm. N. Skirball in Skirball Brothers Ohio Theaters. Headed Educational in capacity of sales manager. 1932, purchased Wm. N. Skirball for Ohio on Warner, Columbia, Educational pictures. Produced "The Birth of Baby." Produced all the shorts for Educational for six years. Pro-duced "Miracle of Main Street" and "The Lady Takes a Chance," for which no distribution ar-rangements have been set yet. Just resigned as vice-president in charge of production for Grand National. Continues as active head of Arcadia Pictures, and next production will be Sinclair Lewis' "Angel is Twenty-Two" for major release.

Warner Theater Site Owner Asks Slash In Assessment

Wilmington, Del.—Charging that an excessive assessment had been levied on the Warner Theater and its entrance at 210 W. Tenth St., the Old Time Petroleum Co., owner of the theater site and lessee of the property, has filed a claim in equity in the Court of Chancery here.

The theater property was assessed at $270,000 ($60,000 on the land and $210,000 on the building) and the entrance at $48,000 on the land and $22,400 on the improvement), according to the bill. Complainant charges the former should not exceed $185,400 and the latter $15,000. As to the entrance, the bill says that under the company's lease with the Eden Hall Company, the petroleum firm is obliged to pay such amount of city taxes as shall exceed the amount which would be payable for the year be-ginning July 1, 1937, upon the then-existing structures.

The Warner Theater opened Feb. 8, last.

Minneapolis Paper Sold; Buffalo Daily Suspends

Minneapolis — The Minneapolis Star yesterday purchased the two papers as the Star-Journal, Merle Piceo, one of the best known film critics in the Mid-West, was on the Jour-nal. Star's critic is Robert E. Murphy.

Buffalo—Buffalo Times, evening newspaper, has folded. Editor was Ardis W. Smith, rated as one of the ablest reviewers in the East.

Hoffberg Going to Coast

J. H. Hoffberg leaves New York Tuesday for a three-week stay on the Coast to confer with producers there. He will visit a number of key cities on his return trip where he has associates who distribute the pictures he imports into this country.

11 NEW FEATURES BEFORE CAMERA

By RALPH WILK

West Coast Bureau of THE FILM DAILY


At RKO, "Vigil in the Night" with Henry Fonda, George Arliss, and the novel by A. J. Cronin. "Virtual Motion" star-ring Dorothy Lamour with Robert Preston playing opposite her. Louis King director. Dramatic adventure story laid against the romantic back-ground of the South Seas.

At 20th Century-Fox, "High Society," starring Jane Wyman, was in the construction. George Nichols director. Robert Ellis and Helen Logan wrote the screen story that has a San Antonio, Texas, high school as its back-ground.


At Monogram, "Murder in the Big House," featuring Charlie Bickford and Barton MacLane. William Nigh director.

STORKS!

Wilmington, Del.—It was Father's Day at the Warner Theater on Fri-day. A son was born at 3:30 P. M. in the Wilmington General Hospital to Mr. and Mrs. Theodore Grubis. Mr. Grubis is a member of the Savings and Loan Association and Mrs. C. Leonard Howard at 10:15 P. M. in the Delaware Hos-pital. Mr. Howard is assistant manager. It was a first-born in each case.

Columbus, O.—Mr. and Mrs. Robert Glick are parents of a son, born July 25. Father is manager of the Nell's Eastern theater.
Nazis Negotiating Spanish Pix Treaty, Plan Studio

SHOW-DOWN STAGE NEARS IN PLAYERS UNION ROW

Para.'s Half-Year Earnings Up $904,189 Over Last Year

B. O. Trend is Upward in Oklahoma Cities:
Good Fall, Winter Biz Foreseen by Exhibs.

COLE AND MYERS WILL NO WB-NT PEACE YET, SPEAK AT A. C. MEET DECLARES GRAD SEARS

Canadian ALP Approaches Government for Action

INDIES FORM GROUP TO SUPPORT JUBILEE

Nazis Will Turn Out Pix for Spanish, Latin-American Markets at Barcelona

Patent Law Changes Wait For Roosevelt's Action

Hollywood Stellar Contingent to Attend A. F. Of L Council Meet

By HOLLIS KENNAN
FILM DAILY Staff Writer

The showdown stage fast approaching, the situation on the Eastern labor front last night presented these outstanding highlights:

1. A number of AFA members filed petitions asking for membership meetings and amendments which would make possible the absorption of the AFA by AGYA or oust the present officials.

2. Paul Dalzell, executive secretary of Actors Equity, was threatened with bodily harm in an anonymous phone call.

3. Ken Thomson, SAG executive secretary, and a group of screen stars announced plans to come from

(Continued on Page 8)

SHOWMANSHIP FIRST, MOSS TELLS SCHINERS

Gloversville, N. Y.—"Showmanship comes first—don't forget that," was the admonition given Schine managers, movie executives and others by Alec Moss, Paramount sales executive, at yesterday session of the Schine convention.

This talk stood out in a busy day's session that board leading figures from all the major producing companies outline their plans for the (Continued on Page 7)

Schine Meet Calls Execs, Deferring Code's Revision

Completion of the revised trade practice code has been delayed owing to the absence of several of the sales heads who are attending the Schine convention in Gloversville. While (Continued on Page 7)

Anti-Censorship Council To Battle for "Harvest"

Banning of the French film, "Harvest," by the New York State Board of Censors as "immoral" and "tending to corrupt morals" was vigorously assailed yesterday by an organization (Continued on Page 8)

Paramount's Second Quarter Earnings Are Estimated At $830,000

Paramount's earnings for the first six months of 1939 are estimated at $2,120,000, representing an increase of $904,189 over the corresponding period of last year, it was announced yesterday following a meeting of the board. At the same time, it was announced that the earnings for the second quarter, ended July 1, were estimated at $850,000, a jump of $345,865 over the second quarter earnings of 1938 when the quarterly profit was announced as $394,916. The estimated quarterly earnings (Continued on Page 7)
Thurs., 651/4
Paris—
visitor
a
Nazi
V.
Publisher
91%
%
+
V4
the
pfd
in
Des
Met.
Warner
Paramount
RKO
free)
JOHN
DONALD
Picts.
Kodak
Films
6s55
New
Realty
one
6s39
I.
class
3,
103
5A,
46'/
1
1H/2
1
1
1
10
1309.

Every
F.
of
Films

SHOTS
6607.
14
68
652
103/4
Vs
8
23;
16
“Girl
Panama,
the
5
Warner
Bros.
Pictures,
Inc.,
for
a
bill
of
particulars
in
the
suit
of
Katherine
Moog
against
Warners,
and
all
other
parties.

It
is
expected
that
the
plaintiff
will

Metro
May
Not
Release
Pascal’s
New
Shaw
Pix

London
(by
Cable)—Gabriel
Pascal
will
release
“Barbara
Beckert-Barbara
Barbara”
into
production
at
Pine-
wood
in
September,
with
cast
in-

clude
Wendy
Hilliard,
John
Mills
Sir
Cedric
Hardwicke,
Ralph
Rich-
ardson,
Gordon
Harker,
Marie
Joehr,
Jenni
Cadell,
Sybil
Thornbyke,
Rea
Hackett,
David
Tree
and
Walter
Hudd.
Release,
reported,
may
be
via
some
other
company
than
Metro
unless
the
fact
that
Metro
and
Pascal
were
understood
to
have
an
agreement.

Metro
New
Season
Biz
Ahead
5%
in
Chicago

Metro—Metro
exchange
officia,

report
business
during
the
past
few
weeks
on
new
season
product
as
run-
ning
about
five
per
cent
ahead
of
the
same
period
last
year.

ITOA’s
Special
Meeting
Postponed
for
One
Week

Special
meeting
of
the
ITOA
scheduled
for
yesterday
for
the
discus-
sion
of
industry
problems,
was
postponed
one
week.
The
new
code,
which
is
expected
to
be
completed
and
released
by
that
time,
is
ex-
pected
to
be
the
code:

Urges
Pledge
Payment

An
appeal
for
immediate
payment
of
pledges
to
the
United
Jewish
Ap-
peal
to
meet
emergency
needs,
was
issued
by
Samuel
D. Leidesdorf,
treas-
urer
of
the
New
York
campaign.
The
United
Jewish
Appeal
Leidesdorf
pointed
out,
must
have
in
order
to
meet
urgent
oversas
commit-
ments.

20th-Fox
Borrows
Two
West
Coast
Bureaus
of
THE
FILM
DAILY

Hollywood—20th-Fox
has
bor-
rowed
from
Paramount
Tom
Dum-
mont
and
Andy
Devine
from
Uni-
versal
for
its
remake
of
“Little
Old
League.
MacMurray
was
swapped
for
Don
Ameche
for
whom
three
stories
are
under
consideration.

Fair
Exhibitors’
Association
Calls
for
50
Cent
Rate

Exhibitors’
Association
of
the
New
York
World’s
Fair
yesterday
served
written
demand
that
the
exposition’s
architects
impose
a
flat
50
cent
admission
fee
toward
the
whole.
The
demand
was
contained
in
a
communication
to
Mortimer
N.
Baker,
chairman
of
the
Fair’s
executive
committee.
The
request
was
on
behalf
of
the
Fair’s
executive
committee.
It
was
signed
by
S. R. Knapp,
chairman
of
the
Exhibitors’
Association
and
counter-signed
by
E. H.
Sniffin,
president
of
the
association.
The
commitment
admission
charge
put
into
effect
July
31
was
scored
as
“simply
another
week-end
bar-
gain
which
has
already
been
tried
and
found
unsatisfactory.”

WB
Denies
Particulars
Bill
in
$75,000
Action

Federal
Judge
Murray
Hubert
yesterday
denied
the
application
of
Warner
Bros.
Pictures,
Inc.,
for
a
bill
of
particulars
in
the
suit
of
Katherine
Moog
against
Warners,
and
all
other
parties.

It
is
expected
that
the
plaintiff
will

Warners’
new
release
schedule
lists
five
feature
productions
for
Septem-
ber.
They:
“the
Old
Maid,”
“Nancy
Drew
and
the
Hidden
Sin-
case,”
“Child
is
Born,”
“Place
to
Go,”
and
“Dust
My
Destiny.”

Monogram
will
release
five
during
August.
They:
“Wong
in
Chinatown,”
“A
Girl
from
Rio,”
“Irish
Luck,”
“Riders
of
the
Frontier,”
and
“Oklahoma
Territory.”

WB
Executives
Tells
That
1935
Is
Unique
Year

William
W.
Sullivan,
motion
picture
department
head
for
Warner
Brothers
Pictures,
Inc.,
told
the
New
York
Film
Daily
this
morning
that
the
coming
year
would
be
a
record
one.

Mr.
Executive;
I’m
at
your
service!

Lynn
Farnol,
advertising
and
publicity
head
of
United
Artists,
flies
to
the
Coast
Sunday.

Oscar
Hanson
is
here
from
Canada.

Maj.
Frederick
L.
Herrick,
treasur-
er
and
manager
of
the
Western
Film
Ass’n
has
left
New
York
for
a
vacation.

William
W.
Sullivan,
motion
picture
department
head
for
Warner
Brothers
Pictures,
Inc.
will
be
on
the
West
Coast
for
advertising
and
international
matters.

John
Eberston,
motion
picture
architect,
arrives
in
Glovenville
today
to
attend
the
Schine
con-vention.

Mabel
Reyno,
director
of
the
20th-Fox
publicity
de-
partment,
leaves
today
for
a
visit
on
the
Coast.

Wesley
Ruggles,
Columbia
producer-director,
is
in
Washington
for
an
audit
survey
of
the
country
in
preparation
for
the
spread
of
“Arizona.”

Gertrude
Lawrence
arrives
in
New
York
today.

Victor
Payne-Jennings,
producer,
leaves
for
the
Coast.

Betty
Davis
arrives
in
New
York
tomorrow.

Charles
E.
Carnett,
20th-Fox
assistant
producer,
leaves
for
a
visit
on
the
coast.

O.
Bowes,
Canadian
exhibitor,
and
VICTOR
STREUL,
Ottawa
exhibitor,
were
visitors
this
week.

Emil
Feldberg,
National
screen
representative
in
New
York,
is
visiting
in
Peoria.

Carmen
Mascoll,
of
the
Alhambra
Theater,
Waterbury,
Conn.,
is
vacationing
in
Malibu.

Harry
Leeds,
of
the
Loew-Poll
construction
department,
is
visiting
theaters
in
the
Connecticut
area.

Morris
Jacobsen,
of
the
Strand
Amusement
Co.
Circuit,
Cone,
leaves
shortly
for
a
vocation
in
Monticello,
N. Y.

George
Hickey,
M-G-M’s
West
Coast
man-
ger,
is
visiting.

William
Holden,
who
plays
the
title
role
in
“Golden
Boy,”
leaves
the
Coast
Aug.
18
for
Hollywood.

Dame
May
Whitty
arrives
from
Europe
for
to
day
on
the
Washington.

Suzan
Hayward,
Paramount
star,
is
at
the
Waldorf-Astoria.

Terry
DeLapp
here
from
the
Coast.

Z. Clemente,
Spanish
producer,
arrived
from
Hollywood
and
is
going
to
Basque
Artemis
to
make
a
series
of
pictures.

Visitors
to
Paramount’s
World’s
Fairs
head-
quarters,
the
office
of
the
late
Mr.
E.
V.
Richards,
associate
of
Mr.
K.
C.
Stalling,
Cinema
City
manager
in
Los
Angeles,
Calif.,
were
presented
to
Mr.
E.
V.
Richards,
associate
of
Mr.
K.
C.
Stalling,
Cinema
City
manager
in
Los
Angeles,
Calif.,
were
presented

Mr.
Executive;
I’m
at
your
service!

Stuck-to-iness,
dependability,
comparability,
the
difficulty,
efficiency—are
my
qualifications.

Picture
Production—Theatre,
Radios—my
Fortes.

Salary—Secondary
Considera-
tion.

Opportunity—the
most
Des-irable!

Let
me
prove
your
worth
to
you.

FILM
DAILY,
Box
1206
1501
Broadway
New
York
City
NAZIS NEGOTIATING SPAINISH PIX TREATY

(Continued from Page 1) tiate a film treaty with the Span- ish Ministry of Education. In addition to this, the Nazi government has appointed a director of propaganda for the Iberian Peninsula to popularize German films. Plans are also being readied by the Nazis to build a large studio near Barcelona where both German and Spanish films will be produced, with the latter to be aimed at the Latin American markets as well as for local consumption.

Although permits have been issued to three American companies to import new films, only American pictures are being shown in the theaters that remained open through the war or have been reopened since its conclusion. The distributors are protesting the drastic currency restrictions and are also seeking a revision in the quota stipulations. Although the American pictures are tremendously popular with the public, they do not like German and Italian films, shipping is at a standstill at the present time.

Future course of action by the American distributors may hinge on whether or not the government will make certain concessions which will at least allow the companies to derive enough cash revenue from their operations to cover operating costs.

Canadian ALP Approaches Government for Action

(Continued from Page 1) in the Dominion, “and in the absence of adequate conciliation machinery” he is “making tentative approaches to the government authorities regarding certain special cases” which “he is directly interested.”

Scott states also that all independent in Canada are completing plans for their provincial conventions when delegates will be appointed to the national convention of the ALP, to be held in Toronto during the last week in August.

Acquires Varilla Rights

West Coast Bureau of THE FILM DAILY Hollywood—Baron Valentine Man- delbaum, formerly French Foreign office attaché, now in Hollywood for a vacation, has secured the rights to the Life of and the serial concerning Col. Bumoo Varilla which is centered around the construction of the Panama Canal.

Technicolor Record

West Coast Bureau, THE FILM DAILY Hollywood—For the first time a film anomaly, a single studio, Para., has three Technicolor programs in the third week. Before camer- as are “Dr. Cyclops,” about half through; “Unmasking a Murderer,” in its third week, and “Typhon,” just rolling.

With the Technicolor system, Technicolor treatment for two Tornel Flynn ster- ers—“Sea Hawk” and “Nevada.”

Indies Form Group To Support Jubile

(Continued from Page 1) tions, has been named temporary chairman of the committee. A substantial representation of the Eastern section of the trade has assured Balster said yesterday, that efforts are being made enlist all of the 300 or more units the independents.

It was pointed out that a Coop meeting of the MPIPA probal will be held shortly in order co-ordinate the national campaign of the independents.

Benjamin Kleingerman, of Exhibitors Pictures, and Mackay Stor representing the visual education field, have joined the committee. Temporary headquarters have been set up in the Film Center Rld 630 Ninth Ave., New York City.

Patent Law Changes Wait For Roosevelt's Action

(Continued from Page 1) years to one the period within which an inventor may make public use of his invention before applying for a patent, reduce “Interference Prac- tices” and reduce number of hearing which may be held, abolish “renewal” applications for patents, extend the authority of the Patent Commiss- ioner to allow him to require an applic- ant to respond to an official action within less than the current statutory period of six months and reduce the period within which to cop claims from an issued patent for the purpose of asserting priority.

Passed by the Senate, follow- ing earlier House passage, is the meas- sure to limit the life of a patent to 20 years from the date of filing of application, instead of the present 17 years from date of issuance of patent. The TNPC stated under the procedure delays up to 40 years oc- curred.

Small Borrows Jon Hall

West Coast Bureau of THE FILM DAILY Hollywood — Edward Small has borrowed Jon Hall from Samuel Goldwyn for the lead in “South of Pago Page,” to be released through United Artists.
OUT OF RAGING SEAS AND HOWLING GALES...

Is Born The Mighty Drama of America's "Navy of Mercy"!

Heroes all... of sea, land and air... ever ready for danger... or love... from the Equator to the Pole!

COAST GUARD

RANDOLPH SCOTT * FRANCES DEE * RALPH BELLAMY
WALTER CONNOLLY

Unforgettable heart-throbs for the romantic! Roaring action for the adventurous! Inspiring thrills for every American! A sure-fire hit for your boxoffice! A great big thundering production... to bring sagging Summer grosses back with a bang!
REVIEWS OF THE NEW FILMS

“In Name Only” with Carole Lombard, Kay Francis. KKO Radio 102 Mins. UNUSUAL ROMANCE OF WIFE LOSING OUT TO THE OTHER WOMAN HAS STRONG APPEAL.

A romance that gives opportunity for Carole Lombard and Kay Francis to play dramatic parts of unusual interest as they fight over one man. Cary Grant is the man, and the story is one that will exercise a long appeal to the average woman. Grant finds himself at odds with his wife, Kay Francis, for he has learned that she married him only for his money. He meets Carole Lombard, a commercial designer, and the two soon find themselves deeply in love.

The woman begins a campaign of duplicity in order to keep her man in love with her that they may get a divorce. She pretends to go to Paris to secure the divorce, but is caught back by Cary Grant. Grant's parents are sided with his wife, believing her and that their son is mistreating her. The climactic scene of the film is in the clever way in which the woman makes herself appear as a martyr fighting another woman's attempts to steal her husband. The climax comes with the serious illness of the husband, and the specialist's warning that only the girl whose name he calls for in his delirium can save him. The name is that of Carole Lombard, and after a final scene with the wife, who discloses her hand in front of her husband's parents, the situation resolves itself satisfactorily and the wife is finally forced out of the picture, with all her evil scheming coming to naught. It is not a pretty part for Kay Francis to play, but she handles it superbly.


CREDITS: Producer, George Haight; Director, John Cromwell; Author, Bestie Beuure; Screenplay, Richard Sherman; Cameraman, J. Roy Hunt; Editor, William Hamilton.

DIRECTION, Excellent. PHOTOGRAPHY, Good.

“Mutiny on the Blackhawk” with Richard Arlen, Andy Devine. Universal 57 Mins. LIVELY HISTORICAL DRAMA OF SLAVE SHIPS AND MEXICAN FIGHTING MAKES GOOD ENTERTAINMENT.

A semi-historical drama dating back to the days of the slave traders, which results in some good action entertainment. Richard Arlen as an officer in the U. S. Army is commissioned to go after a slave trading brig operating in the Sandwich Isles. Noah Berry plays the scoundrel captain with Guinn Williams as his tough mate. After taking the abuse of the captain and the crew rebel and with Arlen's leadership take over. They release the Islanders in the hold of the were the live slave cargo. When they land off the coast of Mexico everything goes well until the story suddenly loses its nautical atmosphere and becomes a land drama. It involves留学生差 creepy stretches with the States. Arlen lands with his crew and the Islanders, demanding food. Kit Carson, the Indian scout is there also, and it seems that the Mexican army command is not far away. In another direction conveniently situated is a detachment of U. S. troops. Thus the director has the makings of a nice battle, which he proceeds to unfold as the Mexicans decide to attack when the commander becomes aware of the attitude of Arlen and his crew. The battle sequences are well handled, with the Mexican troops storming the mountain, and being bowled over by barricades of great boulders that are hurled down upon them. Then the battle continues in the walled settlement, with the American troops riding to the rescue in the nick of time. The battle scenes and action make this lively fare, with clever direction by Christy Cabanne.

Selling angles: the exciting battle scenes; the mutiny aboard a slave ship.


CREDITS: Producer, Christy Cabanne; Director, Berton Pivar; Screenplay, Michael Simmon.

DIRECTION, Very Good. PHOTOGRAPHY, Okay.

Orders Goldberg Testify

New York Supreme Court Judge Edward J. McGoldrick yesterday ordered William Goldberg, treasurer of Europa Cinema, Inc., to testify before trial on Aug. 16 in the suit of Michael J. Levinson for $10,000 damages for breach of contract whereby the defendant allegedly agreed to exhibit the film, “Of The Frontiersman,” in his Europa Theater.

Greiver Adds Two

Chicago—The Cameo and Schlindt theaters are now included in the G. E. Greier circuit.

“The Dead Men Tell No Tales” with Emlyn Williams, Sara Seeger. Alliance 70 Mins. FINE EXAMPLE OF BRITISH STUDIO'S SKILL IN FILMING MURDER MYSTERY THAT IS ENGROSSING.

One of the best of the murder mysteries of the season, and a fine example of the British studio's skill in handling this type of fast suspense and deft characterization. Emlyn Williams dominates the production as the headmaster of a boy's school near London. One of the women teachers wins a French lottery and prepares to go to Paris to collect it. Her progress is followed with the camera, till she falls into the clutches of a clever French money broker operating in London. Emlyn Williams plays this part, also, but his disguise is so deft that few will suspect him till the dramatic disclosure near the close of his career, who works at the school, discovers his dual role and almost loses her life. The girl has a friend who is at Scotland Yard and assigns to the case. Another teacher, a young man, who also learns much about the real identity of the supposed London money lender, is done away with in an apparent suicide. The diabolical cunning of the murderer, his sinister appearance so utterly at variance with the scholastic aloofness of the headmaster of the school, form one of the finest dual roles in a murder mystery that has ever been presented.

All the players are most competent and convincing. The direction is something to grow everlastingly about. Hollywood can learn a lot from this production in all departments. Selling angles: great characterization by Emlyn Williams; the cleverness of the murders.

CAST: Emlyn Williams, Sara Seeger, Hugh Williams, Marius Goring, Lesley Brooke, Charles Gillingham, Claire Lent, Albertine, Win- ton, Jack Vivian, Marjorie Dale.

CREDITS: Producer, David MacDonald; Author, Francis Beeding; Screenplay, Walter Stirling; Director, Clifford Dickens; Cameraman, Bryan Langley.

DIRECTION, Very Good. PHOTOGRAPHY, Fine.

Back to Wide, Open Spaces

West Coast Bureau of THE FILM DAILY Hollywood—After 12 days in Hol- lywood, during which time they were received by William S. Hart, D. W. Griffith and other stars, Pawnee Bill and Phil Isley returned to Oklahoma. Pawnee Bill, last of the great bullwhackers, goes to his ranch in Pawnee, Oklahoma and Isley to Tulsa, where his theaters are located. They were guests of both Bill and Isley while they were in Hollywood.

Mae West for Broadway

West Coast Bureau of THE FILM DAILY Hollywood—Production on Universal's W. C. Fields-Mae West starrer, "Of The Frontiersman," is to be resumed for five weeks. Miss West is expected to return to New York upon completion of the film to appear in stage play. She is interested in three plays which are scheduled for Broadway this Fall and Winter.

“My One Day Stand” (Vitaphone Variety) Vitaphone 10 Mins. Sure-Fire for Patrons.

That the circus is not wholly romantic, colorful entertainment purveyed by the tour, or awesome to folks young and old because of the jungle densities accompanying it, graphically demonstrated through the short made of the Cole Bros.-Clay-Beatty Circus, and with that organization's co-operation. Indeed, some of the most colorful material deals with the movement of the big show from town to town; the difficulties of transporting it; the feeding of its thousands of hungry animals; the adjustment of the big "tops" or tents; and the skillful methods employed to "fold their tents" far more spectacularly than the Arabs of poetry, and steal away to the next stand. Stardom scenes are, in part, Clyde Beatty's taming tigers and lions; how circus folk live; the employment of the elephants; all chores which would tax the strength of ordinary men and machines; and, finally, the circus parade itself. Here is sure-fire audience attraction.

“Modern Methods” (Color Parade Series) Vitaphone 10 Mins. Packs Pompeo Appeal.

Four sequences, directed by Ira Genet and narrated by Dwight Weist, comprise material which is of both general interest and particular appeal. One of the set of pictures on which the audience will most enjoy the “Remote Control” footage, and that concerned with the presentation of woman's hats, "Remote Control" deals with electric device which enables the housewife to perform domestic tasks, including the latest cookery, with a minimum of effort. Reel's portion concerned with the kitchen art, particularly the art of "Improving"—the art of adding to the value of certain items, as clothing, with the aid of a skate key. Selling angles: charming appearance and trimming.

Remaining footage discloses the meaning of ocean tides and the making of life-like masks by an artist.

“Will Osborne and His Orchestra” (Melody Master Series) Vitaphone 10 Mins. Effective Orch Reel.

In a bandstand setting of modernistic design the baton of Will Os- borne's musical meisters are conducting, with successful renditions of pop numbers. Melodies chosen are well calculated to both strike men's responsive chords in average pit theater audiences and demonstrate skill and versatility of the orchestra aggregation. Climax offering of “Dakotastriut- ters Ball” is particularly torrid. Dick Rogers and Lynn Davis vocalize effectively, while Will himself, in grandly conducted, well-made and photographically excellent orch reel.
**SHOWMANSHIP FIRST, MOSS TELLS SCHINERS**

(Continued from Page 1)

all season and predict better times ahead for the exhibitor in general. Moss pointed out that good housekeeping, politeness on the part of patrons and stand and everything else are secondary to showmanship. Any picture has good possibilities if a showman recognizes it and then use showmanship to sell it to the public, he concluded. Many a smaller budget picture, in fact, has sold better and better at the box office, than the high-priced super-dooper.

In emphasizing the value of showmanship he pointed out how industry is more and more appropriating showmanship to itself, citing the example of the General Motors show at the New York World's Fair as an example.

Moss praised the convention designation as "showmanship of the best type."

Another striking statement of the convention was that of Herman Wobber, vice-president and general sales manager of 20th Century Fox, who promised that everything possible would be done to keep moving pictures stars off the air. "These stars are made by movies and movies, personally am against their appearing on radio or television programs, because their pictures are yours and should remain yours," he said.

His statement was applauded, but many managers present openly expressed doubt major companies would keep any such promise.

Other speakers included James R. Grainger, president, Republic Pictures, who declared his company was going to go up with "Man of Conquest" but would produce an even bigger historical picture for the Fall season, "Wagon's Westward." He looked for a better year, starting with September, and said his travels in the East had convinced him things were picking up for exhibitor.

Leon Bamberger of RKO told of the advantages of the "special mail-listing" reaching key persons in pre-selling pictures. Rodney Bush of 20th Century-Fox told of the news value in motion pictures, and how it could help managers obtain publicity. He said the fact that in Hollywood there were scores of accredited, paid correspondents proved that the movies were "earnest and not publicity." That idea should be put across to local newspapermen by managers, he stressed.

Lou Pollack of Universal told of the value of fan magazines, taking the nearby city of Amsterdam as an example by mail city, he said, with a population of 35,000. In a single

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**PARAMOUNT EARNINGS UP $904,189 OVER '38**

(Continued from Page 1)

include $300,000, representing Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter of partially-owned non-consolidated subsidiaries.

There were outstanding as of July 1, 1943, 1,144,672 shares of cumulative convertible $10 par value 6 per cent first preferred stock and 555,071 shares of cumulative convertible $10 par value 6 per cent second preferred stock. After deducting $306,268 of dividends accrued for the quarter on these preferred shares, the remaining $529,732 of estimated combined consolidated and share of undistributed earnings for the quarter represent $2.11 per share for New York for the opening of the quarter.

Computed on the same basis, the estimated combined consolidated and share of undistributed earnings for the six months ended July 1, 1939 represent $.62 per share on such common stock outstanding, which compares with $.26 per share for the six months ended July 2, 1938.

O'Connor Sets Reopening

(Continued from Page 1)

O'Connor lead the list, being followed in rapid succession by the Albee, Providence, Aug. 17, and the Orpheum, Kansas City, the next day. Less than a week later, Aug. 24, the Alden, Jamaica, begins its 1939-40 season and on the following day, Aug. 25, the Strand in Syracuse throws open its doors. On Sept. 1, the Trenton, Trenton, starts its new season, as does the Orpheum in Champaign, a week later, Friday, Sept. 8.

Rosener Books 'Housemaster'

Bud Rogers, vice-president and general manager of Alliance, has set "Housemaster" for Rosener's Clay in San Francisco and the Elroy Hollywood. An Alliance short, "Birth of the Movies," has been booked by Newsworld Theatres, Inc., to open simultaneously at the Embassy Theaters, Frisco, and at the Rockefeller Plaza-Newsword Theater Aug. 18.

McGinnis Replaces Burrys

Chicago—Hugh McGinnis, of the State Theater, has been elected vice-president in charge of welfare of the Balaban & Katz Employees' Association, succeeding Charles Burrys, resigned.

More "Private Lives"
SHOW-DOWN NES IN PLAYERS UNION ROW

(Continued from Page 1)

Hollywood to attend the A.F. of L huddle, it was learned yesterday.

The actions of Browne and Whitehead were denounced by Frederick March and his wife as a concoction of the unions in the hope that the Motion Picture Art-ISTS would never submit to domination by the IATSE.

Most important development of the day as far as actual action by either side went was the internal attack fired at the AFA executives by a group of members. In the event of a general membership meeting, which is demanded, amendments could be introduced which would oust the present officials and make it possible for absorption of the union by AGW.

However, it is doubtful if a membership meeting can be held before the A.F. of L executive council sessions are held. At the IATSE meetings, it is not revealed by its parent body and some sort of agreement reached action along these lines may prove fruitless.

Principal complaint in the petitions of the AFA members was that no membership meeting had been called to allow the members to vote as to whether or not they wanted an affiliation with the union.

Threat to Dultz in a phone call, with the anonymous caller stating that a claim of his identity. He told Dultz that "you are mainly responsible for this situation and from now on if you want to stay out of the hospital you had better button your trap," Dultz stated that he had no idea as to the caller's identity.

Following issuance of the statement by March and his wife, de-nunciation of Browne and Whitehead, IATSE and AFA executives were told that it was learned that delegations of screen and stage stars have made plans to attend the A.F. of L sessions from both Hollywood and New York to plead their case and attack the action of the IATSE in granting a charter to the AFA.

A meeting of the executive council of the American Federation of Radio Artists will be held today and they are expected to suspend Sophie Tucker, following the action of the SAG. It is also expected that they will place their resources and unqualified backing behind the A.A.A. A.

No meeting of Actors Equity council has been called for this week, but when they meet next Tuesday they are expected to also follow the actions of the SAG in suspending Miss Tucker and offering their complete backing to the 4 A's.

REED SHOOTS FOUR HERE

Rodwell Reed, Hollywood industrial film producer, has arrived in town to supervise shooting of a single reel film to be made for Servel Electro-Lux at the Fox studios. Reed is photographing pictures himself with Paul Ivano at the camera.

TOUGH GOING IN OLD CHI.

Windy City Exhibs. Paint Sad Opposition Picture

Chicago—So exhibs. down St. Louis way think they have troubles, do they?

Well, just suppose they were in biz here and faced as Summer time opposition—

Free Grant Park band concerts.

Night baseball at the White Sox Park.

Boxing under the stars.

Outdoor theaters.

Steamship excursions.

Invalids with the Field Museum offering pix.

Lincoln Park and Brookfield Zoos.

Take Michigan's free bathing beaches.

Guided visits to the packing plants, mail order houses and major manufact ring plants in the area.

Anti-Censorship Council To Battle for "Harvest"

(Continued from Page 1)

bureaucratic censorship" by the National Council on Freedom From Censorship which offered to aid exhibitors in an appeal of the Board's ruling to the courts.

Citing the common law marriage of the two principal characters as the "sole conceivable offense," Quintin Howe, chairman of the Council, which is the State office of the American Civil Liberties Union, pointed out that such marriages have been legal in New York State for years, and thousands of couples are so married.

Critics who have seen the picture have added, "praise its treatment and art."

Albany—Counsel for the State Department of Education finally have received papers of appeal submitted by Andre R. Heymann of the French Cinema Center, 35 West 45th St., New York, distributor of French pix, "Harvest." Pix was submitted July 15 to Dr. Irwin Esmond and turned down as "immoral."

In protesting the decision of the Censor, Counselor M. Garreau Domville, United States Ruth Embassay wrote Dr. Esmond a few days ago, "I cannot refrain from giving you my impression of sincere sorrow and regret at this decision which the French producers hope you will reconsider."

The New York Radios and Regent sub-committee is expected to set a date for screening of the pix and will listen to arguments by Arthur Garfield Hays for the French Cinema Center and to Ernest E. Cole and Charles Brind of the Department of Education law bureau at the same time.

COLE AND MYERS WILL SPEAK AT A. C. MEET

second day of the convention. The annual banquet is slated for that night. Business sessions are to be resumed on Sept. 8 and the convention will wind up with a visit to the beauty pageant.

The code was not discussed at yesterday's meeting. George Godd, unit president, said the code was a "dead issue for the present" and did not require further consideration.

The members also received a full report on the Neely Bill's passage in the Senate.

$25,000 in Cash Awards

FOR NT's Fall Campaign

(Continued from Page 1)

tain, New York shortly to make a complete tour of the theater districts.

His visits in each territory will coincide with regional meetings of the NT district leaders so that he will be able to attend at least the final section of each of these meetings, which are being held before the drive gets under way.

Spyros Skouras Expected at National's Denner Parley

Denver—Spyros Skouras is expected to attend the opening day of the annual Intermountain division convention here at the Brown Palace hotel Aug. 16. The meeting will run three days, with district meetings occupying the third day.

Rick Ricketson, division manager, will preside, with hotel and booking managers and Denver headquarters men attending.

The principal public relations discussion will be "How to Sell Tickets."

The annual business meeting and convention of the Gibraltar Enterprises, Inc., with 38 managers, besides directors of advertising, maintenance, men, directors and officers, will be held at the Cosmopolitan hotel Aug. 11-15. Chas. M. Gilmour is president of the company which operates 38 theaters in the Denver area.

Directors include seven known theater men—Thos. Murph, Frank, N. M.; Everett Cole, Alb- mom, Col.; Ed Schulte, Casmot, Wyo.; Wm. Ostenberg, Scottsbluff; N. W. White, Silver City; N. M.; and John Greer and Nathan Salmon, Santa Fe, N. M. Theater matters in general will be discussed, and the directors will elect officers for the year.

Many of these are planning to attend the Rexann golf tournament of the Rocky Mountain Screen Club at Eddie Ott's Country Club and Fairview golf course Aug. 18. Rosedale Golf will there be a bowling tournament, other picnic games, with a banquet and dancing in the evening.

Hare-um Scare-um" (Merrie Melody Cartoon)

Vitaphone 7 Mins.

Merrily Madcap

Everybody concerned with the making of this short, "Merrily Madcap," starring Jean Harlow, Hardaway and Cal Dalton, animator Gil Turner, Author Mellin and Musical Director Carl W. Stalling,—must have had a lot of fun, for there is a total absence of any serious note.

More than that, the seven minutes which transpire from the time that patrons learn, at the outst, that because of the rise in meat prices, old John Sourpuss is moved to take his gun and search the woods, until the finale, all action is about as madcap as rampant imagination can conceive.

The hunter runs amuck of a screwy nature. The show is the name of "Bugs" Bunny. At windup, John Sourpuss goes crazy because of the trouble the bunny causes.

"Three Minute Fuse"

(Your True Adventures)

Vitaphone 11 Mins.

Exciting Yarn

Story of how an Oklahoma, Clair Bigler, escapes death from a dynamite charge at the bottom of a well, where he and his companions are "digging," furnishes the crux of this most recent Floyd Gibbons adventure reel.

Action, under the direction of Joseph Henabery, and enacted by Ed Andrews, Draja Dynen, Toney Ross, Gordon MacRake, Owen Coll and Alex Cross, is exciting, plus maintaining suspense to the point where audience spines will be tingling to the maximum degree.

The true adventure came to Bigler when, after lighting a three-minute fuse at the bottom to blast through the last rock strata, he is being hauled up by a rope which breaks, hurling him back. However, though unconscious and painfully hurt by his companions manage to get him to safety in time, just before the dynamite explodes.

Confirm Orpheum Report

Federal Judge Murray Hubert yesterday confirmed the report of Peter B. Olney, Jr., referee in bankruptcy of the Orpheum Theater Co., and directed payment of $24,692 to creditors and $4,054 in fees and commissions. The general creditors received $1,667,193.

No objections were raised to the report of the referee.

Brice Suit Not Settled

Chicago—Denial of reports that the damage action of Fannie Brice against 20th-Fox has been settled out of court was made yesterday by Attorney Francis Matthews has been appointed counsel for 20th-Fox, and de- nied any suit or settlement had been in the making Monday, before Judge John Lupe.
$2,325,525 Net for 26 Weeks Reported by 20th-Fox

MAP PRESSURE CAMPAIGN TO PUT THRU NEEDY BILL

See No Chance for Equity Suit Trial Before Jan. 1

Shortage of Judges, Packed Calendar Are Bars, Court Indicates

Federal Judge John C. Knox yesterday took under advisement the application of the Government to fix trial in the equity suit against the majors on Nov. 1, at the same time indicating that due to a shortage of judges and a crowded calendar the trial could not be reached until Jan. 1 of next year.

The Court stated that efforts were being made to secure three new judges from Congress, but so far the efforts were unavailing. He excused (Continued on Page 4)

CODE ADMINISTRATION UNDER JOINT CONTROL

With the release for publication of the revised trade practice code assured for next week, it is understood that the next problem of the distributors will be the settling up of a system of administration of the draft's provisions.

It has been established definitely that the Hays organization will not participate in any way in putting the code into effect. While the draft (Continued on Page 4)

Nova Scotia Sales Deadlock Seen Near End With Truce

St. John, N. B.—Peace—or at least a truce—looms on the distributor-exhibitor horizon here as a result of the decision by Nova Scotia indies to accept contracts containing (Continued on Page 4)

Schenck Reports Disposal of 700 Shares 20-Fox Pfd.

Washington Bureau of THE FILM DAILY
Washington — Joseph M. Schenck has disposed of 700 shares of 20th Century-Fox's $1.50 cumulative preferred, it was reported today by the SEC in its semi-monthly summary (Continued on Page 4)

Frank C. Walker Named MPTOA First Vice, Filling Vacancy Left by Comerford Death

Frank C. Walker, president of the Comerford Circuit, has been elected first vice-president of the MPTOA to succeed the late M. E. Comerford. The election was executed by a mailed ballot among the board of directors.

In commenting on the election, Ed Kayndell, MPTOA president, said that "Walker will add strength to the present board of directors. His advice and counsel will be valuable in problems of national importance."

N. Y. Department Stores Would Enter Tele Field With Commercial Station

Following yesterday's announcement by Abram & Strauss, Inc. and Bloomingdale Bros., Inc., of the organization of Metropolitan Television, Inc., a subsidiary for the purpose of transmitting tele programs in the Greater New York area upon the granting of a license for a commercial transmitter by the FCC, I. A. Hirschmann, vice-president of Bloomingdale's told THE FILM DAILY that the license application had been submitted to FCC early in July.

He also revealed that films will play an important part in the programs which are planned for presentation. Such programs, he stressed, will be essentially of a

Illinois Legislative Call to Eye Pictures?

Chicago—Duals situation here and other industry problems may get a thorough once-over from the State Legislative Council.

Rep. Elroy Sandquist, sponsor of the anti-duals measure which passed at the last session of the Illinois Legislature only to be killed by Gov. Harry Horner's veto, told THE FILM DAILY prior to his departure for Hollywood yesterday that he has received promises of cooperation from two members of the Council.

They are Representatives Saltiel of this city and Warren Wood of Joliet. Sandquist had urged the Council study the film situation generally. Next session of the Council is scheduled in September.

20th-Fox's $2,325,525 for 26 Weeks Compares With $3,419,658 in 1938

Australia Considering Copyright Legislation

Sydney (By Cable) — Australia may cast aside its present copyright statutes in favor of wholly new legislation which is receiving "very careful consideration" from the Federal Senate (Continued on Page 2)

Twenty-first Century-Fox yesterday afternoon reported a consolidated net operating profit of $2,325,525 after all charges including Federal income taxes for the twenty-six weeks ended July 1. This compares with a profit of $3,419,658 for the first 26 weeks of 1938.

For the second quarter ended July 1 (Continued on Page 2)

Organized Groups to Turn Propaganda Guns on House Members

Washington Bureau of THE FILM DAILY
Washington — Pressure campaign eclipsing anything that the film industry has experienced to date will be inaugurated in behalf of the Neely bill immediately upon the adjournment of Congress tomorrow or Monday, it was indicated here yesterday.

Organized groups which participated in the successful "home folks" drive to line up Senatorial support for the measure propose to employ the same tactics to insure House consideration and passage at the next session of Congress.

Such organizations as Parent-Teachers Associations, Federation of Teachers (Continued on Page 22)

AFFILIATES OF AAAA IN FURTHER REPRISALS

Intensifying their drive against the IATSE for the latter's action in granting a charter to the APA, the AAAA affiliates yesterday took further reprisals, with AFRA suspending Sophie Tucker. A special meeting of the Actors Equity Association is called for today with similar steps expected to be taken. A letter attacking IATSE officers (Continued on Page 22)

Arcadia Decision Nears On Eastern Production

Whether Arcadia will produce its pictures in the East for major distribution will be determined within (Continued on Page 22)

National Organization Looms For Australian Film Trade

Quebec—John Grierson, member of the British Films Council and producer, will discuss the organiz- (Continued on Page 4)
Gloversville — Schine supermarket managers, augmented by a train- load of special auxiliaries, have sold New York, descended on the swanky Pine Brook Country Club golf course here yesterday for the first time in its history. Starting at 10 a.m., there were programmed activities on the links and in the club house until the car was given for the trip to Sacandaga Park and the outdoor steak roast.

At the ground on the area of the big Adirondack Inn, the feast was served with sweet corn and other appropriate delicacies, followed down to blueberry pie.

As this edition went to press, the Awards Committee of the golf tour- nee had not yet announced the winners, as delay was occasioned by the numerous classifications of contestants, handicaps, and so many of the names posted.

Feature of the day's play was a hole in one, made by Joe Schwartz, Auburn city manager. Previously, on the 17th, he made a birdie. That explained why they were hit and others that bounced off the tee before the eyes of the players enlivened things at the first hole.

At 6 p.m., the last of the players won the final round and the train to Sacandaga and the steak roast started. A large bus bearing a banner that got them to the Schine Convention — the special train that arrived in Fonda with the New York contingent for the roast.

Today opening day of the con- clave, will feature a special address by William Groat, New York at- torney, on “Americanism.” Hugh E. Lasser of Chicago will speak also on the subject of “16 mm. Local Theater Shows” in an entertainment. He will include a demonstration. Windup talks will be given by J. Myer and Louis W. Smith.

Admission will be being sched- led at about 1:30 p.m.

Wolf and Fud to Fill New Suit Versus Loew's

Shaine & Weinbel, attorneys for Norman Wolf and Mannes Fuld, minor- ity stockholders of Loew's, Inc., stated yesterday that they would file a stockholders' suit against Loew's and its officers and directors within two weeks. Judgment was entered yesterday in the Federal Circuit dismissing the suit of Wolf and Fuld there for lack of Jurisdic- tion.

Suit seeks appointment of a receiver and money damages, charg- ing waste and manipulation.

Dietrich Contract Sold

Paris (By Cable) — Contract of lease between Dietrich has been sold by Forrester-Parront to L'Alliance Cin- ematographique, which will begin showing early in September. Diet- rich will have Jean Gabin as leading man and Josef von Sternberg may be the director.

Col. Division Managers

Here for H. O Confabs

Chicag's Columbia division managers arrived in town yesterday, for a series of conferences with Jack Cohn, General Sales Manager A. Montague, Nate Spingold and Assistant Sales Manager Rube Jucker. The meet- ings scheduled for today and to- morrow will be devoted to the releas- ing of "Golden Boy" and "Mr. Smith Goes to Washington," and to the advertising and exploitation campaigns being planned for them.

Division managers present are Sam Mosca, southern division mgr.; Phil Dunas, midwestern division mgr.; Carl Shalt, central division mgr.; Sam Galanty, mideastern division mgr.; and Jerome Safron, western division mgr. who has been in town for several weeks.

When the conferences are com- pleted, they will all go to Trans- mission's cruiser for a sail on the sound, and a charcoal steak dinner ashore. Montague will act as the chef.

RKO's "In Name Only" Sets Summer Music Hall Record

Last night at closing, Radio City Music Hall declared that RKO Divi- sion's "In Name Only" scored the best opening day of any attraction at that house during the current Summer. The "take" it was as- serted, was at the $15,000 mark.

Attraction ran ahead of RKO's former big grosser "Babeleth Mother" by a wide margin, and bettered the figure of any of the company's hits on opening day at the Music Hall in the past 18 months.

Washington Bureau of THE FILM DAILY

Washington — The Schein-Zanuck tax case was discussed on Wednes- day at a meeting between this general Murphy and division heads of the Justice Department and treas- ury officials, Murphy disclosed yes- terday at his press conference. The case is under serious study, Murphy said.

Murphy said another large income tax case is being readied but de- clined to say whether it also involves industry personalities.

Myke Lewis Named Sales Chief by Harry Sherman

West Coast Bureau of THE FILM DAILY

Hollywood—Myke Lewis, veteran Paramount sales executive, has been named sales chief by Harry Sherman Productions. He will main- tain his headquarters at Sherman's office and will leave shortly on a trip that will include every Para- mount exchange in the U. S. and Canada.

Friday, August 4, 1939

SAMUEL GOLDFYNE, his wife and son rent to the Coast today.

"HAP" HADLEY is back from a 30-day trip through the Far East.

JACK SKIRBLL flew in from the Coast yesterday.

STAR HARMSON returns today to take

DAVE FLEISCHER arrives tomorrow after

GERALDINE FITZGERALD, film player, turns to Burbank from Ireland on Sept. 1, next year.

TOM GORMAN, RKO's Chicago district ma- nager, arrived in New York yesterday morning for home office conferences.

HENRY WEINER, UA manager in Cuba, so from New York tomorrow for Havana, terminating a three-week vacation.

E. J. STUTZ, of the Sonatons Theater, Chi- cago, M. ENGELSTROM, of the Loew's Theaters, Decatur, Illinois, who is shopping at a Hotel Lincoln, were recent guests at RKO Radio exhibitors' lounge.

MICHAEL M. BERGER, Columbia's man for Japan, left New York yesterday for Coast where he will spend a week prior to sailing from Vancouver on Aug. 17 for Tok to board the Admiral of Asia.

JASCHA HAYFETZ, currently making his film debut in the USA-Galaxy series, "They Have Music," arrives in New York on Sunday morning from the Coast via American Airlines.

JOE KRAUS, Cinemontz, Chicago, R. KENNEDY, city manager of Gerber in Birmingham, accompanied by his wife; WILLIS GRIST, manager of R. Paramount Theater, Lynchburg, Va., accompanied by his wife, MADGE, VIRGINIA MERRILL LINDLEY and his wife, the latter secretary to Paramount's branch manager; MRS. IRA ROGERS, of Para- mount's New Orleans booking office, accom- panied by IRA CLERQ; HELENA STEVENSON, branch manager, Theater in Hattiesburg, accompanied by WILLIAM H. EDMUNDS, Charleston, W. Va., were visitors yesterday at Paramount's World's Fair lounge in the hotel offices.

HAT SANDERS, of Film Alliance of the I. S., leaves New York today for an extended trip to change out on franchise deals on new product.

HAT LIEBERKIND, South American manager for RKO Radio, leaves New York today on 11th Northern Prince for Argentina to attend company's sales convention, and, on route, the RKO Radio Brazilian consulate.

W. R. Ferguson's Father
Expires In Lynn, Mass

John Ferguson, 92, father of Will- iam R. Ferguson of M-G-M, died yesterday at his home in Lynn, Mass. Decesed is survived by another son, Kenneth J., and a daughter, Mrs. Walter Whitemarsh. The funeral will be held tomorrow in Lynn.

AT LIBERTY

Eight years' experience with major com- panies in foreign production department —superimposing, re-recording of com- positons, string, solo and background cutting. French dialogue pictures and edition of English titles. Knowledge of French, Spanish, Italian. Excellent position in similar capacity or any position in export department here or abroad.

Write Box No. 1200.

THE FILM DAILY
1501 Broadway
New York City
DEPARTMENT STORES WOULD ENTER TELE

(Continued from Page 1)

good-will, informative nature which will command public interest. The merchandising of commercial goods will have a role, but will be subordinated to a broader scheme of pleasing television audiences. Further, an educational note will be injected from time to time to benefit those who consume the department stores' articles.

Hirschmann, who leaves New York on the Ile de France for London on Tuesday where he plans a study of telecasting methods of British Broadcasting Co., as well as those employed by Selfridge's Department Store now making use of tele for merchandising, asserted that Bloomingdale's has been quietly working recently upon the development of tele for television, particularly for film.

Added interest in the proposed tele station was aroused in motion picture circles yesterday when it was learned that Metropolitan Television, Inc., had listed as consultant engineers the Allen B. DuMont Laboratories, Inc., affiliate of Paramount Pictures. Although not officially confirmed, it is understood that the DuMont organization is not only acting as technical advisor of Metropolitan Television, but is slated to closely collaborate with the new project on the tele film aspects, which call for fashion and other reels.

Officers of the new corporation are Walter Rothschild, president; Harry A. Hatry, Robert E. Blum and I. A. Hirschmann, vice-presidents; David M. Freudenthal, secretary; and Kenneth C. Richmond, treasurer.

The tele studio will be located, it is planned, in a midtown hotel.

Washington Bureau of THE FILM DAILY: Washington—Observers who are close to Federal Communication Commission activities declared here yesterday their belief that within the next six or eight months close to a dozen new television stations will be licensed in the U. S.

Australia Considering Copyright Legislation

(Continued from Page 1)

government, according to Attorney General Hughes. New laws would be framed with a view to the situation arising from development of films and radio.

Africa on B'way

Africa came to Broadway this week and folks are wondering that the Chancellors of Commerce as the Dark Continent are doing a lively tele-promotion. "Four Feathers" is at the Capitol, "Stency and Livingston" is at the RKO and "Bushy Geo" is at the Paramount. In the second S.M. "Tarzan Finds a Son" All have African locales.
NO CHANCE FOR SUIT TRIAL BEFORE JAN. 1

(Continued from Page 1)

pressed sympathy with the Government's efforts for an early trial and were in their view, at least, unlikely to delay deliberation on the calendar condition of the District Court here.

Special Assistant Attorney General Paul Williams in his statement to the Court urged Judge Knox to put the case on for trial immediately, stating that the public interest and the situation in the industry made an early trial urgent. Williams was supported in his argument by one podiatrist possible trial counsel for the Government, who stated that there was a "very serious situation" in the industry and that an independent distributor or producer "hasn't got a chance to start a case in Canada now, and the industry should be prepared to adopt the same pattern here.

The Government was receiving numerous complaints from all over the country, Podell continued, and it was obvious that the trial had been postponed for an inordinate amount of time and that an early trial was required.

Col. William J. Donovan, in opposing the application, contended that an early trial was not possible due to the unpreparedness of the case. He argued that the defendants had not been given sufficient time to prepare their case and that an early trial would be unfair to them.

Judge Thomas D. Thacher took up the argument for the majors, reiterating that the defendants could not be adequately prepared earlier than March. He stated that the structure of the industry had resulted from natural economic developments and that the problems facing a trial judge would require intimate knowledge of the business and how it happened.

Thacher argued that the full preparation of the case and the presentation on trial of the fullest details would be for the benefit of the public.

Ralph Harris completed the arguments for the defendants by urging

Grandpappy Podell

Edith Golden, vice-president of Monogram Pictures, and Grandpappy Podell at 3:15 yesterday morning. A baby girl, weighing 7 lbs. 9 oz., was born to Mr. and Mrs. Robert Golden, in Hollywood. The infant is the sixth child of the couple and is the first among the family to be born in this country while attending the Schine convention in Glens Falls.

APL and ITA Execs. Meet in Toronto Today

To Further Plans for Convention of Indies

Toronto—To further plans for the forthcoming convention of the Anti-Protection League, to be held here late in August or early in September, with delegates attending from every province in the Dominion, members of the APL's central committee and the independent producers, and of the ITA, are scheduled to attend.

This conference will call a special general meeting of the ITA, to be held next week when every independent exhibitor of Canada will be invited to attend. Convention dates will be set at that time.

10,438 Positive, 515 Neg.
Prints Exported in 6 Mos.

Washington Bureau of THE FILM DAILY

Washington—To all markets of the world, 10,438 separate positive and 515 negative prints of features containing 4,000 feet or more were exported in the first six months of the current year, it was estimated yesterday by Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce.

Preliminary figures for the first six months for U. S. exports of motion picture films, both negative and positive, reached 5,070,745 feet as compared with the first six months of 1938. During the current period a total of 7,973 linear feet of American negative and positive film, valued at $1,724,237, was exported to the markets of the world as compared with 97,473,313 linear feet with a value of $12,122,719 for the first six months of 1938.

Positive films for the first six months of 1939 totaled 75,734,690 linear feet with a value of $1,568,722 and negatives for this period of 3,667,878 linear feet valued at $155,515 as against 95,881,777 feet of positive film valued at $1,962,151 and negatives totaling 4,391,536 feet having a declared value of $160,568 during the same six-month period of 1938.

the Court to allow the case to be reached in its natural course and stated that there was no emergency which would require an earlier trial.

UA Denied More Definite
Bill in U. S. Equity Suit

United Artists Corp. yesterday lost its battle to obtain a more definite and adequate bill of particulars in the Government's equity suit against UA and the other majors when Federal Judge Edward A. Conger handed down a judgment denying in full the application.

Judge Conger stated that he felt that there was "a fair and reasonable compliance with the order of Judge Bondy," therefore, denying the motion. United Artists was also informed that its preliminary answer to the complaint was received with the date set for 10 days after service of the order of the court.

The motion, which was filed in its entirety, was granted by the court, the second motion, a request for an extension of 60 days to answer the complaint since Judge Conger's decision, was directed to the plaintiff. The court answered "within 10 days after service of a copy of this order." The court also ordered United Artists to file a corrected list of 11 items of the complaint, claiming that the Government had unsatisfactorily set forth the details in its previous bill. In addition, the court requested the Court to strike out certain allegations of the complaint which referred specifically to UA.

National Organization Looms
For Australian Film Trade

(Continued from Page 1)

(Continued from Page 1)

Code Administration
Under Joint Control

Tribunals have not yet had time given to the administration, it is reported that the new anti-trust boards would be set up in the industry, they will be attended by the Federal Trade Commission on each of the major film studios.

Schenck Reports Disposal
Of 700 Shares 20-Fox PF

(Continued from Page 1)

of security transactions and holding stock now holds 22,584 of the preferred shares and 168,345 shares common stock.

In a corrected report for Mary, 1929, United States and Canada, the company will receive 6,762 shares of Columbia common stock.

Schenck, President of Canada, in a corrected report for May, 1929, United States and Canada, which has been reported, has received 6,762 shares of Columbia common stock.

Loew's Boston Theatres report that Loew's, Inc., has acquired 1,927 shares of common stock. The parent company now holds 99,792 shares of common stock.

A corrected report for May, 1929, United States and Canada, which has been reported, has received 1,927 shares of common stock.

Reprint of Universal states Dan M. Shearer has acquired 200 shares of Paramount common stock, representing his entire holding of that class. Freeman's wife holds 6 shares.

Report of Universal states Dan M. Shearer has acquired 500 shares of Paramount common stock, bringing his total holding to 1,768 shares.

Loew's Boston Theatres report that Loew's, Inc., has acquired 1,927 shares of common stock. The parent company now holds 99,792 shares of common stock.

A corrected report for May, 1929, United States and Canada, which has been reported, has received 1,927 shares of common stock.

"Hallelujah" Revival

King Vidor's all-Negro production, "Hallelujah," a Metro 1929 release was on view in the one downtown company at the New Amsterdam Theater for an extended engagement.

Hotel Into Theater

Pittsburgh—Spear Marcus, who operates the Hotel Palace and the New Carlisle, has purchased the fourth-story Lions Theatre in his downtown, will convert it into a modern first-run theatre, on which work is to be begun immediately.
4 BIG ONES FINISHED!

4 BIG ONES SHOOTING!

...AND MORE ON THE WAY FROM RKO RADIO...
EIGHT PICTURES AS GREAT AS THE BIG NAMES IN THEM! . . . . .

EIGHT PICTURES AS GREAT AS THE MIRACLE MEN WHO DIRECT THEM!

GINGER ROGERS · CAROLE LOMBARD · CARY GRANT
KAY FRANCIS · ANNA NEAGLE
CHARLES LAUGHTON · ANNE SHIRLEY · JOHN WAYNE
CLAIRE TREvor · HELEN VINSON · RAYMOND MASSEY
DAVID NIVEN · CHARLES COBURN · FRANK ALBERTSON
MAY ROBSON · EDNA MAY OLIVER · ZASU PITTS
H. B. WARNER · GEORGE SANDERS · WALTER CONNOLLY · VERREE TEASDALE · FRANKLIN PANGBORN · BRIAN AHERNE
SIR CEDRIC HARDWICKE · WALTER HAMPDEN · MAUREEN O’HARA

GARSON KANIN · JOHN CROMWELL · HERBERT WILCOX · GREGORY LA CAVA
GEORGE STEVENS · WILLIAM SEITER · WILLIAM DIETERLE
Now playing to peak midwinter grosses in first runs throughout the country! . . . Held over at Radio City Music Hall after a first week that lifted it to that coveted $100,000-a-week class! . . . AS BIG AS THEY MAKE 'EM—AND PRESENT GROSSES PROVE IT!
Carole LOMBARD and Cary GRANT and Kay FRANCIS in

IN NAME ONLY

with CHARLES COBURN HELEN VINSON KATHARINE ALEXANDER JONATHAN HALE MAURICE MOSCOVICH

PANDRO S. BERMAN in charge of production. Directed by JOHN CROMWELL. Produced by GEORGE Haight. Screen Play by Richard Sherman

STARS, STARS, STARS . . . Carole and Cary and Kay . . . the biggest box-office threesome of the season . . . all in the Park Avenue-flavored drama of a blonde-brunette battle for the love of a man worth fighting for! . . . A BIG-TIME SHOW NOW SET FOR PRE-RELEASE RUNS IN KEY SPOTS COAST TO COAST!

RADIO CITY MUSIC HALL ATTRACTION STARTING AUGUST 3
CHARLES LAUGHTON

THE HUNCHBACK OF NOTRE DAME

PANDRO S. BERMAN IN CHARGE OF PRODUCTION

with WALTER HAMPDEN
MAUREEN O'HARA
SIR CEDRIC HARDWICKE

and a cast of thousands

VICTOR HUGO'S mighty novel,
directed by WILLIAM DIETERLE
by special arrangement with Warner Bros.

'Waits between Big Ones...This One Shooting Right Now!'
NURSE EDITH CAVELL

starring ANNA NEAGLE
with EDNA MAY OLIVER · GEORGE SANDERS · MAY ROBSON · ZASU PITTS · H. B. WARNER · RKO-IMPERADIO PICTURE

Screenplay by Michael Hogan. Musical score by Anthony Collins

IT’S MORE THAN A BIG PICTURE... it’s the screen’s greatest tribute to the glory of woman’s courage and the wonder of her unpredictable heart!... It’s Hollywood’s newest note in super thrillers, with England’s greatest actress in the role that will make her one of America’s most popular stars!

Produced and directed by HERBERT WILCOX
"STAGE DOOR" LA CAVA'S

FIFTH AVENUE GIRL

starring

GINGER ROGERS with

WALTER CONNOLLY - JAMES ELLISON
TIM HOLT - VERREE TEASDALE
KATHARINE ADAMS - FRANKLIN PANGBORN

Produced and directed by GREGORY LA CAVA

RADIO CITY MUSIC HALL LABOR DAY WEEK!

Streamlined Cinderella in sables! . . . Joyous Ginger in the perfect role for a picture to cause the "Ohs" and "Ahs" and heart-throbs! What a set-up for the producer-director who wrapped up your heart with "Stage Door." . . . Soon ready for pre-release runs everywhere!
THE GREATEST ACTION SPECIAL
you'll get this year! . . . The screen's mightiest moving drama of pioneers against the wilderness! . . . It's all excitement, thrill and wonder . . . Outdoors on the grandest scale the movies have ever seen! . . . ONE OF THE BIGGEST AND MOST IMPORTANT PICTURES ON RKO RADIO'S GREAT LIST FOR 1939-40!

ALLEGHENY FRONTIER

Played by a cast of thousands of settlers, Indians, soldiers, scouts, wagon-trainmen and backwoods statesmen headed by

JOHN WAYNE • CLAIRE TREvor
GEORGE SANDERS

• DIRECTED BY
WILLIAM A. SEITER

PANDRO S. BERMAN
IN CHARGE OF PRODUCTION

THE ONE GREAT LINCOLN SHOW OF ALL TIME!

RAYMOND MASSEY in ROBERT E. SHERWOOD'S PULITZER PRIZE PLAY.

ABE LINCOLN IN ILLINOIS

Presented by MAX GORDON. Produced by MAX GORDON PLAYS AND PICTURES, INC., HARRY M. GOETZ, President MAX GORDON, Vice-President

Directed by JOHN CROMWELL

NO WAITS BETWEEN BIG ONES . . THIS ONE IN PRODUCTION NOW!
EIGHT OF THE BIGGEST SHOWS
YOU EVER HAD THE LUCK TO PLAY!
Top-Bracket Pictures...Every One!

BIG IN STAR NAMES!
BIG IN DIRECTORS!
BIG IN QUALITY!
BIG IN ENTERTAINMENT!
BIG AT THE BOX OFFICE!

AND COMING SOON!
"THE AMERICAN WAY"
MARCH OF TIME'S
"THE RAMPARTS WE WATCH"
"IVANHOE"
LESLIE HOWARD IN
"THE MAN WHO FOUND HIMSELF"
GEORGE STEVENS' "PARTS UNKNOWN"
LAUREL AND HARDY IN "THE FLYING DEUCES"
"TOM BROWN'S SCHOOL DAYS"
JEAN HERSHOLT AS "DR. CHRISTIAN"
"THE SWISS FAMILY ROBINSON"
"AFRICAN INTRIGUE"
"THE DEERSLAYER"
HAROLD LLOYD'S "CHASING RAINBOWS"
CARY GRANT IN "PASSPORT FOR LIFE"

JUST SIGNED!

KAY KYSER and his orchestra, hottest thing in Entertainment, to be directed in a spectacular musical by DAVID BUTLER. Titled from the "Old Professor's" own radio line: "That's Right—You're Wrong."

ORSON WELLES ... Spectacular genius of the Show World —brilliant actor and director, to make one picture a year ... and what a picture is planned for his first!
BACHELOR MOTHER

starring
GINGER ROGERS
DAVID NIVEN

with
CHARLES COBURN
FRANK ALBERTSON
E. E. CLIVE

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. DE SYLVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRAKNA
STORY BY FELIX JACKSON

THE NEW SEASON'S FIRST BIG HIT!...

HELD OVER

BOSTON • ROCHESTER • SYRACUSE • CINCINNATI
DAYTON • CLEVELAND • DALLAS • HOUSTON • INDIANAPOLIS
LOUISVILLE • LOS ANGELES • NEW ORLEANS • NEWARK
BROOKLYN • ATLANTIC CITY • TRENTON • PITTSBURGH
ST. LOUIS • SAN FRANCISCO • WASHINGTON

EVERYWHERE

THAT'S WHAT WE MEAN WHEN WE SAY BIG ONES!

...RKO RADIO PICTURES
That's the kind we mean when
AT 4:12 YESTERDAY AFTERNOON “IN NAME ONLY” HAD FORGED WAY AHEAD OF THE SAME-TIME OPENING-DAY FIGURES OF “BACHELOR MOTHER” AT RADIO CITY MUSIC HALL... AND “BACHELOR MOTHER,” REMEMBER, FINISHED ITS FIRST WEEK GLORIOUSLY UP IN THAT COVETED $100,000-A-WEEK CLASS!

we say **BIG ONES** from RKO RADIO
THEATERS

- AIR CONDITIONING
- COOLING EQUIPMENT
- PROJECTION

DEBRIE BRINGS OUT
NEW PRINTER TYPES

Several new printers are announced by R. Fawn Mitchell, manager of Andre Debrrie, Inc., manufacturers of motion picture apparatus.

Salient among them is a new 16 mm. picture reduction printer which runs over 60 feet per minute on the 35 mm. side, or about twice the speed at which ordinary step type printers can be run, company states. This high speed is made possible by the rugged construction of the machine and its working parts.

Debrrie has still further increased the output by incorporating an optical beam splitting unit in the lens system. This is so designed that it produces two absolute identical 16 mm. images at one time from a single 35 mm. negative. Two 16 mm. strips, or only one as preferred, are threaded on the 16 mm. side.

The optical unit is corrected acoustically to insure the best definition for black-and-white work, and also with a view to the possible use for reduction of color negatives.

Thus at one stroke, the Debrrie reduction printer, it is claimed, turns out about four times the 16 mm. footage in a given time than can be secured from ordinary types. Not only is this great increase in output, but highest quality, company reveals, is maintained. Special features such as oscillating gates and adjustable pilot pins are integral features of the design which permit the quality to be maintained at the high speed of operation.

New Orleans "Push-Pull" Debut Via Goldwyn Pix

New Orleans—Audiences here will get hearing of "push-pull" sound recording systems about Aug. 15 when the UA-Goldwyn opus, "They Shall Have Music," opens at local Loew's State.

Technicians say that the Loew house is only one in local territory equipped to offer the new double sound track.

Hesses Erecting Another

Groton, Conn.—Ground has been broken for a new 500-seat theater here by Mr. and Mrs. J. C. Hess, operators of the Mosoup Theater.

Cool Evansville Houses

Evansville, Ind.—Westinghouse Electric and Manufacturing Co. has installed modern air conditioning equipment in the Loew and Grand theaters.

ROSS DISTRIBUTING
NEW M-R ARC LAMPS

Since Mole-Richardson, Inc., have made available to the motion picture industry the efficient and quiet H. L. Arc Spots of 120 and 150 amp. capacity, distributed in the east exclusively by Charles Ross, Inc., of New York, there has arisen in both the color and black-and-white photographic field a demand for a spot similar to the larger units, but of lower current capacity.

For those photographic operations conducted at short range or at lower intensities, these new H. L. Arc Spot Lamps have proved most effective. The light projected from these units corresponds exactly with that of the high powered units in spectral quality, and permits them to be used interchangeably with the high powered units in color photography.

The M-R Type 66 H. L. Arc Lamps fills the new need and has found expansive use for both front and back-lighting, in close up and medium shots. The field of light which these lamps project in all divergences has an almost uniform high intensity in the main portion of the beam, the edges of which taper off in intensity.

This distribution, characteristic of lamps equipped with moving lenses, is ideal for photographic purposes as it permits beams of light from various units to be overlapped without showing objectionable high intensities, Charles Ross points out.

NTSC Gets Ritz Contract

Jewett City, Conn.—National Theater Supply Co. will install projection, sound and screen in the new 750-seat Ritz Theater, under construction by Torans Amusement Corp., American Seating has contract for the chairs. The house is expected to be ready Sept. 15.

Carr Gets Seat Order

Detroit—Midwest Theaters has awarded reseating contract for the 1,400-seat Majestic Theater to George W. Carr of International Seating Co. New flooring is also being put in. The house will be reduced about 200 seats to accommodate the new larger seats.

Install GE Systems

Bridgeport—General Electric air-conditioning systems have been installed in the 750-seat Rivoli Theater and 490-seat Brooklawn. Strand Amusement will resell and install new booth equipment in the 800-seat Hippodrome this month.

Fliiit Daily

Friday, August 4, 1939

FILM HOUSE Possibilities

By JOHN EBE

DESPITE the steady numerical growth of motion picture theaters during the past decade, there is still room for more, not only in certain larger communities, but in the smaller ones, and, it might be said, particularly in the latter.

So institutional has the film house become that one can scarcely conceive of a community whose population, when it has grown to a point where civic buildings are considered essential or even advisable to erect, does not at least aspire to rear or have reared for entertainment and diversion a film house of its own.

Yet there are literally hundreds of so-called little towns which should care, and want, their own theaters, but have not yet found the wish fulfilled. Instead, their film-loving inhabitants must journey to a nearby town to sate their cinematic tastes,—and the reason for the imposed compulsion is simply that the "nearby" town is utilized to draw upon a number of other towns, adjacent to itself, on the theory that otherwise the offering of screen entertainment would not be a paying proposition.

* * *

In some instances this is doubtless true, but these are not the instances of which we speak. Let us take an example. Town "A," which has a commodious film theater, has located near it three other towns, "B," "C," and "D." The latter trio have populations in their own right which should have theaters. Instead, their citizens are forced to go to town "A."

Now what is true of certain individual towns forming a group is

Friestack Will Build

Harristown, Pa.—Frank Friestack, owner of the New Cunningham (Pa.) Theater near here, announces he will build a $33,000 theater starting Aug. 1. Contract will be awarded soon. Workmen are now razing the double house which stands on the site.

Gounares Planning Nabe

Mobile, Ala.—Alex Gounares, who runs two theaters and an amusement park here which also shows films, is planning another nabe.
HILDS NEW CLEANER BUILT FOR THEATERS

Designed for use in motion picture theaters, which have the constant problem of floor maintenance, as well as keeping in clean and attractive condition such interior essentials as carpets, upholstery and draperies, the new Model 16 Hild Vacuum Machine, manufactured by the Hild Floor Machine Co. of Chicago, is being widely marketed.

Unit consists with all its attachments weighs only 58 pounds, and one man alone can easily carry it up or down stairs.

Dust Arrestor Tank is made of 20 gauge rust-proof brass, reinforced and attractively polished. It is 22 inches high, 16 inches in diameter, and has a capacity of 1043 gallons. Four soft rubber 3-inch casters are mounted in cast iron extension brackets which are solidly riveted to a 4-inch steel band enclosing the tank. Wide spacing of the casters prevents the machine from tipping when it is pulled over door sills or folded in rugs.

Dust Filter Bag is made of heavy fabric. It is 20 inches wide and 30 inches high, with a filtering area of 1,440 square inches. It is equipped with a 10-inch dump.

Standard equipment furnished with Model 16 consists of 15-inch rigid floor tool, floor tool handle, upholstery tool, and one two-foot length of two-inch diameter hose.

CFLC Buys Building

Chicago—The Chicago Film Laboratory Co. has bought the building at 16 W. Walton St. and will modernize it as a company workshop. Mrs. A. G. Dunlap is president of the company and Miss Inez Ridgeway, managing director.

Dusinberre Turns Exhib.

Redbud, Ill.—C. T. Dusinberre, former RCA field engineer, who is building the new Red Bud Theater here, has placed an order with the Exchange Supply Co., St. Louis, for 300 de luxe chairs. Hopes to open about Sept. 1.

New Motograph Distribs.

Chicago—Guercio and Barthel have been appointed Chicag dis- tributors for the Motograph line of projectors. The G & B, Inc., have taken the distribution for the Indianapolis territory.

Reseated by ASC

Thomaston, Conn.—American Seating Co. will install 700 chairs in the New Park Theater, under construction by Robert Schwartz, operator of the Paramount.

THEA. IMPROVEMENT BIZ LOOKS UP IN CHI.

Chicago—Theater improvement biz is looking up, according to the Guer-cio and Barthel Co. Firm has closed with the Radio Theater at Joliet, a Great States subsidiary house, for two Model K Motographs. Other or-ders are in prospect.

The Stanley Theater Equipment Co. has several overhauling jobs on the books, according to Stanley Le- vine of that company and expect more during the next few weeks.

New theaters are also on the up-grade, Pereira and Pereira, theater architects, say. Plans are being rushed for a modernistic house for Madison, Wis., for the Fox circuit. They also report several inquiries from prospective builders, both cir-cuit and independents for Fall con-summation.

Watts Plans 450-Seater

Brookhaven, Miss.—L. Watts, who operates a house in Rodessa, La., is planning construction of a 450-seater here to be known as the State.

"THEY SHALL HAVE MUSIC"

You'll hear the sweet music of extra coins tinkling in the box office till if you give them Alexander Smith Carpet as well... one reason why you'll find this famous carpet in most of the country's successful theaters.

ALEXANDER SMITH CARPET

inch, Archit.

likewise true of certain cities. Let us take an example of this. City "A," although apparently a single entity, bearing a fixed community name and entitled to geographical recognition as such, is, nevertheless, an actual collection of separate communities, and more particularly so when there is considered "suburban" groups. Yet some of the sec-tions have no theater.

There was a time, a number of years ago, when the film fans of a big Midwest city trekked to its "main street" area for film diversion,—for in that section existed the only houses devoted to film entertain-ment,—but today, the various sec-tions of the same city have neighbor-hood houses which are highly prosperous, modern in most details, and compare favorably with their "main street rivals."

SUGGESTED from these and other observations is the question,—what means can be taken to provide small communities, and sub-divisions of large ones,—with film theaters of their own?

There IS a plan, and one which, in the writer's opinion is practical. The idea, if put into execution, would more than serve the conveni-ence of the theater patron. Addi-
tionally, it would be a benefit to the enterprising exhibitor or circuit operator, and likewise to distribu-
tors.

The idea fundamentally is... a new, standardized type of motion picture house.

(In a subsequent article, John Eberson will discuss the possibilities of the tabloid film theater.)

Second Beecher House

Detroit—Cass R. Beecher, opera-
tor of the Eaton Theater at Char-
lotte, is building a second house there for opening Aug. 15. Equip-
ment has been sold by National Theater Supply here, including Sim-
plex sound and projectors, Crestwood carpets, Walker Sound Screen, Poor-
less lamp houses, and Hertner gener-
ator.

New House for Dania, Fla.

Dania, Fla.—Site for a theater has been acquired by Dania Amuse-
ment Co.
MAP CAMPAIGN TO 
ASSURES NEELY BILL

(Continued from Page 1)

Women's Clubs, W.C.T.U., etc., accorn din- ing in the plan, have promised to meet on at the week's adjournment and hold the poli- tical leaders of the men's clubs, and to put the matter before Congress re-ates.

With Concealed elections scheduled for next year, the strategists of the Neely forces are con- firming in their plans for the issue at the next session, regardless of any reluctance the House Interstate Commerce Committee may manifest. Chairman of the later is Rep. Clarence Lea, D. Calif.

Affiliates of AAAA Planning

(Continued from Page 1)

and their motives in the charter ac- tion was mailed to 50,000 members of the AAAA last night. The AFA, in turn, was hastily mailing ballots

to its members for approval of the acceptance of the IA charter, it was reported.

In the AAAA letter, a categorical list of charges against Ralph White- head, executive secretary of the AFA, were listed. Following a de- scription of the history of the AFA and the incidents leading up to the union's expulsion from the 4 A's, the situation was described as "a public scandal." William Bioff and George E. Brownie are especially assailed.

The members of AAAA affiliates, to which the letters were sent, are urged to do everything within their power to make their feelings known to fellow members and the public at large.

Conduct of Joseph Padway, counsel for the A F of L and the AFA was also a subject of comment in the letter. The AAAA questions his position as attorney for both or- ganizations, with the inference that it is hardly possible he can be im- partial.

Keeping Curtiz Busy

West Coast Bur., THE FILM DAILY

Hollywood—Michael Curtiz has been the hub of turning out three im- portant pictures during the next five months. They are: "Four Women," an adaptation to "Daughters Courageous," with the Lane sisters, Jean, cups, and Margaret O'Faculty May Robson, Claude Rains and Donald Crisp; "The Sea Hawk," starring Errol Flynn; and "Nevada," epic western also with Flynn. Latter two are set for Techni- color and because of their large scale character, Curtiz will have two products their world with him contin- uously between now and an.

THEATER CHANGES

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by 
—ROSS FEDERAL SERVICE, INC.

OHIO

Columbus—New, 1,571 Parsons Ave.; Builder: C. W. Rappold; Ar- chitect: Hypp I. Dabbon; Cost: $7,000.

WASHINGTON

Lewisburg—Lewis, 650 seats; Op- erator Kanawha Theater Co.; To be completed (opening) August 28th.

THEATERS UNDER CONSTRUCTION

CALIFORNIA

Arvin—Arvin (7-13-39); Owner: Banducci & Lemuchci Theater Co.; Completely destroyed by fire.

KANSAS

Ellsworth—Dickinson (7-13-39); Owner: Griffith and Dickinson; Sold lease to Commonwealth.

OKLAHOMA

El Reno—Empress (6-15-39); Owner: Griffith Circuit.

MONTANA

Logan—Capitol, 1,500 seats (7-23-39); Owner: Intermountain Theaters, Inc.; House Manager: Mr. Earl Raugman; Previously closed in April.

THEATERS PLANNED

MICHIGAN


MONTANA

Chinook—Site; Old Meat Market; Operator: Mr. Griffin.

TEXAS

Bishop—New, 300 seats, J. E. Chiles Bldg.; Operator: Jack Crow.

SYRACUSE STRIKE DEADLINE 
POSTPONED; MEETS CONTINUE

Syracuse—Film truckers strike deadline has been postponed in- definitly, with meetings being held with State Labor Mediator, James McManus and Edward Murphy, In- ternational representatives from Chi- cago. Meetings at present are dead- locked with drivers asking 80 cents an hour and operators offering 78 cents.

Smith Howell Trucking Co. has added drivers and trucks to prevent delays in film shipments.

Elbert Tyson Dead

Chicago—Elbert R. Tyson, 65, manager of Eastman Kodak Stores in the local territory, is dead here. His wife and daughter survive. Funeral services are pending. Burial will be in Forest Home Cemetery.

Radtke Claims Infringement

Patent infringement suit was filed yesterday in the Federal Court by Radtke against Vought-Borg Camera Stores, Inc., in which the plaintiff asks for an in- junction, an accounting, and dam- ages. Defendant is charged with selling 16 mm. motion picture sound projectors which allegedly infringe on Radtke's patent.

"Methods Of And Means For Opti-

mally Reproducing Sound."
Your patrons wish to forget that they are looking at a picture. The closer they come to feeling that they are watching living and breathing people, the better they are pleased. Color is growing steadily in popularity because it adds much to this feeling of realism. But snow-white light is needed to give color features their full value. Low intensity projection falls short of realism because the yellowish tint distorts color values.

Simplified High Intensity projection gives a snow-white light which brings out the full beauty and realism of color features. It also supplies two and one-half times as much screen light as low intensity projection for the same power consumption. Black and white pictures, as well as color, are more effectively projected by this powerful projection light.

Should you still have low intensity lamps it will pay you to investigate modern, economical, high intensity projection, the light that pays its own way. Ask your dealer to show you how improved projection pays investment and operating costs.

Make your projection equal to that of any theater in the country.

The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.
THE proving period for Eastman’s new negative films has been left far behind. With their special emulsion qualities reinforced by typical Kodak dependability, *Plus-X*, *Super-XX*, and *Background-X* are firmly established as successors to other notable Eastman films for the motion picture industry. Eastman Kodak Company, Rochester, N.Y. (J.E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

**EASTMAN**

**PLUS-X**
*for general studio use*

**SUPER-XX**
*for all difficult shots*

**BACKGROUND-X**
*for backgrounds and general exterior work*
AAAA and IATSE Before A F of L Council Thursday

D OF J FILES MONOPOLY SUIT AGAINST SCHINES

Atlas Puts RKO Underwriting Agreement Before Court

THE WEEK IN REVIEW

By GEORGE H. MORRIS

DOMESTIC

LABOR BATTLE: Internal warfare broke out in the theatre field last week which threatens to involve the entire film and theatrical industries in a major labor walk-out unless peace is reached. Cause of trouble was an attempt of the IATSE charter to AFA. Action was immediately protested bitterly by the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote. Further developments were held in the AAAA, and this body by the week-end was polling its some 30,000 members on a strike vote.
The Broadway Parade

Picture and Distributor
Cabin in the Woods (Metro-Goldwyn-Mayer)—13th week, 3rd run, Strand.
Each Dawn I Die (Warner Bros. Pictures)—3rd week, 2nd run, Little.
This Woman Has a Husband (Republic)—2nd week, 1st run, Palace.
Murry on the Black Hawk (Universal)—2nd run, 5th run, Capitol.
They Shall Have Music (United Artists-Goldwyn)—2nd week, 1st run, Palace.

In Name Only (RKO Radio Pictures)—2nd run, 2nd run, Paramount.
Stanley and Livingstone (20th Century—Fox)—1st run, Capitol.
Ray. Four Feathers (Universal-Art-Korda)—1st run, Palace.
Beau Gestes (Paramount Pictures)—1st run, Capitol.
I See a Million (Universal)—1st run, Criterion.
They All Come Out (Metro-Goldwyn-Mayer)—2nd run, 1st run, Criterion.
Southbound (Republic Pictures)—1st run, Capitol.
Port of Hate (Times)—2nd run, Palace.
Sting of the Scorpion (1949)—1st run, Palace.
The Forgotten Woman (Universal Pictures)—1st run, Palace.

FOREIGN LANGUAGE FEATURES

Lein in 1918 (Ankino)—7th week, Cameo.

FUTURE OPENINGS

USSR on the Screen—1939 (Ankino)—Monday, Cameo.
China Fights on (Ankino)—Monday, Cameo.
Indiana 2000 (Universal Pictures)—Aug. 10, Criterion.
The Old Maid (Warner Bros.—Par.)—Aug. 12, Strand.
The Star Maker (Paramount Pictures)—Aug. 13, Palace.
(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

Wobber Enroute to Coast to Confer on Production Plans

Departing for the Coast Friday night by plane, Herman Wobber, general manager of distribution for R.C.A., is expected to spend at least a week at the studio confering on production plans and theatricalingen, according to the new piece. Wobber’s sudden trip was enthusiasm of studio execs, over “Hollywood Cavalcade,” with Charles E. McCarthy, ad. and pub. chief, delaying his return to New York in order to confer with the sales chief.

Concurrent with Wobber’s departure, it was reported that the company has hit a new season record with 700 more prints in 1938-40 season product lineup in the office than were there at the same time last year. It was also learned that the 20th-Fox office in Chicago has smashed all its sales records for the month of July.

New NLRB Member Refuses
To Sign Films Complaint

Washington Bureau of THE FILM DAILY

Washington—William Leiserson, newest member of the NLRB, has declined to sign an amended complaint charging the eight major companies with violation of the Wagner act. The board revealed that a new complaint alleging discrimination by the companies against members of the Screen Actors Guild had been issued on Aug. 1.

Leiserson would make no comment as to why he refused to sign the amended complaint. Hearings on the alleged violations are scheduled to start Aug. 17 in Los Angeles.

Named V. C. Directors

Omaha—Omaha Variety Club has named Leo Doty, United Artists manager, and Ralph F. Pollock, Capitol Pictures as directors. The pair followed Roy Palmquist and Erle Perkins, transferred elsewhere.

RCA’s Six Months Profit
Reported at $2,172,201

RCA and subsidiaries report a new profit for the six months ended June 30 of $2,172,201.15, compared with $2,524,756.50 for the same period a year ago. Net profit for the second quarter was $724,091.11 as against $1,006,595.64 in 1938. Earnings per share on common, after deductions for preferred dividends, are .040 for the six months and .066 for the second quarter. In 1938, common paid .066 for the six months, .020 for the quarter.

Gross income from operations for the quarter was $23,170,664.97 as against $22,462,294 in 1938, and for the first half of the year, $4,041,640.77 as compared with $4,291,624.54.

New Orleans Exchanges

Again Assessors’ Target

New Orleans—Pending legal battles on the subject, film exchanges in New Orleans, have again had their personal property assessed at $50,000. Exchanges, after attempting to have the figure, which was boosted over 10 times in some instances, reduced on an actual value of film as a physical property, went to court.

At the time, the state came through and was willing to compromise on a basis of value per foot, but would not permit depreciation on the film afterward. The matter is still deadlocked.

Golden State to Build
House in San Leandro

San Leandro, Cal.—D. J. Bolton, division manager of the Golden State Theater Circuit, Inc., announced that a new $200,000 theater will be constructed here. It will be of the balcony type with seats for 1,600 persons including 200 logo seats.

SAFETY

LLODYS

FILM STORAGE CORP.

Safety Record by Room or Vault

279 Seventh Ave.
New York City
Byr bitcoin 3-5600

FILM SECURITY

Volume 76, No. 25
August 7, 1939

10 Cents

COMING AND GOING

HERMAN WOBBER, general manager of dist. division, flew to the Coast Friday night.

LYNN FARNOL arrives in Hollywood today.

BOB GILLHAM left Friday for Chicago.

ADOLPH ZUKOR and JOHN W. HICKENLOUER are scheduled to sail for the U. S. Aug. 11.

HARRY DAVID, head of Publix Interments Circuit, returned to his home in Salt Lake City over the week-end after home office conference.

HERBERT TETTSON, of the Lake Shore Theater Circuit, returned to his home in Iowa, were at the Paramount lounge room Friday; also WILLIAM WOOLF, of the Paramount Theatre, Montgomery, Ala.

WILLIAM BORACK, booker for Publix Intermountain circuit, is in town.

TULLIO CARMONATI, screen and stage star, has left New York for a six-week stay on the Coast, and will return via San Francisco, Seoul and Vancouver.

EDWARD H. GRIFFITH, Paramount's director is to visit the city for her vacation. Director of the Roxy Studios, is en route to Hollywood, following a ten-day visit in New York.

SAM CLARK, Warner publicist in Chicago, will visit his relatives in Omaha.

F. T. MURRAY, of Universal, has been visiting company's Chicago offices.

ERROL FLYNN and LAWRENCE TIBBETT arrived in New York Friday via United.

Mrs. Himon Goldberg Dead

Mrs. Himon Goldberg, mother of Ralph D. Goldberg, orchestra circuit, died here without issue. He was 87 years of age. Mrs. Goldberg and Sam Goldberg, had been dead seven years. Ralph wrote his mother letter to Sam Goldberg's and Himon's name for seven years.

Henry Gilhofer Dead

Chicago—Henry Gilhofer, 58, western manager, National Outdoor Advertising Bureau, is dead. His wife and daughter survive.

Best wishes from THE FILM DAILY to the following on their birthdays:

AUGUST 7

Ann Harding, Patricia Smalley, Rudolph C. Isling
"YEAH, 'BEAU'!"

Paramount’s New "BEAU GESTE" crashes through with year’s biggest opening* at New York Paramount

*Topped "UNION PACIFIC" and "MAN ABOUT TOWN"
AUSTRALIA MAY WIN BRITISH RECIPROCITY

(Continued from Page 1)

in early October,” A. H. K. Weir, secretary of New South Wales in London, told THE FILM DAILY Friday before he left for Washington to confer with Nate Golden, chief of the Motion Picture Division of the Department of Commerce.

Weir is en route to Sydney to take over his new post of secretary of the Theaters and Films Commission, created under the new film law. He stated that he could not express an opinion regarding the new standard contract and provisions of the new quota law as he has been in London for several years.

He conferred with Major T. L. Howard, MP, who is chairman of the foreign affairs, while here. Weir will spend some time in Hollywood and will sail for Sydney from Vancouver later this month.

Australian Pix Interests to Press Reciprocal Quota

Sydney (By Cable)—A determined drive will be undertaken by film interests here to achieve reciprocal quota action by the British government. Aim is to amend the British films act to make Australian-produced films eligible for British rental quota credit.

Meanwhile, New South Wales exhibitors here are warning over fulfilling their British obligations. There are four first-runs here which use about 18 shows a year, six that use 36 shows and another three that use about 45 programs yearly. On the new 15 per cent quota basis these houses alone would need a total of about 100 films a year to fulfill British demands. It is estimated this volume will be followed soon by a merchandising-exploitation supplement—a massive two-color section containing an imposing list of national manufacturers who are tied in on the production.

CLEVER...do you recall that scene in "They Shall Have Music"...where Heifetz, the great violinist, tells the boy hero that he cannot be present at the community concert, but that he will send a point showing himself playing one of his famous selections?...and he does send it to the music school as promised...there, if you ask us, is a cunning and clever stunt to sell the special insert film of Heifetz and his viola virtuosity to musical schools and colleges...or was it just one of those chance things that may prove to be a gold mine for the producer?...bringing in a source of revenue he never figured on?

NEAT job of planting a story with the syndicate wire services the other day...concerning Major Ridge Smith of the little town known as O'Fallon, Illinois...which happens to be the birthplace of William Holden, star of Columbia's "Golden Boy"...the Mayor challenged the mayors of towns that produced other Hollywood stars to a debate to prove that his Town Hero would prove to be the biggest male star of 1930...

$86,722 CONTRIBUTED TO GREATER N. Y. FUND

(Continued from Page 3)

is noteworthy that 97 firms and employees groups made contributions in this year's campaign, compared to 37 firms and group contributions a year ago.

Under the Rubin scheme of organization the local industry was divided into four sections, each under a vice-chairman. These sections, with their respective heads and amounts raised, are: Producers and Distributors Group, under Ned E. Depinet, which turned in $60,433.54 of the total subscribed; Exhibitors Group, under B. S. Marce, $45,046.16; Laboratory Group, led by Herbert J. Yates, $8525; and the Allied Accessory Group, Inc., as headlines by Robbins, which brought in $2418.60.

Full list of contributors is as follows:


Employee Contributions: Consolidated Amuse- ment Enterprises, Toman-Lax Amusements, Fabian Theaters, Shossar Theaters, Rugoff & Becker, Monarch Theaters, Midtown Theater, IOTA.

Laboratory Group, Firm Contributions: Consolidated Film Industries, H. B. E. Lab Co., Malcolm Lab Co., Merco Film Lab.

Employer Contributions: Consolidated Film Industries.

STORKS!

Omaha—Danny McCarthy, Universal salesman at Des Moines and former United Artists salesman, is the proud father of a boy, born here. Leo Doty, UA office manager at the Omaha exchange, is godfather.

New Orleans—Philip Sliman, head of Atlantic Pictures exchange, is the proud father of two twin boys.
"PAPA'S NOT HOME HE WENT TO SEE 'LADY OF THE TROPICS'!"

Dear Mr. Exhibitor:

We have just screened a picture which will be in the headlines of the trade press box-office reports immediately after release, August 11th. When you book the picture, just call out the cops and settle down for a long run. Here comes ROBERT TAYLOR, HEDY LAMARR in M-G-M's "LADY OF THE TROPICS."

Directed by Jack Conway • Produced by Sam Zimbalist • Screen Play by Ben Hecht

THE FRIENDLY (especially in Summer!) COMPANY
New York Crowds and Critics Thrill and Cheer as Carole Battles Kay for Cary!

"Magnificently done...has superior quality...a generally excellent cast contributes in making it one of the most adult and enjoyable pictures of the season."
   -B., N. Y. Times

"...As real and believable as one would ever wish to encounter...A first-rate emotional film that will bring tears to the eyes...fine and entertaining."
   -R. W. D., N. Y. Herald Tribune

"A fully grown-up drama of love...will interest the women particularly, for it deals with their problems not only realistically but boldly."
   -Bland Johaneson, N. Y. Daily Mirror

"Fine direction and splendid acting."
   -Kate Cameron, N. Y. Daily News

" Easily one of the better bets for moviegoers...Carole Lombard cast with Cary Grant and Kay Francis in 'triangle' situation of absorbing interest."
   -B., N. Y. Journal & American

"From first to last it is realistic, beautifully executed and fascinating...A refreshing summer film, light in tone and absorbing in its character studies."
   -Sidney B. Whipple, N. Y. World-Tel.

"Romantic drama with glittering cast...convincing and interesting...should prove a profitable tearjerker."
   -Eileen Creelman, N. Y. Sun

"Good...glorifies the other woman...yesterday's crowded houses seemed enormously pleased."
   -Archer Winsten, N. Y. Post
ANOTHER SUMMER SENSATION FROM THE COMPANY THAT JUST RELEASED "BACHELOR MOTHER!" . . . FIRST DAY OF "IN NAME ONLY" TOPPING THE BIG ONES RIGHT AT THE PEAK OF THE SUMMER'S HOTTEST WEATHER! . . . NO WONDER DOZENS OF OTHER PRE-RELEASE KEY RUNS ARE ALL SET FOR THE NEW HIT SHOW TO COME THEIR WAY!

Carole Lombard • Cary Grant • Kay Francis

"IN NAME ONLY"

CHARLES COBURN • HELEN VINSON • KATHARINE ALEXANDER
JONATHAN HALE • MAURICE MOSCOVICH

PANDRO S. BERMAN in charge of Production • Directed by John Cromwell
Produced by George Haight • Screen Play by Richard Sherman

we say BIG ONES from RKO RADIO!
Dissolution and Re-arrangement of Schine Circuit asked by Govt.

(Continued from Page 1)

peake Theaters Corp. Majors named are: Loew's, RKO; Universal Pictures; United Artists, Columbia Pictures; MGM, Metro; Fox, 20th Century-Fox; Paramount, and Paramount Film Distributing Corporation. The suit charges the Schine chain and its affiliated concerns operating in New York, Ohio, Kentucky, Maryland, Delaware and its present subsidiaries in substantially the same manner as those of the Griffith suit. “While operations of this organization are not confined to one, the independent theater owners in this area of operation is substantially similar to that of the major producing companies within the area of their operations. Because of the control by this chain of a large number of theaters, it is able to make blanket contracts for all desirable pictures for all its theaters without competing with local independent exhibitors.”

To effect the object of breaking “the monopoly combination in the area in which it operates” the Justice Department is asking that the exhibitor defendants (Schine circuit) be dissolved and their properties rearranged under several separate and independent corporations in such manner as to create competitive conditions and prevent further violations of the Sherman anti-trust law, the department said.

The proceeding was brought by Thomas Arnold, assistant attorney general in charge of the anti-trust division, with the approval of attorney general Frank Murphy. “This proceeding is designed to break the monopoly control exercised by the Schine theater organization in the exhibition of motion pictures in parts of New York, Ohio, Kentucky, Maryland, Delaware” announced the suit.

Expect Burns Pix Debut to Draw Crowd of 100,000

Van Buren, Ark.—Police of three states—Arkansas, Missouri and Oklahoma—will be mobilized to handle crowds and traffic in connection with the world premiere of Paramount’s “Our Leading Citizen” and Bob Burns’ homecoming jubilee which will be held here today. Local police are anticipating at least 100,000 visitors. In addition to Burns, Susan Hayward and Joseph Allen Jr., in “Our Leading Citizen” cast will be on hand.

Warrant Issued for Arrest of Kindler, Empire Head

Warrant has been issued for the arrest of Abraham I. Kindler, president of the Empire State Motion Picture Operators union, for contempt of court. Order by Justice Isaac Wharton in the Bronx County Supreme Court was caused by the alleged failure of Kindler to comply with the direction of the court to appear before him with Kirk and Mel in the latter returned to his job. Kindler has been directed to pay the sum of $800 in back pay and counsel fees.

Adolph Bendslev Dead

Boston—Adolph Bendslev, pioneer and founder of the Massachusetts Service and Secretary of Independent Exhibitors of New England, died of a heart attack at his home Friday morning. He was 69 years old and for many years was active in the New England theater industry. Bendslev operated the Community Theater in Wellesley.

Bendslev is survived by a son, Louis, who will take over the operation of the theater; his widow and a daughter. Funeral services were held at the Congregational Church in Wellesley Hills.

EXHIBITORS MAY AID NAB’S WAR ON ASCAP

Brokers that, his organization plans to cultivate and develop its own sources of music to combat the “pool” as represented by ASCAP, was reported yesterday. The organization’s group is seeking an alliance with “similarly disgruntled” film group in another territory, as well as a united front for a decisive battle with ASCAP on the music copyright.

Whatever plans the broadcasters are weighing to effectuate an alliance with pix industry wings will evidently have to be without support from major company affiliates since a spokesman for one of the companies told the DAILY on Saturday that “we are not even interested in being approached by the broadcasters.”

Whether the larger interests of filmdom show apathy or not, it is known that the broadcasters are taking this war to a new degree of assertiveness and support from exhibitor groups who have long been opposed to what they consider to be the ASCAP monopoly and the impact of NAB’s war.

Typical of this is the viewpoint of Ed Kuyendall, MPTOA proxy who recently told the Oklahoma TO: “Leaving ASCAP as it is, without any limitations, is a serious menace to film business as well as to other industries. The national copyright laws give them the right to do anything they want to do. They can levy a percentage of your gross receipts, if they want to.”

“We have not tried to destroy the ASCAP organization, although it might be a good thing; but we have tried to limit the assessment they can put on the exhibitors and take away some of their rights.”

Miller disclosed that the copy- right associations of the broadcasting industry—some of which have formed an association—have called a convention of the entire broadcasting industry to be held in Chicago on Sept. 15 at which a “substantial war chest” will be raised and plans formulated to create an adequate supply of music from independent sources.

On Wednesday, next a meeting will be held by the copyright committee locally to set plans for the anti-ASCAP drive.
"Stanley and Livingstone" at Roxy World Premiere opens to more than four times the business of "Kentucky"!
Monday, August 7, 192

AAA-ATSE BEFORE LABOR COUNCIL THURS.

(Continued from Page 1)

of Thursday's session of the Ameri-

can Federation of Labor in Atlan-

ta, the AAA delegation was sched-

uled to appear before the coun-

cil at 2:30 that day to argue their

case.

The AAA delegation will demand

that the A F of L council direct

the IA to revoke the charter given

to APA and that it clearly warn

the stagehands that their jurisdic-

tion in the actor field is complete.

The IA will, in turn, claim that

APA needed the charter for many

reasons and that the IA has a well

founded jurisdictional claim in the

field.

With a nation-wide actors' strike

this week, the IA is revoking the

charter granted the APA and the

stagehands' threat of a jurisdictional

grievance which is expected to

establish that the IA will defend

its position in granting the APA

charter and will take equally drastic

effects in the actor field.

William Green, president A F of

L, has returned to Washington but

refused to make any statement or

answer questions on the IATSE

granting charter to APA.

Further fuel was added to the

fire Friday when Susan Tucker,

APA proxy, was suspended by Ac-

c tors' Equity, the agency, and

heard by Richard Richman which, in

all probability, will also cause him

to be suspended when the Equity

council meets tomorrow.

The suspension of Miss Tucker,

following similar action by the SAG

and AFTRA, bars her from the stage,

studios and radio. She was directed by

Equity to appear August 23, the
day following the scheduled date

for the reopening of the show in

which she has been appearing to

answer charges filed by the council

meeting. However, a shutdown on this

issue is expected to be served as the

producer of the show was reported to have

stated flatly that he would not reopen

what has happened.

Meanwhile, AAA and APA were

mailing ballots to all of their mem-

bers asking for support in their

battles. No results can be expected

from these actions until this week,
as ballots were still being mailed

Saturday.

Final action by the TMTA plan to

ask for an IA charter is expected

this Monday when the entire mem-

bership meeting will be held. Last

week's meeting ended on a divided

note with the film council in favor

of applying for an IA charter

and the legit division, which em-

braces the press agents, holding

the matter in abeyance until this

week's session.

Although no action has been taken

by the council that any further

discussion moves by the AAA, it

was pointed out by IA execs, that in

their minds that any discussion that

both Equity and SAG won their fights for recognition.

When Miss Tucker was apprised

of the expected showdown, he

predicted it would be a very forceful

event in the actor field.

The A F of L council scheduled to

appear on Thursday's session of the

AAA, but it is not known whether

the council will act on the APA

charter.
GOLDEN WEST TO MAKE 8 COLOR PIX FOR GN

(Continued from Page 1)

minimum of eight feature pictures in color, of which at least four will be released on the 1939-40 program, according to E. W. Hammons, GN president.

Goldwin's first picture, "Call of the Range," has been completed. It was screened Thursday for GN executives who were so impressed by its quality that the deal was closed with the producers' representative.

Charles E. Goetz, a prominent Arizona businessman, is president of Golden West. He has set up a production budget of approximately $1,000,000 for the pictures to be made under his contract with GN.

The company is an Arizona corporation, with headquarters in Phoenix where its first picture was made. The Earl Haley, who has been an actor, writer and director for many years, is in charge of production. He was assistant director of several Shirley Temple pictures.

Shooting on the second feature will start within two or three weeks. The pictures will be made in Arizona and neighboring states. "Call of the Range" features Joan Baezley, John King and M. Ferrell MacDonald, and the horse Rex Junior. The world premiere will be held in Phoenix early in September.

Circuits and Local 306
To Re-negotiate Scale

(Continued from Page 1)

the first part of this week or next week. Preliminary meeting of the theater execs, was held last week in the office of C. C. Moskowitz.

The Local has requested that the meeting be held in. In a term of the contract all members will re-negotiate the scale wage every two years is provided for. What course of action the theater execs will take will be decided at a further huddle which will be held shortly prior to the time they sit down with the 306 executives. Whether or not the union will ask for general increases, has not been disclosed. Current contract expires in 1945.

Further Ushers Hearing
At last week's hearing, before the State Labor Relations Board, of the dispute caused by the attempted organizing of the ushers in a Los Angeles film circuit by a CIO union, the IAMSE refused to consent to an election. The union is attempting to organize the company union by the CIO organization. Matter will come up for a further hearing.

Wolfson With Columbia
West Coast Bureau of THE FILM DAILY
Hollywood—P. J. Wolfson, for the last four years an RKO producer, director, writer, has signed a contract to join Columbia in the same capacity. He moves over to the Columbia lot on Nov. 1.
You get more for your money when you use NATIONAL SCREEN TRAILERS.


But you pay less per person reached. Less per ticket sold. And there's no guessing as to how many SEE and HEAR your sales message.

- You KNOW—because they are in your theatre, watching your screen. A 100% customer-audience at every performance—with the BEST SELLER in the business!...
Schines to Fight Government's Suit "To the Limit"

"We Have Nothing to Fear," Meyer Schine Comments on Reported Suit

Gloversville, N. Y. — J. Myer Schine, president of Schine Enterprises, Inc., said yesterday that his company would fight the Government's anti-trust suit to the limit of its ability. He said he knew nothing about the details of the charges except what he had read in the newspapers, but that from the contents of news stories "there is nothing we have to fear." Schine added that up to 5 p.m. yesterday the organization had received no formal complaint.

The Schine Corporation had al-

(Continued on Page 12)

SAG TO SEEK QUICK ACTION IN IA ROW

West Coast Bureau of THE FILM DAILY

Hollywood — The SAG will insist on immediate action by the A. F. of L Executive Council at Thursday's Atlantic City hearing of the AAA-IATSE dispute over performer jurisdiction, it was said here by Ralph Morgan, SAG proxy. Morgan said that the SAG was

(Continued on Page 9)

French Still Considering Lifting of Film Visas

Washington Bureau of THE FILM DAILY

Washington — French Government still has under consideration lifting of movie visa quotas, according to information received at the State Department here. French

(Continued on Page 8)

British NATKE Will Ask 48 Hour Week, Closed Shop

London (By Cable) — NATKE British counterpart of the IATSE in the U. S., will press for a 48-hour week and the adoption of the "closed shop" in British film houses.

Additionally, there is agitation for

(Continued on Page 11)

AAAA to Bolt if A F of L Decision Favors the IATSE?

REPORT CODE NOT SUBJECT TO D OF J APPROVAL

Schines to Fight Government's Suit "To the Limit"

IAB, in Keeping with Policy, Will Have No Part of the IATSE-AAAA Row at Present

Washington Bureau of THE FILM DAILY

Washington — The NLRB will have no part of the IATSE-AAAA jurisdictional row at present time. It was stated at the NLRB headquarters yesterday that "it is the policy of the board not to enter intra-union fights," an official told THE FILM DAILY. The board, however, may become involved, if an employer enters the picture and one union or other seeks relief from the NLRB. The board may then hold election to determine which union has a majority of employees.

UA WINS DISMISSAL OF SUIT BY FOLLY

Suit of Folly Amusement Holding Corp., former operators of the Folly Theater in Brooklyn, for $750,000 damages charging violation of the Sherman Anti-Trust Act, was dismissed as against United Artists Corp. by Federal Judge Murray Hubert yesterday. Judge Hubert found that the complaint made no specific refer-

(Continued on Page 11)

Only Two New Features Start on Coast This Week

West Coast Bureau of THE FILM DAILY

Hollywood — Only two new productions are scheduled to go into work this week. One is "South of the Amazon," Famous Production with Harry Edington producer and James Whale

(Continued on Page 8)

Ear 4A May Bolt A F of L if IATSE Wins Jurisdictional Victory Thursday

Ruso-American Trade Pact Extended for Year

Washington Bureau of THE FILM DAILY

Washington — Assurance that trade relations between the U. S. and Russia will continue for another year, including the status of film imports into that country, is given here through an official pro-

(Continued on Page 10)

INDUSTRY AID SEEN IN D OF C CONFABS

E. Kuykendall, MPTOA president, does not look upon the recent Department of Commerce conferences and inquiry into the film industry's activities as a step towards Government regulation.

If the Commerce Dept. has any such motive in view, the MPTOA

(Continued on Page 10)

Revised Draft Completed and Now in Hands of Counsel For Legal Study

Inauguration of the revised Trade Practice Code will not hinge upon the approval of the Department of Justice, it was reported reliably yesterday. While it is understood that copies of the draft will be sent to the D of J, neither approval nor rejection of the proposals by the department is anticipated.

Previously it had been reported that the distributors would insist code must receive the approval of the Department of Justice before it could be put into effect.

Meanwhile, it was learned yesterday that the revised code is complete and has been turned over to in-

(Continued on Page 11)

Court Orders New Hearing in M-G-M Infringement Case

The U. S. Circuit Court of Appeals yesterday unanimously ordered a new hearing on an application made by M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., and

(Continued on Page 10)

CEA Action on Maxwell Proposal Off Till Fall

London (By Cable) — CEA action on John Maxwell's recent suggestion that the exhibit organization enter the production field is off until

(Continued on Page 10)
Sept. 15 Release Is Set
For 20th-Fox "Rains Came"

Release dates on "The Rains Came" and "Hollywood Cavalcade" have been switched by 20th-Fox, with the former now scheduled for release on Sept. 15 and the latter moved back to the Oct. 13 date originally set for the Bronson story about India.

Switch was made following studio and sales department execs, be- fore a studio preview that "The Rains Came" will prove to be one of the year's outstanding pictures. Charles E. McCarthy, ad. and pub. chief, delayed his return to New York to meet Herman Wobbler, sales head, for conferences on new product. McCarthy planes East tomorrow.

Editing of "Film Index's"

"Gallops Under Way"

Work on "Film Index," the 800-page bibliography of motion picture literature in preparation by the Fed- eral Writers' Project of New York City, has advanced to the final production stages, with the editing of gallops proofs under way. The vol- ume will be distributed by the H. W. Wilson Co. which shares publication sponsorship with the Museum of Modern Art Film Library.

It includes classified and annotated guides to some 10,000 books and magazine articles dealing with the creative and technical aspects of film making. It will also offer references to selected reviews of some 4,000 important films classified according to type.

Cleveland Indians

New Operators Contract

Cleveland—John Kalafat has re- signed as chairman of the club's com- mittee of the Cleveland Motion Pic- ture Exhibitors Association. He has held the post for the past 25 years. G. W. Erdmann, association secretary, was named as his successor. Nego- tiations are now under way between the club and motion picture operators, independent theater owners, and Local 100, IAETSE on a new operators' scale to take the place of the current two- year agreement which expires Aug. 31.

New $250,000 Theater to Be Built In Frisco

San Francisco—A new $250,000 theater deal has just been closed here. Deal involves a 90-year lease on property on Mission Street near 20th, on which a $250,000 1,000- seater will be constructed. Wells Fargo Bank sold the property to the Chicago, Company, which completed a 90-year lease with Levin Enterprises, operating a string of San Francisco palace type theatres. The construc- tion will start within 60 days, with opening scheduled early in 1940.

NBC To Televise Feature Film Weekly During Fall

RCA-NBC's augmented schedule of television programs, calling for a minimum of 11 hours weekly, goes into effect Aug. 29, and will provide for the presentation of one feature film every Wednesday night at about 8:30 ebock, organization officials announced yesterday.

Studio's live talent shows will oc- cupy three other evenings—Tues- day, Thursday and Friday.

Feature films acquired recently, with eye to the new film tele pro- grams, continue to come from indie sources. Two attractions, it is stated, have been acquired from Ind- inesque are "Three of A Kind" and "Bridge of Sighs." Deals are understood, have also been concluded by RCA-NBC for attractions via Syndicate and Mosaic.

Universal Negotiating

Product Deal With RKO

With negotiations under way with the RKO circuit, Universal has closed product deals with Schine, Maine & New Hampshire, Fox West Coast, Comerford, Malco & Emkay circuits in recent weeks for the 1939-40 program, William Scully, sales manager, announced yesterday.

Scully said that the number of new product contracts to date was well ahead of the corresponding period last year. The RKO deal is expected to be set shortly.

Extend Nathanson Option

To Acquire FPC Stock

Montreal—Famous Players Can- dian advises that under the op- tion agreement with N. L. Natha- son, dated April 15, 1936, arrange- ments are being made to extend the option with respect to the block of 11,000 shares to be taken up as at July 31, 1939. The option agree- ment has been amended so that these shares may be taken up any time between now and Jan. 15, 1940.

New Monogram Managers

In Frisco and Portland

Replacements of branch managers in two exchanges were announced yesterday by Monogram. William M. Duggan, Jr., is the new manager in San Francisco where he succeeds F. Howard Butler. In Portland, Ore., Walter Wessling, former Gaumont British manager in Seattle and Scottle, replaces Cecil Farnes as branch manager.

Truck Strike Averted

Syracuse—A threatened strike in- volving 2,400 operators of long haul freight trucks and 18,000 en- gineers was averted today by completed contracts covering three years. Hourly rates of 76 cents for the first year, 78 cents for the second, and 89 for the third apply to the whole state, except Albany and New York City.
AG TO SEEK QUICK ACTION IN IA ROW

(Continued from Page 1)

AGVA now is a properly charted union replacing AFA.

SAG Group Flying In for A F of L Convention

Delegation of screen players will fly from Hollywood tonight on route to the A F of L convention at Atlantic City. Among those to leave are the special charter. TWA plane, renamed "Star Special" will be Ralph Morgan, president of SAG; Edward Arnold, Jean Muir, Chester Morris, Mischei Auer, Wayne Morris, Henry Hull and Kenneth Thomson, SAG executive secretary. TWA is supplying a special traffic manager to accompany the group.

Plane arrives in Newark at 5 a.m. tomorrow. Thursday, the Hollywood group will be joined by the New York contingent, to include Fredric March, Lawrence Tibbett and others, and all will fly to Atlantic City to appear before the A F of L executive council.

Griffith Amusement Co.
Buys Republic's Product

Deal has been closed by Republic franchise holders in Oklahoma and Texas with the Griffith Amusement Co. covering 77 situations in the two states, it was announced yesterday by James R. Grainger, Republic presby. Deal calls for the entire product lineup for a one-year period.

William Underwood, Republic franchise holder in Texas, and Sol Davis, company's franchise holder in Oklahoma, in conjunction with Clair Hilger, southern district manager, worked out the contract with Horace Falls, Griffith exec.

ALONG THE WAVE WITH PHIL M. DALY

WHY IS this industry the target for pressure groups? It's a question we've often pondered...and we've about reached the conclusion that the condition...is largely due to industry distillation to answer back when its good name is under fire...that's why we're glad to read...Ken Clark's letter to Publisher Palmer Hoyt...of the Portland Oregonian...calling attention to no less than...11 glaring factual errors...in a recent article..."Movie Mogul Say 'phooey' to the Dictators"...by one Shotwell Callvert...On behalf of the MPPDA, Ken contrasts Callvert's statements with the facts...and says..."much of the article seems to be malicious nonsense"...Nonsense, surely...and malicious also if and when quoted by pressure groups...to further anti-industry campaigns.

IT'S GOOD publicity anyway...We mean that story in the newspapers yesterday...about Sol Lesser giving all his employees an extra half-hour for lunch...provided they play badminton...Said Leszer..."The company will benefit from improved health of workers who get midday physical exercise."

MAYBE we're wrong...but we have a hunch that for a real slant on this industry...and the people in it...you must look...not to such headlines as "D of J files monopoly suit against Schine"...but to such editorials as that captioned "A Generous Act"...in the Cleveland...O. Press...and detailing the humanitarian work of the Cleveland Variety Club...in sending 350 underprivileged children to summer camps this season...Incidentally, credit Nat Welt with the original idea...for the Cleveland work...Not looked out of his office window...one Spring day...and saw a group of kids trying to play ball in an empty lot...The Variety Club's board agreed with Nat that something should be done...and it was.

DEATH came to Pop Reilly yesterday...Pop was the fatherly Irishman who, as stage doorman of the Radio City Music Hall, was beloved by all the talent who appeared at the theater...Less than a year ago Pop retired...when his son, William, inherited a fortune...and Pop began to live the real "life of Reilly" in a bungalow at Rockaway Beach...But his days of luxury were short-lived.

GOSSIP...John Day, Paramount's manager for South America, is recovering from a minor operation which he underwent shortly after arriving in New York a few weeks ago...He has been reported that Betty Lou, the charming third floor hostess at M-G-M, is now Tom Gerety's secretary...since Tom married his former sec, Natalie Hammerstein...He Dave Paltreyman of the Hays office is getting ready to depart Friday for a two-week holiday in Indiana...Harry Koch, Allied of New York attorney, has moved out of the Paramount Bldg. and is headquartered now in the New Amsterdam Theater Bldg. Harry Brand, who has been vacationing in Maine, arrives in Sarasota today...William Slaton, RKO director, back from England where he made "The Saint in London"...He left last night for the Coast.
THAT'S THE WAY 1938-39 STARTED "Four Daughters"
THAT'S THE WAY 1938-39 FINISHES!

"Each Dawn I Die"

HAL B. WALLIS
Executive Producer
SHE LIVED ON THE

WHEN

National Release August 11th
(Here’s a Selling Line and Message that will excite every woman in the country!)

It Lives and Breathes of the Greatest Moments in a Woman’s Life!

John M. Stahl’s Searching Artistry brought to you by Universal!

IRENE DUNNE  CHARLES BOYER

in

TOMORROW COMES

with

Barbara O'Neil  Onslow Stevens
Nydia Westman  Fritz Feld

A JOHN M. STAHL PRODUCTION

Produced and Directed by JOHN M. STAHL
WEDDING BELLS
West Coast Bureau of THE FILM DAILY

Hollywood—Sigrid Gurie, film actress, was married here on Sunday to Dr. Lawrence C. Spangard at the latter's home.

Esther Balston, film stage actress, and Ted Lloyd, columnist of RADIO DAILY, were married on Sunday afternoon in Cleveland, Conn., by Justice of the Peace J. J. O'Brien. Mrs. Charles Peter Jaeger was matron of honor, and Jack Robbins, music publisher, was best man.

4A'S TO BOLT IF A F L DECISION FAVORS IA

(Continued From Page 1)

F of L and establish itself as an autonomous body, unless the court's ruling is handed down which will prevent any IA "grab" in their fields.

At the 4A's office yesterday, it was stated that 500 strike pledges had been received from union members and a large number of the 30,000 membership are expected to send their pledges back before the delegation leaves New York Thursday morning for Atlantic City. All pledges, it was said, were in favor of supporting the AAAA right by striking if necessary.

A surprise move was made by the AFA when it dropped its charges against the AAAA. AFA had asserted that the 4A's did not have the proper contacts, that the trial board selected to hear the charges against the AFA had been illegal and that the AFA was not within the rights of the AAAA to revoke the AFA charter.

Vital Court Decision Due

decision is expected to be handed down today in the New York Supreme Court on the application of the AFA asking that an injunction be issued to restrain AGV or any other union from organizing in the AFA field and interfering with the AFA in any respect. A tellin blow may be struck at either side with this decision. If it favors the AFA, it will stalemate the efforts of the AAAA to set up a rival union, and if it favors the AAAA, it may be a deathblow to the AFA unless the IA wins a complete victory at Atlantic City.

The IA bases its claim to jurisdiction on the contents of a clause in its original A F of L charter, issued some 60 years ago, which states that the union shall have jurisdiction over all workers on stages. George B. Browne, IA proxy, is expected to ask the Council to redefine this clause to clearly establish the jurisdiction of the IA over actors as well as other stage employees.

Claim of the AAAA to its jurisdiction will be based on the fact that the IA's recognition of its jurisdiction over the field for 25 years, its charter giving such jurisdiction by the A F of L and

NEWSPAPER TRADE JOURNAL

50 Gauntlet British Film Theaters to Have

Television Installations by End of 1940

London (By Cable)—Baldet tele installations in GB theaters will approximate 50 by the end of 1940. Estimates is based on the assumption that BBC will erect transmitters in Manchester and Birmingham.

L. C. Griffith, Chief Barker of New Oklahoma City V. C.

Oklahoma City—Thirty state theater men met at the Biltmore Hotel here and organized a local Variety Tent naming L. C. Griffith of the Griffith Amusement Co. as Chief Barker.

Other officials named included: Morris Loewenstein as 1st assistant Barker and W. P. Moran as 2nd assistant Barker; W. B. Zoller, local Loew's, Inc. manager, as Dough-guy; and B. J. McKenna of the Griffith Amusement Co. as Secretary.

Camvass men include Sol Davis of Republic Pictures; Otto Rhode of Vitagraph Co., Max Brock of Low, Horace Fults of the Griffith organization and Ralph Williams of RKO-Radio Pictures, Inc.

Application for a charter will be made immediately and negotiations are now under way for club quarters.

Initiation fees will be set at $25, the same figure applying for annual dues with non-resident members offered for $15 initiation fee and $18 per year. Lloyd Ruth of Republic Pictures, secretary of the Dallas tent, addressed the organization meeting and guided the group called together by L. C. Griffith to form the organization.

Archbishop Okays Bingo's Use By Milwaukee Churches

Milwaukee, Wis.—As the result of a letter by Archbishop Samuel A. Stritch published in the Catholic Herald, Bishop Albert J. O'Connell, implied Bingo games which are conducted under church regulation as "clean recreation" and "a very wholesome method of raising money for charitable, religious and educational causes, indications were that the games sponsored by churches in this area would not be withdrawn, attempts by local independent business men and the larger men to ban them by law notwithstanding.

Pending before Circuit Judge John C. Kleczka here is the action of Charles W. Trampe, head of the Monogram-Midwest Film Exchange, to restrain the Bahn Frei Hall from conducting Bingo games.

British Production Seen at End in Event of War

London (By Cable)—Film production in Great Britain in the event of war would become practically extinct, it is indicated. The $4,000,000 Pine- wood Studios and the $2,500,000 Den- ham Studios will be converted into food stores while the $2,500,000 Elstree plant will be taken over by the Ministry of Health.

ONLY TWO NEW PIX STARTS ON THE COAST

(Continued From Page 1)

director. The picture co-stars Doug- las Fairbanks, Marjorie Bennett, and will be released by Universal Story is by Frances Marion. "The Thin Man, Too," "To work, another of the Jones family series, goes before the camera.


French Still Considering
Lifting of Film Visas

(Continued From Page 1)

Government has already lifted or reduced quotas on number of industrial products, the Smith Act which puts the quota on the visa quota would be in line with this policy. The Department reports it has no information on the Belgian Government following same course.

UA Signs Central States

Omaha—Central States Theaters of Des Moines have signed contracts with the United Artists exchange here for the next season's product in 33 Nebraska and Iowa situations.

Penn Square to Reopen

Cleveland—The Penn Square Theater, closed during the summer, will re-open on or about Aug. 15 with a foreign picture policy, according to R. Rose, lessor of the house.

NIX ON S. R. O.

Guatemala City (By Cable)—Director General of the National Police his noti- fied film theater owners here, that no home may sell tickets beyond the actual seat- ing capacity, whether they be for gal- reries or for anywhere else, and no theater owner permit persons to stand in place adjacent in the aisles or other vacant spaces. A stiff fine is imposed for violation of the rule.
EXCITING
news from SAN FRANCISCO
THEY SHALL HAVE MUSIC! hits biggest opening figure of any picture to play the UNITED ARTISTS THEATRE since before the start of the Frisco World's Fair!

THRILLING
news from NEW YORK CITY
THEY SHALL HAVE MUSIC! rolls up second week gross equal to first week at the RIVOLI, proving that every ticket-buyer joins in its great word-of-mouth build-up!

SAMUEL GOLDFYN

gives you another outstanding hit in the box-office stride of "DEAD END", "STELLA DALLAS", and "THE HURRICANE"

THEY SHALL HAVE MUSIC!

with an outstanding cast including
ANDREA LEEDS • JOEL McCREA
GENE REYNOLDS • WALTER BRENnan • TERRY KILBURNe

PLUS
the immortal music of the world's greatest violinist
JASCHA HEIFETZ

Directed by ARCHIE MAYO • Released thru UNITED ARTISTS
A "Little" from "Lots"

By RALPH WILK

HOLLYWOOD

By RALPH WILK
Ford on "Grapes of Wrath"

Darryl F. ZANUCK, Tuesday, announced John Ford to direct "Grapes of Wrath," and thereby discounted reports that opposition to the running of that controversial story might cause 20th-Fox to shelve its production plans. A complete script has been finished by Nunnally Johnson, 20th-Fox associate producer, and it has been okayed by John Steinbeck, the author, according to a provision in the contract.

"Grapes of Wrath," expected to follow the Paramount hit with "Beau Geste" which opened Wednesday, last, it was estimated by Par amount that $50,000 is virtually certain for the first week, and this will be the first instance of a gross of that amount in the theater's history during the hot weather season.

Radio City Music Hall reported biz to be very strong with "In Name Only" as the magnet, packed houses being the rule from attraction's inception.

Capitol, with "Four Feathers," also played to jammed houses on the week-end, and virtually just as great attendance on the week days.

Holdovers likewise scored heavily. "This Shall Have Music" continued to go big at the Rivoli. Sustained strength was shown by "Each Dawn I Die" at the Strand, while "Goodbye, Mr. Chips" marched along at a lively clip at the Astor.

Russo-American Trade Pact Extended for Year

(Continued from Page 1)

announcement of the extension of the existing commercial treaty until August, 1940. Consequently, no deterrent to Holly wood product, other than the usual strict censorship which exists, plus the imposition of customs duties in the amount of 100 per cent of the value of the film, is anticipated for the next 12 months.

Greatest Movie Season
Launched In Twin Cities

Minneapolis—Twin Cities division of the Minnesota Amusement Co., has launched its Greatest Movie season a month earlier than usual and in the face of extraordinary and varied weather. The company is being backed by biggest radio program in the history of the company. Other promotion includes special advertisements, special accessories, posters and heralds.

Oklahoma Theater Income
Tax Collections Decline

Okahoma City—State income tax collections on影片 from 1937 as collected in 1938 dropped to $1,935,083 from $3,559,283 as reported to the state's treasury, according to analysis of returns just released by the state tax commis sion.

FAIR'S POP ADMISH
FAILS TO HURT PIX

(Continued from Page 1)

first three days at that house, started Friday, attendance was expected to bring the total over the 75,000 mark as all attraction figures at the later were topped with only two former exceptions. Management asserted that the film is expected to run there for a minimum of three weeks.

Week-end "take" at the Paramount hit a new summer high with "Beau Geste" which opened Wednesday, last, it was estimated by Paramount that $50,000 is virtually certain for the first week, and this will be the first instance of a gross of that amount in the theater's history during the hot weather season.

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UA WINS DISMISSAL OF SUE BY FOLLY

(Continued from Page 1)

ence to UA "as a participant in the conspiracy" and permitted the plaintiff to amend its complaint within 20 days to include United Artists specifically. The decision directed the plaintiff to file a bill of particulars in reference to a suit against all other defendants, including the majors, Randolf Amusement Corp., Monogram Distributing Corp., and Republic. Last week, lost its application to strike out parts of the complaint which referred to negotiations between the plaintiff and Springer-Coalc Corp. in 1939. Suit claimed conspiracy and discrimination in the sale of the African Union contract which allegedly caused the plaintiff to close its theater.

British NATKE Will Ask
48 Hour Week, Closed Shop
(Continued from Page 1)

the establishment of a national negotiating committee, possibly through the machinery of the National Joint Appeal Board.

Dominion Feature of Royal Visit to Run 7,000 Feet

Montreal — By the end of this month, the Dominion Motion Picture Bureau here will have ready for a formal showing before Premier King and the Cabinet a 7,000-foot feature film of their Majesties' recent tour of Canada. As soon thereafter as possible, it is hoped to have the film made available for distribution to the theaters of the Dominion.

Some 80,000 feet of film, taken in nearly 40 places visited by the King and Queen, are to be edited into one film of around 7,000 feet. Bureau staff of 12 men has been working overtime constantly since the end of the royal tour. The Bureau has material also for a shorter color film on the royal visit but work on this is being delayed until the official feature is completed.

Lerner Film In Cine Color
West Coast Bureau of THE FILM DAILY

Hollywood—All processing work on color film shot by the Michael Lerner Expedition of the American Museum of Natural History will be done by Cinecolor. Cinecolor has completed development of 30,000 feet of negatively exposed by expedition's cameraman in South Sea and New Zealand waters and rush prints are now in the East for editing by officials at the New York museum.

Good News
Cincinnati—Business in smaller towns throughout Ohio is reported at the Cincinnati exchanges to be considerably improved.

UA Code Not Subject to D of J Okay;
Judge It on Merit—Kuykendall
(Continued from Page 1)

industry attorneys for their study of the case for the plaintiff. The court today to consider the legal aspects of the draft and their official report to courts heads may be submitted to the court today.

It is quite likely that the revamped code will be released for publication tomorrow or Wednesday as it is understood that the document will be delivered to the board of directors of the Southeastern Thea ter Owners Association which meets tomorrow in Atlanta.

While the distributors' committee has been keeping silent on the nature of the changes in the modified code, it has been reported that the revision have been of minor importance.

Kuykendall Urges Exhibts.
To Judge Code on Merits

"Acceptance or rejection of the trade practice code when it is presented in final form should be based on hard-headed business sense, not on prejudices or on exhibitor politics.

This advice was advanced yesterday in an MPTOA bulletin by President Ed Kuykendall, who contended that exhibitors should consider the code on its merits and on its merits alone.

Pointing out that no exhibitor is completely satisfied with the present code, Kuykendall asserts that "you cannot ignore the fact that the cancellation provisions, is much better than any previous minimum cancellation provision. Getting rid of the separate score charge is a definite achievement. If the declaration of for-mering shorts and trailers is lived up to, it will probably come as near to solving this problem as is possible."

In regard to arbitration, Kuykendall urged that "It is unreasonable clearance and overbuying to deprive a competitor of pictures. To require an agency of some sort to adjust complaints and differences. We believe that the distributors made a bad mistake in throwing out all provisions for organized mediation in favor of a dubious arbitration sys tem, to satisfy a minority faction of exhibitors who have since repudiated the whole project.

At least we can try this arbitration and let it prove itself. It may help the situation. If it doesn't work, we will find that out, too."

Fire Underwriters Issue
Amended Film Regulations
National Board of Fire Underwriters has the amended regulations for the storage and handling of Nitrocellulose motion picture film ready for industry distribution.

Amendments were presented by the sub-committee whose members are: George W. Booth, chairman of NBFA; A. L. Armstrong, of Eastman Kodak Co.; A. S. Dickinson, MPPDA; Sylvan Harris, SMPPE; H. L. Miner, of Manufacturing Chemists' Assn of the U. S., and Cellulose Phatics Mfg's. Assn; L. H. Newell, New York Fire Insurance Rating Organization; and Frank Jones, NFFA Electrical Committee.

Changes made to the regulations are indicated in italics in text of a publication of the Report of the Committee on Hazardous Chemicals and Explosives. "The question of expidelity of No. 40 to be obtained upon request addressed to the National Board of Fire Underwriters, 85 John St., New York City.

Drilling Cancellations
Menace B. O. In La. Towns
New Orleans—Cancellation of 112 permits to drill oil in the Golden Drive-In Theater is as public nuisance because of excessive noise. At a largely-attended meeting in the Town Court, cash has been contributed for fines to fight the matter in the State Courts, pleading for closing of the theater, first such venture in Connecticut. The 500-car Drive-In is operated by Marcel Meck elberg of Boston.

SCHINES TO FIGHT CHARGES "TO LIMIT"
(Continued from Page 1)

ways done business according to ethical and accepted standards, he said, and there was nothing in its conduct that could not be defended in court. He contended that the Schines kept competitors from getting pictures, Schine would say only that "naturally, we get pictures first, because we pay for them." He indicated that some of the Schine competitors had been able to drive such advantageous contracts with distributors after Schine contracts had been signed that he would be willing to exchange with them.

Willard McKay, Schine chief counsel, with offices in New York, was in conference by telephone with Howard Antevil, head of the home office legal staff. McKay, in a recorded comment around the home office was to the effect that the Schines hoped the suit could be brought through the Circuit Court "because the air of uncertainty and the potential threats it held "are the worst things about it."

Bobby Jones Fights Tax
On $156,200 Paid to Dad
Washington Bureau of THE FILM DAILY

Washington—Bobby Jones, former champion golfer, has filed an appeal with the U. S. Supreme Court protesting payment of income taxes on money received from Warners. Jones paid $53,385.84 in taxes under protest on $156,200 paid to his father, Robert T. Jones, Sr., by Warners in 1931 and 1933.

The money was paid to his father. Jones said, for work the golfer did in making a series of shorts for the movie company, and was turned over to the elder Jones under a 1931 agreement establishing a trust fund for the golf star's children. Jones admits that the scheme was devised to decrease tax payments but insists it is legal because of a loophole in the law. Under the agreement, Jones gave his father exclusive rights to his services as a motion picture actor for six years for a payment of $1,000 per year.

The golfer has been turned down by the Federal Court in Georgia and the U. S. Circuit Court of Appeals.

Harold Wendt Dead
Detroit—Harold Wendt, of Widing Picture Productions, commercial film producers, was shot to death by a bullet wound. His mother survives.

Sweet "Oomph"
West Coast Bureau of THE FILM DAILY

Burbank—Ray Phillips, candy manufacter, flew here from Chicago for the dedication of the company's new Pacific Coast offices, plans to open a new establishment on the site of the old Oomph. The building was razed last week, and the Oomph is now expected to cut into the business of four theaters which serve this area. The houses at Golden Drive-In, at Cutoff and one at Larose will be affected.
THE THEATER
By Richard Watts Jr.

I STRIKE me that when I go to see a Walt Disney film, I am not seeing the man himself, but a world of imagination and creation. Disney is a genius, a creator, a man who has made us all believe in his dreams. He has given us characters that are more real than real, and stories that are more vivid than life itself. His films are not just entertainment, they are a journey into another world, a world of magic and wonder.

Disney himself is a master of his craft, and his films are a reflection of his own vision. He is a storyteller, a dreamer, and a visionary. His films are not just movies, they are works of art, and they have had a profound impact on our culture.

Disney's films are not just stories, they are lessons. They teach us about love, friendship, and the power of dreams. They teach us about the importance of family, and the need for compassion and empathy. They teach us about the beauty of nature, and the importance of preserving it for future generations.

In conclusion, Walt Disney is a genius, a creator, and a visionary. He has given us a world of imagination and creation, a world that is full of wonder and magic. His films are not just movies, they are a journey into another world, a world of magic and wonder.
AFA Application for Injunction Against AAAA Denied

SHORTER, SIMPLIFIED CONTRACT OFFERED BY RKO

Producers-IATSE in Tentative Five-Year Agreement

Booth Projection for Television Near

London (By Cable)—An early advance in television projection in theaters is forecast by Capt. A. C. D. West of Baird Television who states that very soon it will be possible to project television images to the theater's screen from the projection booth, eliminating the necessity for a special staff to operate equipment located in the body of the theater. Operation will be in the hands of the regular operating staff, doing away with the two technicians now employed at theaters having the Baird tele installations. Regular operators would have to undergo a course of technical training.

Gulf States Business Quicksens to Democracy Films and Westerns

By BILL SPECHT

FILM DAILY Staff Correspondent

New Orleans—Give 'em liberty or say it with shooting and the tinkling of coins across the b.o. window makes sweet music to the exhibitor's ear.

That, anyway, is the impression gained from watching the Gulf States of Louisiana, Mississippi and parts of Alabama and Florida.

Surveys show that any mention of democracy and liberty in favorable terms can count on audience applause, as witness the speech in "Man of Conquest" and Juarez' definition of the difference between absolute monarchy and democracy in the Warner films.

Surveys also show that westerns are doing nicely, thank you, and that

Exhibitors' Sponsor Testimonial to "U" and Blumberg

"U" is making available 14 new productions for the dashing splurge during the testimonial period, which spans August, September and October, it was disclosed by Matthew Fox, vice-prexy.

Opera Under the Stars
Sues Para, for $100,000

Opera Under The Stars, Inc., filed suit yesterday in the New York Supreme Court against Paramount Pictures, Inc., and asked for $100,000 damages and an injunction. Plaintiff charged that defendant has been producing, or about to produce, the picture taken from a translation and musical version of "Un Homme en Habill" (A Man in Dress Clothes).

Plaintiff asserts that it owns all the rights to the work and that it has not licensed or sold rights to the work to Paramount. An answer has been filed by Paramount generally denying allegations of the complaint. On Aug. 14 plaintiff will apply to the Supreme Court for an order directing Norman Collayer, as attorney secretary of Paramount, to testify before trial.

Engineers’ Institute
For Television Field

Television Engineers’ Institute of America is being organized as a national, technical organization to embrace both tele and facsimile. Offices will be maintained in this city, Hollywood, Calif., and New York City, as director of the new society is George H. Seward, presidency of the Hollywood Television Society.

Local sections will be authorized in any state or locality where membership is of 100 or more. Membership applications include a pledge of allegiance to the U. S.

"Four Feathers" Sixth Day Ahead of Capitol Opening

Business of Korda’s "Four Feathers" at the Capitol yesterday is reported to have been the film’s "take" by approximately $1,000, it was reported by UA last night. In point of admissions, matinee hit yesterday’s film, giving it a potential of 1,100 better than on the first day.

New Distributing Firm

Albany — Transatlantic Distributors, Inc., has been chartered to deal in motion pictures, papers filed with the Secretary of State reveal. Capital stock authorized is $50,000, shares valued at $200 a piece. Subscribers are Saul Bernstein, Milton Lowen and Anna Schwartz, 250 West 57th St., papers filed by Counsel Irwin Bekenken, 250 West 57th St., New York.

Wanger Elected to AMPP

West Coast Bureau of THE FILM DAILY — Hollywood — Walter Wanger, head of Wanger Wanger Productions, has been elected a member of the Association of M. P. Producers.

"U" Renews Koster’s Pact

West Coast Bureau of THE FILM DAILY — Hollywood — Universal has renewed Henry Koster’s contract.

Griffiths’ Name Slocum as Partner In El Reno

Oklahoma City — E. R. Slocum, recently owner of the El Caro Theatre in El Reno, and formerly president of the Griffith Amusement Co. as a district manager, has been named partner in the Griffith organization for El Reno, following purchase of the El Caro by the Griffith organization, which now gives the circuit four theaters in the town: the Royal, Empress, Criterion, and El Caro.

A number of other changes in managements have also been announced by Griffith officials. Kenneth Blackledge, formerly manager at El Reno, has been named new city manager at Okmulgee where the circuit has the Orpheum and Yale theaters; Turner Morrisett, city manager at Claremore, Okla., has resigned and Calvin Council, formerly city manager at Wellington, Texas, has been moved to Claremore as city manager.

W. L. Lusk, city manager at Sunray, Texas, has been appointed city manager at Wellington, succeeding Council and Charles Olive, former assistant manager at Pampa, Texas, has been named city manager at Sunray, Texas.

Hutchinson Going to Coast for Product Conferences

Walter J. Hutchinson, director of foreign distribution for 20th-Fox, leaves for the Coast next week for conferences on new product with studio execs, and Herron Woherb, general manager of distribution, Hutchinson will also look at a number of new films, either completed or nearing completion.

He expects to stay in Hollywood about a week. It is pointed out by executives of the company that its new season product lineup has the strongest potential drawing power in foreign markets of any list it had, with "Stanley and Livingston" and "The Rains Came" two out of five majors which the company set to new foreign revenue records.

W. A. Unit to Meet

White Sulphur Springs, W. Va.—Fifth annual convention of the West Virginia Managers Association will be held at the Greenbrier Hotel here Aug. 30-31. J. C. Shanklin is convention chairman; S. J. Hymon, association’s proxy.

"U" Signs Marlene Dietrich

West Coast Bureau of THE FILM DAILY — Hollywood—Universal has signed Marlene Dietrich to play opposite James Stewart in "Destry Rides Again," which Joe Pasternak will produce with George E. Marshall directing. Production starts Aug. 28.

First Giveaway In N. Ky.

Newport, Ky.—The Hippodrome has inaugurated a cash giveaway, beginning the first bonus in northern Kentucky to do so.

Coming and Going

HARRY M. WARNER sells for Europe today the Queen Mary according to MRS. WALTER J. HUTCHINSON, director of foreign distribution for 20th-Fox, next week to confer with studio and look at new product.

J. ROBERT RUSH and MRS. RUSH will visit England today on the Queen Mary.

MAX MOLDER, Warners’ managing director in Great Britain, is also an outgoing passenger the English ship.

ARTHUR W. EDDY and MRS. EDDY start to RVAC.

DENNIS WRATTEN and WILLIAM WESTPHI, respectively Eastman’s chief motion picture to Europe for sales and talks on a motion picture division for Continental Exhibitors, sail today on the Washington for England.

L. W. CONROW, Altec president, BERT SAAD, Jr., district manager, G. L. CARRINGTON, vice-president and general manager, STANLEY HAND, staff representative, have returned to the home office after trips to different territories.

LOUIS SILVERS, 20th-Fox musical director leaves for the Coast, he has been ship ping at the Waldorf Towers.

S. MIXSON, Florida exhib., and GENE PI ET, Florida exhib., were visitors this week at Paramount’s World’s Fair Lounge in the hotel.

RICHARD LUTHER, Milwaukee exhib., MAYWORM, also a Milwaukee exhib., STANL, Chicago exhib., HOLLYWOOD THEATRE, Hollywood, WALTER KOSTKA, Texas, and R. RUFFO, Wash., exhib., and DAN R. WILKINSON, also Chicago exhib., were visitors this week at RKO lounge.

WILLIAM SISTROM, RKO exec. in England, has returned to the States.

THOMAS G. SOMERFIELD, Jr. and his wife are at the Sherry Netherlands.

RALPH MORGAN, BIRNIE BARNES, J. H. MURPHY, New York exhib., WALTER F. RAPPAPORT, New York exhib., and DAN R. WILKINSON, also New York exhib., were visitors this week at Paramount’s World’s Fair Lounge.

J. C. KOSTER, executive of SAG, arrived yesterday plane.

HERBET C. YATES and GENE AUTRY are in Ireland.

New Md. Censor Board

Baltimore—The new line of Md. State Board of Motive Pictures Censors is George Mitchell, chairman; Holmes Alexander, vice-chairman; Marie Preinstan, secretary and Helen Odom, chief clerk.
“In spite of all competition, there’s no getting around it; the Capitol has the biggest and best show in town!” — New York Times

“The Capitol has a stupendous hit this week!” — Daily Mirror
LICENSE AGREEMENT OF RKO SIMPLIFIED

(Continued from Page 1)

the clause dealing with "clearance and run" formerly ran 40 lines; these have been covered in three lines in the new contract. The "roadshow" provisions of the new pact have been written in 13 lines, whereas 26 lines formerly were needed to cover this subject. One clause dealing with release dates has been reduced from 15 lines to less than a line and a half. In addition, the entire contract has been printed in a smaller type.

Term of Contract Shortened

Beginning with the new season, RKO’s contracts will cover a 12-month period instead of 15 months as formerly. In other words, the agreement does not license the exhibition of any picture which shall have been designated as other than a 1939-40 picture or whose date of general release by the distributor in the U. S. shall not have been between Sept. 1, 1939, and Aug. 31, 1940, inclusive.

The new contract gives RKO the right to designate certain pictures on its lineup to be shown only on a single feature program. However, the distributor agrees not to designate more than five of such pictures out of the entire season’s product.

Tax Clause Added

Where state sales taxes are in effect, the new contract requires the exhibitor to pay the levy to the distributor upon demand. This clause was inserted because in many cases, especially in New York, exhibitors refused to pay the tax and the distributors were forced to pay the assessment, themselves.

A new clause covering percentage bookings requires exhibitors to hold the distributor’s share of the gross receipts in trust and apart from other money and “to pay over such trust fund to the order of the distributor as requested.” The other clauses have been modified, clarified or changed so that their provisions can be more easily understood. Production numbers have been eliminated and the program is referred to by titles or groups.

No reference to the proposed Trade Practice Code is made in the new agreement, but it is understood that if and when adopted, a rider will be attached to the contract.

Para, May Lease, Not Sell, Some of Its London Houses

(Continued from Page 1)

for the lease of several Paramount theaters in London to an English circuit. David Rose, Paramount executive here, said that the matter was before the lawyers.

While Griffiths would not name the circuits, one source with some knowledge of the situation related that negotiations are under way. It is understood generally that the deal, if completed, will be with the Odeon group.

EXHIBITORS SPONSOR TESTIMONIAL TO ‘U’

(Continued from Page 1)

Tional Theaters, heads the testimonial move as national chairman, with N. L. Nathanson, president of Famous Players-Lasky, functioning as Dominion chairman. Miss Singer, of Chicago, is Mid-West chairman.

Pix for the testimonial period were given as:

“With Tomorrow Comes” with Irene Dunne, Charles Boyer, Barbara Stanwyck. Produced and directed by John M. Stahl; “The Underpup” with Robert Cummings, Nan Grey, Gleba Auerbach; Director, Leonard Marquee; producer, Joe Pasternack; "First Love" with Deanna Durbin, Helen Parrish, Richard Rust, Director, Henry Koster; producer, Joe Pasternack; “Rio” with Sigrid Gurie, Basil Rathbone, Victor McLaglen, Director, Rowland V. Lee; “South of the Amazon” (tentative title) with Douglas Fairbanks, Jr. and Joan Bennett. Director, James Whale; “Hello Stranger” (tentative title) with Baby Sandy, Hugh Herbert, producer, Joe Pasternack.

“The Invisible Man Returns” with Sir Cedric Hardwicke; director, Joe Pasternack; with Billy Halop, Huntz Hall, Mary Carlin. Director, Arthur Lubin; associate producer, Joe Pasternack; “Just You Wait” (tentative title) with Charles Bickford, Doris Nolan; director, Harold Schuster; “Listen Kid” (tentative title) and directed by Albert S. Rogell.

Schulberg Acquires Story

West Coast Bureaus of THE FILM DAILY

Hollywood—B. P. Schulberg has bought the rights to “The Middle Window,” best seller by Elizabeth Goudge, and is completing the script for immediate production. The story, laid in England and Scotland, is told in two periods of time, and is based on an old Scottish legend.

Turrro Talks New Deals

West Coast Bureaus of THE FILM DAILY

Hollywood—Leon G. Turrro, former G-man who authored Warners’ “Confessions of a Nazi Spy,” has written a new version of the same and technical assistant job pending at Warners and other studios. Turrro has just returned from London and Paris.
THE STORY OF

PRE-SELLING

Golden Boy

here's how
THIS WEEK MAGAZINE

Full-color ad in This Week Magazine, with a circulation of six million, will hit every important newspaper in the country. Here is real direct-to-the-consumer merchandising, backed up by all the resources of the magazine.

THE AMERICAN WEEKLY

With a circulation of fifteen million, blanketing the country to the benefit of every exhibitor.

ADS IN ALL FAN MAGAZINES


NATIONAL NEWSPAPER ADS

Spotted in key cities and carefully planned to benefit every type of theatre.

SUNDAY MIRROR MAGAZINE

A full-page ad in this important medium, with a circulation that hits every part of the country.

MAGIC KEY—GOLDEN BOY BROADCAST

One of the most popular programs on the air will dedicate its program on Monday, September fourth, to "GOLDEN BOY" with one of the most unusual presentations ever conceived for a radio show.

GOLDEN BOY

starring

BARBARA STANWYCK  •  ADOLPHE MENJOU  •  WILLIAM HOLDEN

A ROUBEN MAMOULIAN PRODUCTION • Produced by WILLIAM PERLBERG

Screen play by Lewis Meltzer, Daniel Taradash, Sarah Y. Mason, Victor Heerman
Based upon the Group Theatre play by CLIFFORD ODETS

A Columbia Picture
leaves the plan open for immediate negotiation on hours, wages and working conditions in crafts covered by the two new "Tales series agreements."

Scheneck reiterated his statement that the negotiations with IATSE representatives do not involve the status of any other contract with studio employe organizations. At a conference called yesterday by William R. Walsh, senior NRLB counsel, Aug. 16 was tentatively set as the date for hearing assertions of IATSE and USTG, each of which seeks to be named exclusive bargaining representative for studio workers.

The Los Angeles Central Labor Council sent a resolution to the NRLB at a meeting yesterday waiving a formal 5-day notice in order to bring about an immediate election, but that IA refused to waive this period. He declared that the tentative agreement between IA and the producers violates both the spirit and the letter of the Wagner Act. He characterized the tentative agreement as a maneuver to herd the workers back into the company dominated by the IATSE.

"We expect," said, "to get a real contract for the men and believe that with the aid of all right-thinking people we will succeed in our efforts to get the present law to go forward to an election under supervision of the U. S. Government."

It was learned yesterday that the USTG does not seek jurisdiction over members of the American Society of Cinematographers.

**Colored Va. Fishery Films**

Newport News, Va. — A color print on the first of a series of color films made under the supervision of Mr. W. Walter Mapp of the Commission of Fisheries for Virginia has been shipped to New York for national distribution. The picture is the first of a series of one-reelers, directed by Bruce Coleman with a special color process of his invention.

"Chips." Detroit Record

Detroit—"Goodbye, Mr. Chips" is being sold over the Mutual Circuit, setting a house record, according to the management, as the first picture ever in second week at UDT's ace house.

**Chertok on Features Too**

JACK CHERTOK, M-G-M's short subject producer, will make three features yearly under a new contract. It is impossible that Chertok's feature assignments may be increased upon the completion of the three pictures.

* * *

"Of Mice and Men" to Start

Monday has been set by Hal Roach as the starting date on his production of John Steinbeck's "Of Mice and Men." Under the direction of Lewis Milestone and with Frank Ross, executive vice-president of the Hal Roach Studios, as associate producer, "Of Mice and Men" will have Burgess Meredith in the part of George, Lon Chaney, Jr. as Lennie, and Ray Milland as the leading feminine role.

* * *

Zanuck Shifts Stars

At 20th-Fox, Darryl Zanuck is shifting his stars to meet the heavy production schedule set for September when seven main pictures will be put before the cameras at the studio. Nancy Kelly, who was to have played opposite Don Ameche in "Swannee River," a Technicolor production, will have the lead opposite Johnnie Power in "Johnny Apollo" and Andrea Leeds has been borrowed from Samuel Goldwyn for the role in "Swannee River," Linda Darnell will not be in "Johnny Apollo" as previously announced but will be given another important assignment.

Priscilla Lane with Raft

Priscilla Lane has been set by Warners to play the female lead opposite George Raft in "The Patent Leather Kid." Raft may do this fight story upon his return from European trip, instead of pairing with James Cagney for Wardell Lowe's E. L. Lawe's story, "Invisible Stripes." 

Lesser to Base at S-J

Sol Lesser yesterday took the first step towards the United Artists release of his forthcoming productions. He signed a contract with Selznick International whereby he will house his company's future pictures at the Culver City Studios.

**Million In Heaven Pix**

In preparation for the start of the next Sonja Henie starring vehicle, "Everything Happens at Night," Darryl F. Zanuck, production head at 20th Century-Fox, announced today that Ray Milland had been signed for one of the major roles in the picture. The picture is scheduled to get under way in mid-September.

Henaghan at Retsama

Len Smith, publicity and exploitation director for Retsama Film Productions, has added James P. Henaghan to his staff.

**New Haven Industriettes Stage Outing Tomorrow**

New Haven—The film district is making plans for a full day at the annual district outing tomorrow at Rustic Inn, Lake Quonnipaug, with an afternoon of every kind of activities in the great outdoors. Buffet luncheon will start off the day, followed by swimming in the lake, a distributor-exhibitor baseball game, tug-of-war, 3-legged race, row boat race, pie-eating contest, shot put, peanut race, horse shoe pitching, and other contests.

A full course chicken dinner will be served in the lodge, after which there will be dancing, dance contests, and award of prizes. Morris Joseph, Universal exchange manager, will distribute the prizes. Committee in charge is headed by Homer C. Downey and Jack Mullen, George Weber, Jerry Massimo, Irving Cooper, Peter Canelli, Katherine Fitzgerald, Katherine Higgins and Freda Kogan.

**Irish Fans Give Autry Tremendous Reception**

A tremendous reception was accorded Gene Autry, Republic's singing cowboy star, upon his arrival in Chicago yesterday, according to reports received at the home office yesterday from Herbert J. Yates, who is accompanying Autry on his European tour. Opening of a new Autry film at the Royal Cinemat in Dublin attracted a crowd that had to be restrained by the police as the star made a personal appearance, it was said. Autry appeared at the Dublin horse show.

**Windsor Theater Sold**

Windsor, Conn. — The 500-seat Windsor Theater, formerly operated by Nathan Lampert, has been purchased by Arthur Lockwood of Mid- dletown and Sam Rosen of New Haven, and will be closed for renovation. Lampert retains an interest in the operation of the theater, by the new corporation. The Lumpert Theater of Windsor, Inc., of which the incorporators are Arthur Lockwood, Nathan Lampert and Mignon Clark of New Haven. The Max Shulman interests of Hartford have been taken over to new theater in the center of the town.
Gulf States Biz Quickens to Democracy and Westerns

Fast-Moving Action Based on Headlines Also Helping B. O.
(Continued From Page 1)

When there are made some money and casts, and dignified by the name of epic, they do smash biz.

A very unwise observer, in that his company did not make the film, declares that to his knowledge "Jesse James" has been doing anywhere from 100 to 150 per cent more business for his houses. To this must be added the fact that "Union Pacific," the "Oklahoma Kid," "Stagecoach," "Dodge City" all show remarkable records.

Observers believe, however, that there are enough super-westerns at present to care for this demand and look to another cycle. They believe the glories of democracy will be good for some time yet and then that another trend will manifest itself. No one, however, is picking his chimp out on what it will be, though the success of "Man About Town" is cushioning the box office and the musicals may not be on the way back in some form or other. To date the films of the super western are definitely not at the height of their popularity, with exhibitors declaring that "Dodge City" is the most.

"Second Fiddle" did a remarkable business in New Orleans, but the presence of the local honey, Mary Healy, therein, is given credit for that more than anything else.

Another trend which seems to be holding up is toward fast-moving action based on headlines. Warner Bros. evidently is correct about this film based on big news events and "intense" growing out of them have been good box-office. At present it would appear that this is little by little forcing drama in the smaller towns and that fast-moving product has the edge. The biggest success is the cartoon nonsensical comedy as "Good Girls Go to Paris."

Exhibitors at present complain that there is not enough of good short product but are rather vague as to what they want in this direction. Business has been off, probably due to summer, with threats of crop failures in north Mississippi and north Louisiana painting an unpleasant picture for the coming fall.

Premiums continue to be given, though they are losing their drawing power and money giveaways have invaded the hitherto sacrosanct era of New Orleans' downtown area with two unimportant houses giving a joint prize.

Robertson Adds Two

Columbus, O. — John Robertson, operator of houses in Bainbridge and Osborn, has acquired leases on two more, the Linda, Shawnaw, and the Linda, in Payette, Idaho, to be renamed the Shawnaw, was formerly operated by Elias Halkey, and the Delwyn by Chris Davey.

Warners Set Five Vehicles for Cagney

West Coast Bureau of THE FILM DAILY

Burbank—Warners now have five prix lined up for James Cagney, to follow "The Roaring Twenties," which he is finishing at present. "The Fighting Sixty-Nine," "John Paul Jones," biographical picture; "Invisible Stripes," "Warden Lewis L. Lawes' story of penal service," the City of the Solarium's Institute in New York City, by Theodore Reaves; and "Two Sons," by John Fante and Rossi Willis. In the fight among three directors, the film will be combined with Pat O'Brien, while in "Invisible Stripes" he will be teamed with George Raft.

U. S. Pix May Get Play in German "Protectorate"

Berlin (By Cable)—That American films may be shown in Germany's "Protectorate"—Bohemia and Moravia—then are permitted entry into Germany itself, is a possibility forecast by the American Commercial Attache here despite the fact that the ban on entry into Germany extends also to the "Protectorate." The Attache also anticipates the showing of more Italian films in the "Protectorate" as they are now being pushed according to the terms of the German-Italian film agreement.

While it is not yet definitely decided which American companies will be permitted to continue operating in the "Protectorate," it is held probable that they will be limited to the three companies now represented in Germany.

Number of films to be produced in the "Protectorate" during the current year is 95, compared to 41 in 1938. Total number of films to be shown this year is about 200 as against 318 in 1938. Chief reason for the decrease is the drop in American pictures from 180 last year to 70 this year, German films will double the number shown last year, rising from 40 to 70.

Horn Fined Second Time

Rehoboth, Del.—Charles S. Horn, promoter of the Blue Hen theater here, paid his second consecutive fine this week for operating on Sabbath. Appearing before Magistrate I. L. Thompson on the complaint of Deputy Attorney General Daniel G. Layton, Horn was fined $4. It was reported that the Attorney General's office may study the possibilities of a court action to enjoine the Blue Hen theater from Sabbath operation.

Knoepfle Heads New Club

Cincinnati — Rudy Knoepfle, Republican, was elected president; Metro's John Allen, vice-president, and Pete Nilan, secretary-treasurer, of the newly organized social-club for salesmen. The club will meet Aug. 20, at the Ciney Variety Club, to decide on a permanent name.

Col. Signs De LaVarre

Andre de LaVarre has been signed by Columbia to produce six Columbia Tours for release during the 1939 season, it was announced today.

Warner Theater Managers at Capital Zone Parley

Washington Bureau of THE FILM DAILY

General Zone Manager for Warner Theaters in the Washington territory, held his annual meeting with all managers yesterday at the Mayflower Hotel.

Robert Smeltzer, district manager of Warners, discussed the coming Warner Bu product. General Attracti

THERE IS VISIBILITY CASE TO BE TRIED

(Continued From Page 1)

Frances Miller vs. Poll's New England Theaters, Inc., originally brought in the Common Pleas Court involved a full and injuries on leaving a seat which was on a platform 54 inches above the aisle, in the Loew-Pacific, Waterbury. The patron obtained judgment in the amount of $643 and Poll's appealed the case to the highest court in the State, which has found error in the earlier decision and ordered a new trial. Morris Mondsell, attorney at the New Haven division office, represented the appellant.

When the patron entered she found her seat unaided by an usher and the red and blue lights then lit were the same as when she started to leave and constituted the usual diffused lighting in a theater during projection. The Court defines the duty of the theater "to use reasonable care in the construction, equipment and management of the theater, having regard to the character of the entertainment given and the customary conduct of the persons attending." The Judges point out that "to provide too much light would spoil the entertainment for patrons. This is the first case in the state which discusses visibility in theaters.

Renovate Richmond Duo

Richmond, Va. — Neighborhood theater's State, and Wilmer & Vincent's National, first-runs, will close Sunday for general overhauling and renovating, to reopen around Labor Day. A. O. Budina, architect, is in charge of the overhauling of the State, and Herman Nowalsky, National.

New Lantz Character

West Coast Bureau of THE FILM DAILY

Hollywood—A new cartoon character has just been born with the production of Walter Lantz Technicolor short for Universal release, "Peterkin," a Pan character created by Will Pomany, the artist.

Zerga Opens New Nabe

San Francisco—Attilio Zerga has opened a new neighborhood theater, The Bridge, at 3010 Geary boulevard. Under construction for six months, it is the first of three to be erected by Zerga.

Extend Franco-Nazi Pact

Paris (By Special) — French and German agreement covering importation and exportation of films between the two countries has been renewed for one year without changes.

Wednesday, August 9, 1939
THIS BUSINESS DOESN'T NEED anything HALF AS MUCH AS IT NEEDS Stimulation!

Emphatically not the kind that comes in bottles and tastes like boiled shoe laces, but—

Lots of good, dramatic entertainment tonic—PROFITABLE PICTURES—

at regular intervals from an assured, courageous, energetic and enthusiastic source, the sort of Pictures that are the bone and sinew of the Greatest Business on Earth . . . .

The Show Business!

YOU CAN'T GET AROUND THAT, SO . . .
is honestly proud to offer for the
1939-1940 EXHIBITOR SEASON

60 PROFITABLE PICTURES!

When you’re ready to measure your theatre for its 1939-1940 Profit Capacity throw away all your old-time yard-sticks. Art and “delayed tempo” productions have their places, to be sure, but MILLIONS of theatregoers on whom exhibitors depend for steady, profitable patronage will continue to steadfastly refuse to pay for anything except moving pictures!

Hence, the policy of Producers Distributing Corporation will be to distribute only such Pictures as merit definite audience-acceptance. Positive dynamic Box Office productions high in entertainment and exploitation value—moving pictures!

Our production schedule consists of SIXTY pictures, from choice, closely-knit, entertaining stories, directed by masters of their craft, with stellar “name” casts.
Pictures that have life, action, thrills, suspense and down-to-earth melodrama;

Pictures the theatregoing public needs, wants and for which it is willing to pay!

WITH OUR 60 PROFITABLE PICTURES, EVERY LAST ONE OF THEM DELIVERED PER SCHEDULE, EXHIBITORS CAN REVIVE, REAWAKEN, RE-ESTABLISH, THE OLD-TIME BOX-OFFICE SPIRIT AND GET BACK WHATEVER PATRONAGE THEY LOST THROUGH NO FAULT OF THEIR OWN.

That's a big promise, but we CAN keep it—we WILL keep it!

9 4-STAR SPECIAL PRODUCTIONS—Conceived, designed and presented for SHOWMEN who know exceptional screen merchandise when it’s offered them. Timely in theme and intelligent in treatment. Big ideas handled in a big way—for BIG, profitable exploitation campaigns.

4 MIGHTY JACK LONDON MELODRAMAS, based on narratives by one of literature's immortals. The clash of gigantic, red-blooded heroes in epic struggles for power, possessions and—LOVE! Filmed against spectacular backgrounds of primitive grandeur.

5 HORROR PICTURES. Deliberately and painstakingly produced to meet popular demand for the unusual, the bizarre, the unique in screen entertainment. EXAMINE THE BOLTS ON YOUR SEATS BEFORE YOU SHOW THESE! They’re that kind.

6 MYSTERY MELODRAMAS. Not cut-and-dried “whodunits” based on old formulas, but NEW stories with sleuth heroes who mix brains with plenty of brawny, physical action.

12 MELODRAMAS WITH ROBUST ACTION. Pictures that start with a bang and end with explosive climaxes; with stories that never falter, never halt, until their objectives are reached.

8 “TALES OF BILLY THE KID,” featuring GEORGE HOUSTON. Based on the career of the Southwest’s most misunderstood character, who wrote his laws on curtains of gunfire with bullets of flaming lead.

8 TIM McCOY WESTERNS, with a star now at the zenith of a glorious screen career, with millions of loyal fans. These are “investments,” not “speculations.”

8 “THE SAGEBRUSH FAMILY,” a De Luxe series for De Luxe and other theatres, featuring BOBBYClark, world’s champion Junior Cowboy. A “family” series that upsets screen traditions and pleases everyone in the household.
8 TIM McCoy
WESTERNs
The One Sure Box-Office Western
"NAME" Everywhere!

Only the West could spawn a man like this—
Only the Frontier could give him elbow room!

8 Tales of BILLY the KID
FEATURING GEORGE HOUSTON

Fresh as a mountain breeze—New as a pioneer’s trail—Penetrating as an Indian chief’s war whoop!

8"THE
SAGEBRUSH
FAMILY"
Featuring BOBBY CLARK
World’s Champion
JUNIOR COWBOY

1436 N. BEACHWOOD DR., HOLLYWOOD, CALIF. EXCHANGES EVERYWHERE
GOLDYWYN TO RELEASE
"RAFFLES" THRU UA

(Continued From Page 1)

recently, he declined to comment on the distribution plans for the picture in view of his pending suit against the distributing organizations.

A 1939-40 lineup had called for only two Goldwyn pix, "There Shall Have Muscle" and "The Real Glory." "Raffles" goes into production within the next two weeks, with David Niven and Olivia De Havilland co-starred and Sam Wood directing. John Balderston has completed the adaptation.

Hearing on RKO Claims
Will Be Held on Friday

(Continued From Page 1)

against RKO by creditors and to reduce and expunge others. Federal Judge William T. Leder is in response to the petition ordered a hearing on Friday at 2:30 p.m.

The petition asked for a reduction on the claim made by Alfred A. Fiegel for $24,061 on a contract for advertising for the New York (11,629); a claim of Criterion Advertising Co. for a similar contract, from $404,868 to $314,553; to expunge claims of Majestic Theater Co., Ltd., for $124,208 and Publix Indiana Corp., for $1,662,906; to file a claim of the Chemical Bank & Trust Co. for services as trustee under a collateral note indenture at a preferred amount of $4,668, and finally, to fix a claim of the United States Bank of Denver based on a guaranty of mortgage bonds of the Denver Orpheum Co., at $81,165.

The Irving Trust petition stated that previous agreements had been made with the company listed in the petition and that formal consent of Judge Bondy was required.

Court Resolves Decision
on Para. Suit Dismissal

(Continued From Page 1)

imately $30,000,000 damages against Paramount officials and directors for alleged mismanagement and waste. Paramount contended that as a matter of law the complaint must be dismissed because it is based on the acts of officials prior to the acquisition of stock by the plaintiffs in 1957. In addition, the application sought dismissal of parts of the complaint as redundant and also asked for a bill of plenary relief from American Telephone and Telegraph Co., Western Electric and Erii, which are also named defendants in the suit.

Keep Building Ban

Copenhagen (By Cable)—The municipality has renewed for another year the measure prohibiting the building of new theaters.

AACKA Emerges Victor in Injunction
Move; AE Suspends Harry Richman

(Continued From Page 1)

and its affiliates, including the newly created American Guild of Variety Artists, from allegedly interfering with current employees and soliciting members of the AFA for the purpose of inducing them to join the new union, AOGA.

The AAAA filed a federal action on its own behalf and on behalf of its member, John Richman, who is vice-president of the AFA, similar to the charges that brought the Equity suit.

Adding to the already confused mix-up, the authors' League of America yesterday accused AFA of parceling off a membership comparable to the charges being leveled at the IATSE by the AFA's executives. AFA executives stated that they were ready and willing to turn these writers over to any recognized labor relation organization prepared and capable of representing them. This statement irked League officials, who said their jurisdiction had been transferred to the Committee of Writers, but up to this time their capability in handling their own affairs has remained in doubt.

TMAT Impeachment Talk

Further fireworks were also indicated in the TMAT setup last night as tomorrow's membership meeting drew close. It divided solidly in favor of asking for an IA charter, but the legit division has balked at this plan, and reports were heard that impeachment of certain officials might be asked for as they had gone to Atlantic City to confer with IA heads after they had been requested not to.

Meanwhile, statements continued to fill the already supercharged air yesterday. Tallulah Bankhead, in a blast at IA proxy George E. Browne, termed him a stock company Hitler and a hungry Caesar. In conclusion Miss Bankhead stated that Mr. Browne should stick to his list.

"Does he promise never to teach me how to act, when to act or where to act, in turn I'll promise never to coach him in the technique of fouling a drop, short-circuiting a switchboard or eating the edible props," Miriam Hopkins also endorses the AAAA yesterday and stated that the actors had no intention now, or in the future, of giving up their self-government and jurisdiction.

For Early Trial Date

The McGoldrick decision asserted that the papers upon which the AFA application for an injunction was based last week's statement that the temporary injunction." Justice McGoldrick, however, conditioned his decision of the injunction released, Ralph the express condition that the defendants agree to a trial date at the earliest possible moment. The Court suggested that a referee be appointed if an earlier trial was sought, either to be selected by the Court or picked from three names to be submitted by William Green, AFL proxy.

Green, when questioned in Atlantic City, stated that the dispute was a headache and was the worst jurisdictional fight he had ever encountered. It was disclosed that he had tried to head it off by earlier meetings with the 4 A's, but that his offer of a condition had been rejected. Green also offered to arbitrate the dispute himself, but this offer was also rejected by the AAAAA on constitutional grounds, it was learned.

With Ken Thomson, executive-secretary of SAG, arriving from the West last night to attend the regular session of the acting contingent coming here to go to Atlantic City, the names of the delegation will be led by Ralph Resnick, president; Olive de Havil- land, Binnie Barnes, Edward Arnold, Lucille Gleason, Jean Muir, Mischa Auer, Henry Hall, Wayne Morris, and Larry Steers arrive from the Coast today by plane. Frank Gil- lieson, who has been rejected for the TLAT proxy; Miss de Haviland, Binnie Barnes, Edward Arnold, Lucille Gleason, Jean Muir, Mischa Auer, Henry Hall, Wayne Morris, and Larry Steers arrive from the Coast today by plane. Frank Gil- lieson, who has been rejected for the

Uxbridge House Sold

Uxbridge, Mass.—Fred Eisner, affiliated with the Lockwood & Gor- don Dry Goods, Inc., has purchased the Bijou Theater from Mrs. Rose Coriaty, who operated the theater since the death of her husband. The new concern operates a number of theaters in Maine, Massachusetts, Connecticut, and New York.

S-W MAKING FURTHER
PHILLY POLICY SHIFT

(Continued From Page 1)

now playing vaudeville, reverts to films. The three-hour show "B" picture policy goes into the Capital, which has been nothing more than a "drop-in" house with little play in the evenings, located in the department store area.

Keith's, closed, reopen with a policy similar to that of the Center, changing several times a week as the pictures warrant. The Stanton and Karlton will play repeat runs as the third shift in downtown first-run operations in several months.

Meanwhile, in the rest of the territory, changes have been taken place. Harry Chertoff, operating independent exhibitor, took over the Elks and Majestic, Middletown, and now operates a string of 10 houses from Harrisburg to Lancaster. William Greenfield acquired the Baltimore and Sherwood, Philadelphia, giving him a five-house string. George Renigerose Resnick, who has the local Cayuga, bought into the local Grant, operated by William Cohen. Mark Rubinsky has taken over the AFA houses in New Kensington and Dallastown, both of which will be called the Lyric. Osman interests have taken the Poxtang, Pax- tang.

Frisina Adds Another
Springfield, Ill.—The Frisina cir- cuit has leased the Lincoln theater at Robinson from Price & Hewitt; latter have also turned over the Beatty theater at Oblong to John Bowman.

Singer Reopening Two
Chicago—Mort H. Singer Theaters Co., who will reopen the New Strand theater, has announced that it will re-open on Sept. 1 the Capitol Theater in Mar- shalltown, Iowa, and the Orpheum Theater, Dubuque, Iowa.

New Parkersburg House
Pittsburgh—Mrs. P. M. Thomas, who operates the Palace Theater in Parkersburg, W. Va., will open, a new 400-seat house there which is expected to open about Aug. 15.

Lande Takes On Premiums
Cleveland—Harry Lande, operat- ing Independent Theatres Service, has taken on a line of theater premiums, making the sixth premium distributor in the Film Building.

70 IN ARGENTINE
Sponsor Ayres (By Cable)—Argentinian studios announce a total of 70 pictures for the year in which budgets will be $550,000, it is claimed.
The YESTERDAY—
TODAY—
AND
TOMORROW—
of
MOTION PICTURE COMPANIES
and
MOTION PICTURE PERSONALITIES
Told to the World in
THE FILM DAILY
CAVALCADE
soon to be distributed to all subscribers of
THE FILM DAILY
1501 BROADWAY, N. Y. C. 6425 HOLLYWOOD BLVD.
HOLLYWOOD, CAL.
Exhibit Organization "Breaks Silence" and Defends Its Stand on Code

In a nine-page general bulletin, national Allied yesterday answered charges made by industry representatives following Allied's rejection of the proposed code at the Minneapolis convention. The bulletin explains that Allied "now breaks its silence because certain of its directors have expressed the fear that its failure to do so might be interpreted by persons unfamiliar with industry politics as a tacit admission that the criticisms were unanswered." Specific charges to which Allied now replies cover the following allegations.

Charge Franchise Aids in Movie Smuggling

A federal grand jury yesterday brought up to federal judge John C. Knox a presentment accusing the French Ministry of Foreign Affairs of permitting Andre de la Varre to smuggle films into the U.S. in its diplomatic mail pouches. De la Varre is now free on bail, Federal officials stated.

The grand jury's presentment is an outgrowth of the alleged smuggling.

"U" Taking 100 Critics to "Under-Pup" Premiere

Universal will launch its new starlet, Gloria Jean, with the biggest premiere in the company's history on Aug. 24 when Joe Pasternak's

Para. Sets Release Dates for 13 Pix for 1939-40

With 17 pictures completed, 9 now in production and 5 more set to roll before the end of the month, Paramount's "under-pup" yesterday set

Enactment of Neely Bill Means Stronger Monopoly, Asserts Loew's Jos. R. Vogel

Washington: Enactment of the Neely anti-compulsory block-booking and blind-selling measure, now awaiting House action at the next session of Congress, would "really hit the small producing companies, thereby helping to create a stronger monopoly," according to Joseph S. Vogel, in charge of Loew's out of town theatres. Vogel arrived here yesterday to personally direct the Eastern tour of Judy Garland and Mickey Rooney which calls for stops in New Haven, Boston and New York.

$15,000,000 LOEW Financing Is Set

Loew's, Inc., has borrowed privately $15,000,000 at an interest rate averaging 3.30 per cent, for the refunding of obligations of a subsidiary and for additional working capital, through a bank loan of $8,750,000 and an issue of $11,250,000 of bonds which was purchased by two life insurance companies, it was disclosed yesterday.

The bank loan will bear interest at 4 per cent, from June 17 of the current year.

Report Revised Code Includes Two New Clauses Which Will Benefit Exhibitors

WARNERS' "NAZI SPY" Headed for Highest Foreign "Take"

With a gross of $1,500,000 in the British empire alone in prospect, "Confessions of a Nazi Spy" is expected to roll up one of the largest foreign "takes" in Warner history. In London, the picture is in its ninth week at the Warner Theater.

IATSE and SAG Talk Strike; Joseph M. Schenck Flies from Coast

STOA MEET OPPOSES INCREASED RENTALS

Atlantic — The Southeastern Theaters Owners Ass'n yesterday unanimously approved a resolution opposing an increase in film rentals by motion picture distributors to offset a 20 per cent cancellation provision in the industry's contract with the American Federation of Labor.

THURSDAY, AUGUST 10, 1939

NEW YORK, NEW YORK, TEN CENTS

THE

DAILY

Film Daily

The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old

Code Revision Announcement Awaits Administration Plan

WAR OR PEACE DECISION AT A F OF L MEET TODAY

Allied Answers Critics on Subject of Code Rejection

The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old

ENACTMENT OF NEELY BILL MEANS STRONGER MONOPOLY, ASSERTS LOEW'S JOS. R. VOGEL

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3,000 Fans Greet Rooney, Garland in Washington

Washington—A crowd of 3,000 fans greeted Mickey Rooney and Judy Garland here yesterday when the screen stars arrived for a personal appearance session at the Capitol Theater. They were welcomed by the President of the American Federation of Musicians District of Columbia, Joseph R. Vogel and Carter Barron, flanked by 30 uniformed high-hatted ushers and 30 Roxettes.

The SRO sign was posted at the theater an hour before show time and the street was blocked by an estimated crowd of 5,000 persons. Vogel was pressed into service as an usher.

Nazis Answer M of T Reel With Fortress Documentary

Berlin (By Cable)—Regarded by the Propaganda Ministry as the Nazi answer to "Little Miss Broadway," produced by the Marx Brothers, "The West Wall" is a documentary concerned with the construction of Germany's Siegfried Line. It is a preview of the war and, by Hitler's order, will be played by every film theater in Greater Germany. Film, starting today, replaces the cultural short and newswise customarily accompanying features.

20th-Fox Would Shift Brice Action to Federal Court

Chicago—Judge Charles Williams has taken under advisement the remand of Francis Matthews, 20th-Fox counsel, for transfer to Federal Court from Superior Court of the District of Columbia. In a pre-trial hearing yesterday, Judge Williams was asked if the court was ready to proceed as he is in a position to take the matter out of his court. Judge Williams reserved his decision until Friday. Suit stems from 20th-Fox's "The Rose of Washington Square.

New England Franchise For Alliance Program

Budd Rogers, vice-president and general manager of Alliance Films Corporation, announces that Popular Pictures, owned and managed by Budd Rogers with headquarters at 48 Melrose St., Boston, has secured the New England franchise for the Alliance program of 12 features for 1939-40. The first release, Aug. 15, will be "Dead Men Tell No Tales," starring Emy Williams.

Grainger Wings South to Talk Circuit Deals

Deals between circuits in the New Orleans territory and Republic Pictures, eulogized by James R. Grainger, Republic's president, left New York for the southern coast yesterday. In Atlanta, it was learned, Grainger was joined by Arthur Bromberg, southern franchise holder, and Charles Hilder, southern district sales manager.
Call out the cops just as they did at the Apollo Theatre, Atlantic City (Biggest business of the year!) and Moorland Theatre, Ocean City, N. J. The first engagements of ROBERT TAYLOR, HEDY LAMARR in "LADY OF THE TROPICS" are phenomenal as expected! It's a lovely summer for M-G-M exhibitors isn't it? Next: "WIZARD OF OZ."

Screen play by Ben Hecht, directed by Jack Conway, Produced by Sam Zimbalist
the distributors, said that he had hoped to release the details of the revised code today but that the matter would have to be delayed until a system of putting the provisions into effect had been worked out. However, he said that major attorneys had advised him that a complete announcement would be ready not later than Monday. The distributors, Rodgers pointed out, were endeavoring to map out a plan by which signatures could be obtained and that the task was proving to be a difficult one.

Warner's "Nazi Spy" Headed for Highest Foreign "Take"

setting a new record for length of run; "Robin Hood," which opened this new house, played for five weeks. "Nazi Spy" has been playing simultaneously at the Regal, London, and will continue. At the Warner, a 13-week stay is expected. In Europe, the film is currently in its third week in Paris, playing at three first-run houses simultaneously. In Marseilles, the film is in its second week having beaten the all-time record held by "Robin Hood." In Nice, the feature is playing a two-week simultaneous engagement in three houses, and in Bordeaux the film is currently in its third big week. In Warsaw, Poland "Nazi Spy" is in its third week, and will continue indefinitely.

In Sydney, Australia, the film is in its fourth week. In Bombay, the picture opened to the biggest business in five years. Other spots where the picture has scored heavily include Singapore, Mexico City, Panama City and Havana.

"Hardy" Stays In Loop

Chicago—"Andy Hardy Gets Spring Fever" is slated for a second Loop run at B & K Garrick theater, after three weeks at the United Artists.

Along the BLATIO WITH PHIL M. DALY

• • • THERE can be something new under the sun... witness Metro's plans for the first cocktail-laden cocktail party ever given for movie stars in W' of New York... (Attention, Governor Dickinson!) 200 high school boys and girls... picked from all parts of the metropolis... via "elections" conducted by 75 Loew theaters... will be luncheon guests next Wednesday of Mickey Rooney and Judy Garland... in the Empire Room of the Waldorf Astoria... this will follow their service on the Official Reception Committee... at Grand Central on Monday... when the two young players arrive... for their p. a.'s at the Capital... in connection with the engagement of The Wizard of Oz... starting Aug. 17... Judy is the picture's little heroine, Dorothy... Call this a press agent stunt... if you must... but remember it has the unusual merit... of bringing a thrill and joy... to 200 youngsters who never hoped... to meet a star "in person"... or lunch at the ritzy Waldorf... The shade of Syracusse's L. Frank Baum... must agree that the Wizard of Oz himself... never worked a happier miracle...

• • • THIS, that and other... If all goes well, Scenarist Sam Hoffman may have two plays on Broadway next season... Lively interest reported in Sam's "Top Billing"... and "Now I Owe You Nothing"... which the William Morris office is handling... Howard Hughes may drop from the clouds here some time Saturday... He's planning a try for a new transcontinental flight record... With Horace Heldt going into the Strand tomorrow... Al Kavelin and his orc replaces for three weeks at the Biltmore Hotel... Wotta performance Bert Lahr turns in... as the Cowardly Lion... in Metro's "The Wizard of Oz"... Add Things to Worry About... NBC tele signals are being picked up... on Cape Cod, 185 miles from New York City by air... Gene Fowler is still working on his new novel... "Illusion in Java"... on Fire Island... but already two majors figuratively are licking their chops... Phil Spitznay celebrates the fifth anniversary of the organization... of his all-girl band... at the New York Pala, tomorrow night... Just to further point up the silly action... of the New York Censors... the National Board of Review has rated... the banned French pic, "Harvest"... as an Exceptional Photoplay... which it is...

• • • GOSSIP... Thurman W. Arnold, Assistant U. S. Attorney General... and the gent in the driver's seat... of the Department of Justice's anti-trust suit campaign... has been dropped in academic rank at Yale... from full professor of law... to a lecturer in law... which assays as a tip-off that T.W.A. has not intention of quitting his Federal post... as was reported some time back... Mary Pickford is on the way to becoming an aviatrix... "is reported... Both Abe Fishman and Mrs. Philip Sastal... of Connecticut's Fishman Circuit... are due home this week... from stays in the hospital... New York World's Fair observes... Younger Generation Day on Aug. 31... Expected to be among those present are... Hal Roach, Jr., Noah Beery, Jr., Francis Reis, Mary Rogers, Tim Holt, Broderick Crawford... Speaking of the Fair, NBC's W2XBS... will telecast a preview of Edison Memorial Day tomorrow afternoon... program to be telecast will include a p. a. by Joe Smiley, pioneer director... and the historic "The Great Train Robbery."
20th's "Stanley and Livingstone"

New season's biggest hit

Roxy premiere actually gains momentum as Tuesday tops sock Monday by $3,000!

Now the talk of New York...soon the sensation of the nation!
Gulf Selling Slow

New Orleans—Film selling in the Gulf coast territory, which stimulated a bang and promised to race way ahead of the season this year, has cooled considerably. Reliable sources told THE FILM DAILY there were considerable limitations, particularly concealed behind those of last season, despite opening indications which declared that independent and circuit exhibitors alike seemed to be holding back.

The delegation that will appear before the executive board of the American Federation of Labor at Atlantic City this afternoon to protest the raid on the jurisdiction of the four A's by George E. Browne of the IATSE will leave in two sections: part by plane and part by train.

Delegation Going to A. C.

Those who will leave on a chartered plane from Newark airport this morning include Miriam Hopkins, Peggy Wood, Lawrence Tibbett, Binnie Barnes, Ralph Morgan, Edward Arnold, Wayne Morris, Jean Muir, Lucille Gleason, Henry Hull, Mischa Auer, Frank Gilmore, president of the 4 A's; Kenneth Thomson, executive secretary of the Screen Actors Guild; Malda Rende, executive secretary of the American Guild of Variety Artists; Emily Holt, executive secretary of the American Federation of Radio Artists; and Sidney Thomson, executive secretary of the American Guild of Musical Artists; Henry Jaffe, counsel for several four A's fleets, and Princess Louise, representative of the Screen Actors Guild, and Edward Harrison.

The contingent leaving Pennsylvania station at 10:20 a.m., will include Taullulah Bankhead, Fredric March, Paul Duillez, executive secretary of Actors' Equity Association; Paul Turner, counsel for the 4 A's; Rebecca Brownstein of counsel for Equity and about 10 rank and file members of the American Guild of Variety Artists. Olivia De Havilland, who was aboard, and making the trip from the Coast by plane, failed to do so at the last minute. Peggy Wood, who was there, is in last minute possibility to those going by plane.

The following telegram was sent yesterday to William Green, president of the American Federation of Labor, by the entire Group Theater Committee. Signed by Frances Farmer, Leif Ericson, Sylvia Sidney, Philip Loeb, Luther Adler, Joan Todd, William Kunstler, Karlossky and Stella Adler: 'The undersigned members of the Actors' Equity Association and the executive board of the American Federation of Labor are amazed at a statement attributed to you in the daily press that you are in doubt as to the jurisdiction of the four A's, which for more than a quarter of a century has been a dues-paying affiliate of the American Federation of Labor. We recognize the present threat to peaceful theatrical conditions on the basis of our constitutional rights, simple justice, and common sense. To do otherwise would only work to the detriment of all theater workers and to a lowering of the American Federation of Labor in the eyes of the public."

Joseph M. Schenck Arrives

Arrival yesterday by plane of Joseph M. Schenck, president of the 4 A's association, was considered significant in the light of the situation. Whether he will intercede in any way could not be determined.

It is known that an agreement had been reached with the IATSE covering all studio crafts was considered a blow to the IA as it had demanded immediate action on its contractual demands.

The AAAA pressed yesterday for an open hearing at the council, and up to late last night it seemed certain that the press would not be allowed in and not all of the AAAA delegation would manage to get in the council room. Latest reports from Atlantic City also indicated that Browne was satisfied.

William Green stated that he would only be an observer until after the council adjourned.

A bombshell was tossed by Green when he stated in his hotel that upon the appointment of the AAAA, conclusively definite information had been found as to the extent of the AAAA jurisdiction. Four A execs. replied that they had not looked far enough and they had no doubt as to their ability to fully establish their claims.

Meanwhile, strike pledges continued to pour into the AAAA office and they continued their press barrage. Ken Thomson told THE FILM DAILY last night that it was a question of the dispute being settled on the executive council floor, and he had no opinion as to what might result if an unfavorable decision came down.

Equity issued a statement yesterday emphatically denying that it had considered or would ever consider negotiating with the IA charter following a printed report of such action appearing in an England paper. Sophie Tucker attacked the AAAA yesterday as being unfair in its handling of this issue.

Following the arrival of Morgan and his delegation from Hollywood went to the Roosevelt Hotel where a general press conference was held.

[Continued from Page 1]

"The Wizard of Oz"

with Judy Garland, Frank Morgan, Ray Bolger, Bert Lahr, Jack Haley

Metro

HANDSOMELY MOUNTED FAIRY STORY IN TECHNICOLOR SHOULD CLICK SOLIDLY AT THE BOX OFFICE.

Leo the Lion is privileged to herald this one with his deepest roar—the one that comes from way down—for seldom if ever has the screen been so successful in its approach to fantasy and extravaganza through the medium of flash-and-blood. And if the Young in Heart, to whom Metro dedicates the Mervyn LeRoy production in a foreword, have not wholly disappeared from the earth's face, this handsomely mounted fairy story in Technicolor, with all the magic, moonbeams and motion picture philosophy, its stimulus to the imagination, its procession of unforgettable settings, its stunning of many tunes should click solidly at the box-office this fall. The fact that there is no boy-meets-girl, but, instead, girl-meets-scarecrow-fishman-and-witch, and of course Judy and her gang of witches and that old huckabub Oz's wizard, who, too, hails from Kansas. From the creative standpoint, set down the picture as a corking achievement all the way through. The screen play by Noel Langley, Florence Ryerson and Edgar Allan Woolf has been fashioned with obvious deter- mination to preserve the full flavor of L. Frank Baum's book and the adaptation by Noel Langley is in kind. Naturally, there are innovations, just as there were departures in the stage extravaganza which, for five or four years, served Fred Stone and Dave Montgomery on Broadway. But the essence is there, faithfully, and that's what counts. Victor Fleming, directing, carries the action forward at sustained pace, no minor accomplishment in a musical ex- travaganza where song and dance are neces- sary interruptions. Story starts (in sepia) on the Kansas farm where Dorothy (Judy Garland) lives with Uncle Henry (Charles Grapewin), Aunt Em (Claara Blandick), Toto, her canine pet, and the three farm hands,ie (Bert Lahr) and "Hickory" (Jack Haley), the three latter to turn up at Oz as the brainless strawman, the heartless tinman and the cowardly lion. "Glancing" at home because Miss Gulch (Margaret Ham- ilton), later a wicked witch, would turn Toto over to the sheriff, Dorothy meets Prof. Marvel (Frank Morgan), afterwards the wizard, whose second-sight sends her scurrying home. Comes the Kansas twister and Dorothy is whisked away to encounter those astounding adventures in Oz, land of witches, fairies, talking animals, forests and the Emerald City where the unseen wizard rules. All in all, it spells success from cares, tribulations and taxes and three cheers for a movie that played (and sung), the best remembered performances are turned in by Lahr, who well portrays a laugh, and by Ray Bolger, Haley and Morgan who make the most of the opportunities for make-believe. There are other meritorious turns as the contrasting wicked and good witches, while Singer's Midgets have a ball with the animal in the hair as well. Actu- ally, count these numbers as hits: "We're Off to See the Wizard," "The Merry Old Land of Oz," "Call on My Brain," "Over the Rainbow" and "Ding- Dong! the Witch Is Dead." There's splen- dид magicial magic here that should be taken during Harry Warner's stay in England. The Warner Bros. president sailed yesterday t- London and will be met by Harry Warner and Max Milder, the company's English sales head, who found that Warner will materially step up its English "A" schedule during the current month.

J. Robert Rubin, vice-president and general counsel of Loew's, Inc., who was scheduled to sail on the Normandie, cancelled out, but his sail within a few days.

[Continued From Page 1]


e of I. to Decide War or Peace Today

The annual rate of 2% per city will be paid off in 5 years through semi-annual instalments of $15,000. This was pronounced by Loew's Inc., by the First National Bank of Boston.

The new bond financing is represented by an issue of $11,250,000 first lien 3% per cent bonds Loew's Theater & Realty Corporation, a wholly-owned subsidiary Loew's, Inc. The issue has been purchased in its entirety by Mepolitan Life and Equitable Life, sinking fund will operate after treaty to retire $400,000 of the bond semi-annually and pay off the final $7,000,000 of the term of the issue.

Approximately $7,000,000 of the capital new financing will be used to retire on Sept. 15, a outstanding first liens 6% per cent bonds Loew's Theater & Realty Corporation, due 1946. Turn balance of the proceeds will be a ditional capital, to be available Loew's, Inc., for such future purposes as may arise.

Interest costs on the entire $1,000,000 of new financing will materially exceed the current interest charges on the $7,000,000 of first liens bonds Loew's Theater & Realty Corporation 6 per cent bonds which will retire, is stated.

Expect Warner to Further British Production Plan

(Continued From Page 1)

BECAUSE OF THE GREAT AND UNDISCOVERED MARKET for British pictures Pleasure House Productions, Inc., under the direction of John J. Bolger, plans to extend its British operation, the first film under the new deal being "Mating Season." "Mating Season" is a talkie comedy written by Elia Kazan, who also sits at the helm, and will be handled by the camera.


CREDITS: Producer, Mervyn LeRoy; d. producer, Victor Fleming; author, L. Frank Baum; producer, Elia Kazan, Florence Ryerson, Edgar Allan Woolf; director, No Langer; music, Harold Arlen; lyrics, E. Y. Harburg, Robert Thorne; Scandinavian musical numbers, Bobby Connolly; cameraman, Harold Rosson; sound, Douglas Shearer; art director, Cedric Gibbons; DIRECTION, Swell PHOTOGRAPHY Tops.

$15,000,000 LOEW FINANCING IS SET
CHARGE FRANCE AIDS IN MOVIE SMUGGLING

(Continued from Page 1)

Allied Contents Code Not Rejected Until All Advocates Had Been Heard

(Continued from Page 1)

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(Continued from Page 1)

Allied's 24-Week Net Advances to $8,688,870

(Continued from Page 1)

of $7,051,675, or $3.05 a common share in the corresponding period ended June 11, 1938.

Eastman Sues Agfa-Anso; Claims Patent Infringed

Eastman Kodak Co. filed a suit yesterday in the U. S. District Court in which it named Agfa-Anso Corp, as defendant and charged it with infringement of a patent No. 1,905,442 issued on Apr. 25, 1933, and covering a "method of producing motion picture film..

Complaint alleges that infringement was committed by the manufacture and sale of the film embodying the plaintiff's patents.

An injunction, accounting and damages are asked for in the complaint.
Yesterday

Who they were, where they were, and what they were—yesterday—personalities and companies of the motion picture industry.

Today

Who they are, what they are and where they are—today—these same individuals and companies who are making motion picture history.

Tomorrow

What they will be, where they will be and what they will be doing—tomorrow—Of individuals, their future plans—Of companies, their product plans and complete lineup for the coming season.

All Told in the Forthcoming

THE FILM DAILY

CAVALCADE

now in preparation and soon ready for distribution to all FILM DAILY SUBSCRIBERS
Crescent Circuit Faces Trust Suit — Washington — Anti-trust action will be started today by Thurman Arnold, assistant attorney general, in charge of the anti-trust division, against Crescent Amusement Co., Inc. and eight affiliated exhibitor companies and 11 distributors, it was announced last night by the D. of J. Crescent Circuit operates 100 theaters in Tennessee, Kentucky, Arkansas, Alabama and Missouri. Suit will be filed in the Middle Tennessee Federal District Court.

Intimate in Character
International in Scope
Independent in Thought

Return of IA Into Basic Agreement Pact as Bargaining Agent Imminent

Atlantic City — Contract between producers and IA'TSE, has been definitely signed for a five-year period calling for a closed shop, with wage scales and conditions still to be negotiated, an IA executive told The Film Daily yesterday. He said that any question of the agreement being "tentative" was out of the question.

It was also indicated that any dealings with a CIO affiliate by the studios would be considered a breach of contract. This fact was interpreted as being a death blow to any possible encroachment in the (Continued on Page 5)

CANADIAN INDIES
WILL MEET SEPT. 7

Toronto — Attended by a large number of exhibitors from all parts of Ontario who are members of the Anti-Protection League and of the Independent Theater Association, a special meeting was held in Toronto at the King Edward Hotel yesterday, when in addition to ratifying the work of the APL, the following resolution, under which (Continued on Page 6)

Murphy Mum on Satevost's Trust-Buster Arnold Article

By PREScotT DEnNisT
Washington Bureau of the Film Daily
Washington — A big question mark hung over the entire Thurman Arnold anti-trust crusade against (Continued on Page 6)

Metro Sets First Pictures for Exploitation Contest

M-G-M yesterday announced the first group of pictures in its $10,000 exploitation contest for inde-

STARS FALL ON ATLANTIC CITY!
Police and Hotel Attendants Battle Mob Gaping at Players

Atlantic City — The usually staid A F of L executive session became a first class jamboree yesterday when police and hotel attendants at the Ritz Carlton battled a huge crowd of residents and vacationers who assembled to gawk at the A AA A delegation of actors and actresses.

The press on the train down was entertained most of the way by a first class demonstration of prostitution by some members of the A FA "forgets," who busily signed (Continued on Page 6)

COLUMBIA TO ANSWER EQUITY ACTION TODAY

Columbia Pictures Corp. will file its answer today in the U. S. equity action against the majors, it was reliably stated yesterday.

With the exception of United Artists, which must file within the next two weeks, Columbia is the last major to interpose an answer in the suit.

Observers Expect Labor Council to Uphold IATSE in Granting Charter to AFA; Tibbett Threatens Bolt from A F of L

By HOLLIS KENNAHAN Film Daily Staff Writer
Atlantic City — At 2:90 this afternoon the American Federation of Labor executive council will hand down a decision that will either settle the most bitter jurisdictional dispute in the history of the theatrical world or launch a fight that may cripple the whole industry as neither the AAAA nor IATSE gave any indication that they would concede any ground last night.

Both sides presented their case in a five and a half hour council session yesterday afternoon, but following the suggestion of A F of L proxy, William Green, a committee of three council members was appointed to meet with both sides last night and discuss the whole situation further in an attempt to reach an equitable solution. Green pleaded for (Continued on Page 8)

RKO SHORT CONTRACT STUDIED BY MAJORS

The new RKO license agreement may be used as a basis for other companies' contracts. Since the publication exclusively in The Film Daily of the details of RKO's simplified agreement, several other majors (Continued on Page 6)

CODE RELEASE DELAY CURTAILS PIX BUYING

Delay in releasing the Trade Practice Code plus the reported demand for higher film prices is curtailing the buying of new season product in New York State, according to a (Continued on Page 6)

ITO of Ohio Favors Code Rejection, Smith Reports

ITO of Ohio has not officially ratified Allied's rejection of the trade practice code but the unit is in favor (Continued on Page 6)

Small Chicago Theaters To Get License Reduction

Chicago — The City Council plans a reduction in theater license fees on smaller houses with 25 cents or less admission prices.

Morris' Trip Linked With Reported WB Plans to Enter S. A. Theatrical Field

Gaumont British May Again Pay Dividends by 1940

London (By Cable) — Optimism that G-B will be in a position to resume the payment of dividends next year was expressed by Isidore Ostrer at the annual stockholders (Continued on Page 7)

Rio de Janeiro (By Cable) — South American visit of Sam E. Morris, Warner vice-president, is for the purpose of making a thorough survey of the company's present first-run theater representation, with either theater purchases or direct construction of new houses by the company planned if deemed (Continued on Page 7)
Springfield's Paramount Reopens: TMAT Picketing

Springfield, Mass.—When the Paramount Theater was closed at 10:30 p.m. yesterday after a two-month's shutdown, the place was immediately picketed in protest over the discharge of the former manager and his two assistants, all members of the TMAT. There were four pickets carrying placards alleging the theater was unfair. Harry Stovin, former manager, led the line. Four policemen were stationed in front of the theater but there was no disorder.

This is the first labor demonstration in New England involving members of the TMAT. Eight other unions employed in the picture industry, including four operators, two stage hands and two mechanics, reported as usual and the theater was in operation.

Nathan E. Goldstein, president of Western Mass. Motion Pictures, had no statement.

Hearing on RKO Allowance Applications is Deferred

Consideration of the application of the Chemical Bank & Trust Co., as RKO trustee under a collateral note, in ventures of its attorneys Wright, Gordon, Zachary & Parlin, for allowances in the RKO proceedings was deferred yesterday by Federal Judge William Bondy until date of final applications.

Each of the applicants has previously received $10,000. The bank is now seeking $29,375 in commissions and $3,000 in expenses, and its attorneys are asking for $20,000.

GN Will Ask Alperson File Particulars Bill

Grand National Pictures, Inc., Educational Pictures, Inc., and E. Hammons, Educational president, filed notice yesterday in the Federal Court that they will apply on Aug. 15 for an order directing Edward Alerson to file a bill of particulars.

Alperson is plaintiff in a suit claiming a breach of contract. He is asking for $100,000 damages against Educational and Hammons and $25,525 and 10,000 shares of stock against Grand National.

Co-op Defendants Still Unsewed in MT's Suit

Detro—No answer has been filed in the suit of Midwest Theaters against Cooperative Theaters, charging the booking combine with conspiracy, etc. Speaker for Coop. says all defendants have not been served, and it may take several weeks to locate all of them. In particular, Carl Buerneke, general manager, has not been served, and declined to comment for that reason.

C. S. Wilcox Buried

Boston—C. S. Wilcox, late operator of the Orleans Theater on Cape Cod, was buried yesterday.

Plagiarism Action Filed Against Roach and Metro

Plagiarism suit for injunction, accounting and damages was filed in Federal Court yesterday against Henry B. Roach against Hal Roach Studios, Inc., Metro Goldwyn Pictures Corp., Millard E. O'Donnell, Director Corp.'s New, and Culver Export Corp.

Plaintiff claims to have submitted her story, "So Zee Pechvolge," or "On Down to Oahu," to the Hal Roach Studios on July 16, 1937, which was allegedly infringed in the film "Swiss Miss" and "As Far West." Her manuscript had been returned in August, 1937, with a notation stating that it had been unread, the complaint stated.

Trans-Lux Six Months’ Net Profit at $39,126

Consolidated net profit of Trans-Lux Corp. and wholly-owned subsidiaries for the six months ended Aug. 31, was reported to have been $39,126.59, which is less by $51,463.33 than for the corresponding period a year ago when it was $90,589.92.

Total net income before provision for income taxes during the first six months of the current year was $48,290.48 as against $102,088,47 in first six months of 1938.

State, Federal and Canadian income tax provision amounted in the first six months of 1939 to $8,153.89 compared with $11,508,55 in similar period of 1938.

B. F. Keith Corp. Acquires Boston's Memorial Theater

Boston—The largest Boston real estate transaction in years was revealed yesterday with confirmation of the sale of the RKO Keith Memorial Theater property. The B. F. Keith Corp., headed by Mr. and Mrs. John B. Keith, leased the theater line from Harvard College. Assessed valuation on the property is $1,700,000. The theater was converted to 1,600 seats for the use of the old Boston theater as a memorial to the late B. F. Keith.

120,000 See 20th-Fox "S & L" in Roxy Week

"Stanley And Livingstone" finished its first week at the Roxy in New York yesterday with an attendance figure that topped 120,000. Breakdown of all house records shows: "Jesse James," it was announced by 20th-Century-Fox. Picture is reported to have made a very good showing on a strong pace in five key cities pre-release engagements.

Cities in which top business is reported included Los Angeles, San Francisco, San Diego, Boston and Washington, D. C.

Defer Myers' Testimony

Chicago—Sam Myers' testimony in the so-called Ford theater case was postponed to Aug. 18 by agreement between attorneys yesterday.

Klanic Funeral Held

Syracuse, N. Y.—Funeral services were held yesterday for Myer Klain, owner of the Hollywood, in suburban Mattydale, who died in University Hospital, 1333 Wood Shepard after an illness of several months. Klain was formerly the owner of the Melba, near the Jell-O plant in Eastwood. His wife, four daughters, a brother and a sister survived.

Milstein Via Clipper

Entering the claim of being the first member of the film industry to use the new trans-Atlantic flight service, Edward Milstein, of Mid-Atlantic Pictures, N. Y., J. Milstein, eastern representative for Edward Small Productions, is scheduled to board the Yankee Clipper at Port Washington tomorrow for England. In London, Milstein will make preparations for British premiere of "The Man In The Iron Mask," which is set for the Odeon theater there on Sept. 4.

To Dealers, Distributors, Theatre Owners

The New Film Poster "Third Dimension" Sound Equipment is without a doubt, the most unique movie item you can make. Write for information. Dealers Wanted Everywhere.

PICTURE-FONE COMPANY, LINCOLN, OMAHA
PRODUCER-IA PACT INCLUDES CLOSED SHOP

(Continued from Page 1)

studies of the USTG, believed to be CIO finagled.

Return of the IATSE into the basic pact as a bargaining agent for the studio crafts under their jurisdiction was also reported to be imminent. However, it was said that the locals on the Coast would in all probability retain their complete autonomy otherwise. An invitation for the IA to return has already been extended and is now being considered by the international's officers.

Agreements between the producers and the AFM, IEB, carpenters and teamsters will in all probability also be included in the near future, it was said.

Gatelec Attacks NLRB; Calls It Menace to Organized Labor

RALPH WILE
West Coast Bureau of THE FILM DAILY

Hollywood—In attacking the act of NLRB, which recounts that the tentative closed shop agreement between IATSE and the producers would be subject to the outcome of proceedings in court, a note also has been taken of a petition for election among studio workers to determine whether IA or USTG will be the collective bargaining agent. John Tinkham, the international representative of IA, declared that the NLRB is a menace instead of an assistance to organized labor.

He stated that if the Labor Board had not interfered, IA studio crafts would have had a contract with increased wages last March and he further asserted that the Board's cost IA members at least $500,000 since March 15.

Gatelic insisted that the closed shop agreement was legitimate and that IA intends to make it stick.

Minneapolis Tribune Will Publish Evening Paper

Minneapolis—F. E. Murphy, publisher of the Minneapolis Tribune, announced yesterday that starting next Monday, there will be two Tribunes, The Morning Tribune will be published each morning and Sunday, and the Times-Tribune will be the evening paper. Merle Potter, former picture critic on the Journal, which was purchased last week by the Star, will be critic on the Times-Tribune.

DETROIT Biz Better

Detroit—Local show business has shown a decided pickup in recent weeks. Downtown houses are generally doing some 10 per cent better than earlier in the summer, while suburban. . . stronger bills, are also getting fair crowd. Update business has been remarkably helped by resort trade.

Along The Trail

with PHIL M. DALY

- - - THERE are campaigns and campaigns...but definitely in the honey class...is that $250,000 pre-selling advertising campaign...which Metro is putting behind...The Wizard of Oz...

- - - Summarizing, here's the circulation garnered...In Magazines: Lion's Roar columns, 25,621,020...general magazines, 24,429,705...fan magazines, 4,544,880...juvenile magazines, 1,049,091...

- - - farm magazines, 7,992,138...total magazine circulation, 64,730,771...In newspapers: Sunday comics, 13,721,784...in dailies, 12,454,016...total newspaper circulation, 27,176,082...which means a grand total circulation of 91,512,853...and of course, there's lavish use of color...and as far as the copy...well, it's Metro advertising...need we say more.

- - - NEWLY organized Association of Documentary Film Producers...today has two honorary members...Distinction was conferred on John Grierson, member of the highly important British Films Council...and Robert Flaherty, director...at a party last night...at the home of the ADFP's treasurer, William Osgood Field...Among those present were...Paul Strand, William Van Dyke, Lionel Berman, Mary Loney, Irene Jacoby...Joseph Loney, Julien Bryan, Ralph Steiner, Jean Lenauer, Mrs. Sheldon Dick...Fenning Hearn, John Devine, Leo Huritz, Archer Winsten

- - - DONALD DUCK is slated for a big build-up...at the World's Fair next Monday...when the children of the world will bestow on him...the degree of D.I.F...which means Doctor of International Friendship...Two kids from each nation will participate in the festivities which include a luncheon, parade and a special screening...of Mickey Mouse...Donald's latest...Tod' Spitter of the RKO publicity department...is really going to town on the stunt...Incidentally...It looks as if Donald is pushing Mickey Mouse in the background...Of the 14 Disney shorts completed for the current season's program...12 star Donald.

- - - ODD thoughts and other things...In retrospect, a list of the...to the Metro exec...who decreed sepia for the nominal prologue and epilogue...of The Wizard of Oz...and Technicolor for the dream footage...It materially heightens the contrast...Wonder how many exhibs...own and fly their own planes...Offhand, we can only think of Willis Hock...down Louisiana way...The Circus Saints and Sinners...will unveil a monument to the memory of...Dexter Fellows...one of the ablest p.a.'s...we ever knew...in New Britain, Conn., on Nov. 28...the second anniversary of his death...The American Hebrew's issues of Aug. 11 and 18...will carry "Forgotten Patriot"...by WMCA's Martin Starr...It's the story behind the story...of Warner's Haym Salomon featurette, "Sons of Liberty." Says Nate Golden of the D of C's Motion Picture Division..."Facial motion pictures of American productive processes and economic activities...are destined to win for themselves...tremendously significant and rapidly growing place...in the entire field that we broadly designate as 'educational'...This column concerns...
READY! SET! GO!—This industry is talking about nothing else but the greatness of M-G-M’s “THE WIZARD OF OZ”. The preview confirmed advance reports that it is one of the biggest box-office sensations of all time. 400 happy theatres are about to play it in the largest simultaneous booking of film history. M-G-M has set the stage. The American public is waiting!

$250,000 CAMPAIGN!

NATIONAL MAGAZINES
Full-page, full color ads

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JUVENILE MAGAZINES
Full-page, 2-color ads

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FAN MAGAZINES
2-color, 2-page spreads

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**COMIC SUPPLEMENT ADS**

Full-page 4-color ads (just like the funnies) in 29 newspapers in 21 cities!

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**NATION-WIDE TEASER ADS**

100-line insertions have been running for months in 99 newspapers in 43 cities radiating national coverage

- ALBANY - ATLANTA - BALTIMORE
- BOSTON - BRIDGEPORT - BUFFALO
- CHARLOTTE - CINCINNATI - COLUMBUS
- DALLAS - DAYTON - DENVER
- DES MOINES - EVANSVILLE
- HARRISBURG - HARTFORD - HOUSTON
- INDIANAPOLIS - MILWAUKEE
- MINNEAPOLIS - NASHVILLE
- NEW HAVEN - OAKLAND - OMAHA
- OKLAHOMA CITY - PHILADELPHIA
- PITTSBURGH - PORTLAND
- PROVIDENCE - ROCHESTER - ST. LOUIS
- ST. PAUL - SALT LAKE CITY
- SAN ANTONIO - SEATTLE
- SPRINGFIELD - SYRACUSE - TULSA
- WASHINGTON, D.C. - WATERBURY
- WILMINGTON - WORCESTER

**RECORD PUBLICITY RESULTS**

Never such a barrage of pre-release publicity as that which greets "The Wizard of Oz"! Just a fraction of it listed below!

Most of publications mentioned hereunder will be on sale during July, August or September. List incomplete.

- **COSMOPOLITAN**: Story in the August issue, entitled "Hollywood Discovers We Never Grow Up," by Florence Ryerson and Edgar Allan Woolf; illustrated by stills from the production.
- **GOOD HOUSEKEEPING**: General production story by Jane Hall, illustrated by production stills. "The Wizard of Oz".
- **VOGUE**: Full-color page, using one of our kodachromes.
- **RED BOOK**: Has selected THE WIZARD OF OZ as "Picture of the Month"; will use a layout of kodachromes from the production.
- **AMERICAN**: Using our kodachromes.
- **COUNTRY GENTLEMAN**: Stills of Judy Garland and Billie Burke from the production.
- **LOOK**: Layout.
- **GLAMOUR**: Layout and stills.
- **McCALL'S**: Layout
- **TOWN AND COUNTRY**: Layout.
- **NEWSPAPERS**, out of town, which use ROTOGRAVURE: Full-page layouts.
- **TRIBUNAL**, OPEN ROAD FOR BOYS, INSTRUCTOR, GRADE TEACHER, SCHOLASTIC, BOYS' LIFE, AMERICAN BOY, YOUNG AMERICA, CATHOLIC BOY, PARENTS': Story material and layouts for August and September breaks.

- **NORTH AMERICAN NEWSPAPER ALLIANCE** (serving 100 newspapers, including 50 large metropolitan dailies); Victor Fleming's life story installment with art, to break simultaneously with our play dates.
- **BOYS' LIFE**: Layout "Movies of the Month."
- **FAWCETT PUBLICATIONS**, including HOLLYWOOD, MOTION PICTURE, SCREEN BOOK, MOVIE STORY: Layouts and production stories.
- **PHOTOPLAY**: Several pages of layout and a production story by Dixie Willson. "The Wizardry of Oz."
- **PICTURE PLAY**: Double-page layout.
- **MOVIE MIRROR**: "It's All a Dream!"
- **SCREEN GUIDE**: Double-page layout in color, using our kodachromes.
- **MODERN SCREEN**: Layout.
- **SCREEN ROMANCES**: August cover and fictionalization. "Wizard of Oz."
- **SCREENLAND**: Layouts. "Judy's Crushes" by May Mann
- **SILVER SCREEN**: Layouts. "Marvels of Make-up."
- **MODERN MOVIES**: Production story and layouts.
- **MOVIE LIFE**: Cover and life story of Judy Garland. "Movie Life of Judy Garland."
- **HOLLYWOOD**: On "The Wizard of Oz" set.
- **SCREEN BOOK**: "This Dream Cost $3,000,000."
- **SILENT CIRCLE**: "The Wizard of Oz" by Dudley Early.
- **MOVIES**: "Hollywood finds the Wizard."
- **SUNDAY MIRROR** (N. Y.): Magazine Section. Front Cover, August 20, 1939.


A VICTOR FLEMING Production - Screen Play by Noel Langley, Florence Ryerson and Edgar Allan Woolf - Music and Lyrics by Harold Arlen and Y. Harburg - From the Book by L. Frank Baum - Directed by Victor Fleming - Produced by MERVYN LEROY
CODE RELEASE DELAY CURTAILS PIX BUYING

(Continued from Page 1)

survey being conducted by Allied of New York.

Questionnaires sent to exhibitors throughout the state on Aug. 1 are bringing back returns that indicate a new product buying is virtually at a standstill. Only a very small per-
centage of the approximate 400 questionnaires that have been brought out by the information that definite contracts have been made for the 1939-40 pro-
grams.

While the questionnaires do not ask for specific reasons why the re-
cipients unhailed new programs, it is indicated that many are waiting to see how the code, if and when adopted, will affect the con-
tractual arrangements for supplying films. It is an- nounced that all new pacts will be retroactive to June 1.

Several of the anxious exhibitors claim that the distributors are asking 20 per cent higher prices this season ever last, indicating that they prefer to wait until the prices come down before signing.

It is reported that the Brandt circuit and others in the Metropol-
tian area are withholding new con-
tracts for the same reasons.

Stars Fall on Atlantic City; Police Battle Mob of Curious

(Continued from Page 1)

up three members of Harry Rich-
man's show for AGVA during their brief stay here.

Yesterday was the first time some of the acting delegation had been up before noon in some years, and there were a number of protests of the clarifying qualities of the sun.

The AAAA delegation checked in the Traymore, but when they found it was filled, they were having a spot of trouble with the musicians, who hastily shifted their head-
quarters to the Ritz.

Fake newspapers were planted in the mail boxes of the AFA executives by the "ferrets" with a banner headline announcing that Atlantic City's "ferrets." Press barrage by the AAAA con-
tinued to be continuous and newpaperman and broadcasting groups were repre- sentative round up to talk to any and all members of the dele-
gation. There has been sheeting of re-
leases poured from their press de-
partment and the reporters were sag-
ing under the burden before they left.

Attempts to broadcast by several stations were frustrated with disaster as there was too much confusion. People were still outside when we went to bed, in the hope that some star or other would show up in front of the hotel.

One enterprising native offered to sell the identity of the stars to the people in front of the hotel as they came and left.
Free Milk
Chicago—Eugene Anhalt of the Gar- 
field theater, Milwaukee, will give away 
some thousand pints of milk to the 
youngsters who attend the matinees at the 
house, to boost the Drink More Milk 
campaign, now under way in that terri- 
tory.

Gaumont British May Again 
Pay Dividends by 1940
(Continued from Page 1)

meeting at the New Gallery theater 
here yesterday.

Sidney R. Kent, president of 20th- 
Fox, Maurice Ostrer and Allan E. 
Messer were re-elected directors, 
succeeding themselves.

Stockholders expressed minor 
opposition to the board's policy, but 
fireworks, expected to center on the 
company's production policy and the 
current Board of Trade probe of 
company affairs, failed to material- 
ize.

The annual report and accounts, 
showing profit of $1,567,490, was 
passed at the meeting. Report 
listed the available balance at $887,- 
180, with $900,000 transferred to 
the reserve and the remainder car- 
rried forward.

According to the directors' re- 
port, there has been in the aggre- 
gate a moderate decrease in profits 
derived from the directly owned 
theaters and dividends received from 
theater owning subsidiaries. The 
standard of theaters within the 
group have been well maintained.

G-B Distributors, which produces 
Gaumont-British News for GFD re- 
lease, has again had a successful 
year, and profits of Bush Radio have 
increased substantially though divi- 
dend remains approximately the same.

Referring to the production agree- 
ment entered into with GFD, the 
report states that the proportion of 
cost to be provided by the Corpora- 
tion will be less than that contrib- 
uted towards the cost of films al- 
ready produced in conjunction with 
GFD.

$14,375,000 General Reserve 
for Associated British Pic- 
tures

London (By Cable) — Associated 
British Picture Corp. will have a 
general reserve of approximately 
two and a half times its ordinary 
share capital as a result of action 
authorized at the annual stockhold- 
ers meeting Wednesday.

Appropriation to reserve for 
depreciation and amortization of 
$1,000,000 and to general reserve of 
$1,250,000 was authorized. This 
brings the general reserve up to 
$14,375,000.

Company's record net for the 
year ending March 31 was $6,735,005. 
Final dividend of 10 per cent on 
the ordinary shares will be paid 
Aug. 31, making 20 per cent for the 
full year as in 1939.

Consolidated statement shows 
ABP and subsidiaries to have total 
assets of $89,012,600.

Stockholders re-elected R. C. 
Simpson as director.

Ready Reference Directory
WAY TO BUY . . . WHERE TO BUY

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John Eberson
Architect
1560 Broadway
New York City

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NATIONAL BANNER and VALANCE

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A picture for Every Purpose—

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The Season's Box Office Smash
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Day and Night Service
Meadallion 3-2441-13
Members of I.S.P.E.U.—Local No. 1
M. F. MURRAY, President

CITY PHOTO 
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(Day and Night Service)
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Columbus 5-4741-2-3

GAMES—PREMIUMS

JUMBO 
16 WAYS TO WIN
CIRCUS JUMBO GAMES, INC.
351 W. 44th St. 
Cl. 6-6990

Novelty Scenic Studios, Inc.
320 W. 48th St., New York City A. Ekelar, Mgr.

Lighting

PREMIUM PRODUCTS
354 W. 44th St., N. Y. C.
Cl. 6-4972

Pep Up Your Box-Office!

70 Ways To Win
BINGO

Charles Ross, Inc.
Formerly Italian Picture Lighting and 
Equipment Corp. 
We furnish

Premier Scenery Studios
SCENERY 
340 W. 41st St., New York City

EQUITY KIDS 
244 W. 49th St., NEW YORK CITY

Circle 6-5471-1
Brownlee Leaves Defense of IA's Action to Vice-Presixes

(Caption 0x0 to 50x55)

A tolerant and fair view of the case by both sides. Mathew Woff of the Photogravarkers Union and Thomas A. Fulton of United Garment Workers met with both sides last night as Dan Tobin, third-committee member, was unable to attend the huddle.

May Uphold IA on AFA Charter

With meetings lasting way into this morning, it was the opinion of impartial observers that indications pointed to the IA being upheld by the A F of L in granting a charter to the AFA's Los Angeles chapter. The council will rule on IA President George E. Brownlee's claim for jurisdiction over the entire acting field, it was indicated last night.

Green, at a press conference last night, when asked about the AFA claim, said: "I have not yet received any acting field, stated that A F of L records failed to show where specific jurisdiction of the AFAA had ever been clearly defined. He noted that to the best of his knowledge he had not instigated, or been a party to any wrongdoing at any time.

AFA Execs. Defend Actions

Ralph Whitehead, executive secretery of the AFA, stated that the IA AFAF had no jurisdiction in the case. They did not have the right to impede the work of the council when Ken Thomson stated that they would never accept a jurisdiction. It was believed that they would not work the A F of L, and treated themselves as an autonomous union.

Call's Brownlee's Act Unlawful

Gillmore also assailed the right of Brownlee to issue the charter, asserting it was an unlawful act, and that the AFA would continue to maintain the AFAF charters. He said that the IA PF of L would not work the A F of L.

Calls Brownlee's Act Unlawful

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"A Fountain Pen Can Be as Dangerous as a Snakke," Agree Metro and Ohio ITO

Columbus, O. — Adapting a recent piece of M-G-M direct-mail promotional copy to its own purposes, ITO of Ohio is circulating a bulletin headlined, "A Fountain Pen Can Be a Snakke From the Metro copy, as is this much on what follows: "Before you sign your name to any contract remember these points: No signature? No closure! Don't overlook this judgment in contracting for next season's film service." From that point, it was in his own words: "Be smart . . . do all your arguing and adjusting before you sign . . . don't blame the other party to the contract because you were too quick on the draw . . . of the fountain pen."

Sophie Tucker, Whitehead and Richman Appear for the AFA

Green assailed the action of the AAAA in revoking the charter of the AFA as an action that was incompatible with the case. He asserted that the individuals at fault should have been punished, but that punishment should also have been given to the entire membership of the organization. Green also stated that he did not believe the decision of Richman and Tucker was entirely justified.

When questioned as to the claim of Brownlee for jurisdiction over the entire theatre field, Green stated that no formal claim had been made by Brownlee yet. He was pressed by reporters as to what action the A F of L would take on this claim, and what it would do regarding the alleged unlawful actions of Brownlee. Green said that Brownlee had been suspended, with treason, to the best of his knowledge he had not instigated, or been a party to any wrongdoing at any time.

IA Feared CIO Encroachment

In closing the appeal of the SAG several years ago for aid in getting a closed shop agreement with the studios, and said that the SAG had put its full resources behind them to compel the producers to sign an agreement.

Rouf also asserted that because of close relationship of actors and studio workers, it was the opinion of the IA that the AFAF could best be served by affiliation with the International. It was pointed out by the IA Execs that without the help of their organization no recognition of the actors unions could ever have been gained by themselves, and it would certainly be to their mutual welfare to have the strongest possible organization, one which would embrace the entire theatrical field.

Petition of Alex Saunders, made on the Coast recently, in which he charged assistance to the CIO financed by the SAG, was the most recent petition to be presented to each member of the council by the IA, and the statement regarding the SAG's assistance was brought out on the floor.

Ralph Morgan asked that the council give a speedy answer to the questions before it as it was the hope of the AAAA that no one of their members might be hurt by this controversy.

Green Assails 4-A's Action

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J. M. Schenck Raps Gov't Interference With Industry

INDUSTRY AWAITS AFL JURISDICTIONAL DECISION

Columbia Equity Suit Answer Calls Company an Indie

THE WEEK IN REVIEW
The Labor Crisis

DOMESTIC
THE LABOR CRISIS: Hosted controversy between AAAA and IATSE regarding jurisdictional claim of IA, in actors’ fight reached a boiling point as week advanced, with a decision due from A F of L exec. council on Friday afternoon. Charges and counter-charges filled the air all week with AAAA sending impromptu delegation of execs, and going unopposed by the workers, Atlantic City pow-pow. Further labor disputes loomed in other quarters with possible split threatened in TMAT, with film division possibly becoming IA affiliate. Future status of theatrical world was pending at week-end on A F of L decision, open warfare seeming likely if AAAA bolts A F of L due to an adverse decision. From the West Coast on Thursday came word that IA studio craft contract with producers was closed.

CODE STATUS: Scheduled announcement of revisions in proposed trade practice code failed to materialize even though it was reported that the revamped draft had been completed. It was explained, however, that until a system was perfected whereby the code could be put into effect, details of the revisions would be withheld.

LEGALISTIC: In wake of Attorney General Murphy’s recent warning that filmland was facing further suits, D of J filed equity action in U. S. District Court, Western Division, N. Y., against the Schine Circuit. Petition charged “monopoly control” and was met by defendant with declaration that suit would be fought “to the limit.” ... As week waned, D of J also initiated anti-... (Continued on Page 5)

Two Separate Affirmative Defenses Also Raised in 105-page Reply

Columbia filed a 105-page answer on Friday in the Federal Court on behalf of itself and four subsidiaries, to the Government’s equity action against the company. Simultaneously, a separate answer was filed by 12 of Columbia’s officers and directors.

The company’s answer, in distinction to those previously filed, did not confine itself to mere denials of the Government’s charges, but by point by point took up these charges and replied to them with specific facts and figures where the occasion demanded.

ALGER WILL DECIDE FAIR RKO STOCK PRICE

Stating that he was unable to hold hearings on the proposed union agreement for 15 minutes was.

Minneapolis Ordinance Would Limit Length of Pix Program

Minneapolis—An ordinance which would limit motion picture programs to two hours and 15 minutes was.

No Monopoly in Pix, Says Schenck; Believes Divorcement Not Harmful

By AL STEEN

FILM DAILY Staff Writer

Attacking Government interference with the film industry and those who were advocating Government regulation, Joseph M. Schenck on Friday asserted that there was a “lot of blackmailing going on” among certain groups.

“There are people in this busi-... (Continued on Page 5)

Want: A Jimmy

If there was another Jimmy Roosevelt available, Joseph M. Schenck would hire him. The 20th Century-Fox board chairman on Friday said that if Jimmy’s last name was Jinks, he’d still be a good man.

“No Compromise by 4 A’s,” Says Morgan

West Coast Bureau of THE FILM DAILY

Los Angeles—Addressing a SAG mass meeting here Sunday night, President Ralph Morgan declared the Four A’s will not compromise in its fight to have the American Federation of Labor Executive Council declare invalid the charter granted to the AFA by the IATSE. He said, “We want to stay in the AFL as long as it proves to us that it is an honest organization.”

Lawrence Tibbett presented a resolution that was adopted and which endorses the actions of board and officials of Four A’s in the fight for “honest unionism and right of all actors to govern themselves” and pledging members to aid in carrying on fight against the IA action. Co-chairman Eddie Cantor branded Ralph Whitehead as a “Benedict Arnold” for turning over the AFA to the IATSE.

SCHENCK HOLDS SAG PACT IS STRIKE BAR

Newspaper reports to the effect that motion picture players may go on strike as a result of the current labor disputes were “debased” Friday by Joseph M. Schenck, president of the Motion Picture Producers... (Continued on Page 5)

Crescent to Fight Gov’t Suit to Limit—Sudakum

Nashville—Crescent circuit, third in line to be singled out for anti-trust attention by the Department of Justice, will fight the suit filed... (Continued on Page 5)

Something New: Exhibitors Put Up Awards in “U” Drive

A new twist in sales campaigns developed over the week-end when it was announced that exhibitors were offering awards to Universal... (Continued on Page 5)
**FINANCIAL**

**QUOTATIONS AS OF TODAY**

**NEW YORK STOCK MARKET**

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Robert Hoyt Quits Tolco
West Coast Bureau of THE FILM DAILY

Hollywood—Robert Hoyt has resigned as president and general manager of Tolco—The Tolco Film processes organization. He will take a month's vacation before announcing new plans.

**THE BROADWAY PARADE**

**Picture and Distributor**

*Goodbye, Mr. Chip* (Metro-Goldwyn-Mayer)——14th week

*They Shall Have Music* (United Artists-Goldwyn)——3rd week

*Four Feathers* (United Artists-Korda)——2nd week

*Capital in New York* (RKO-Radio Pictures)——1st week

*Beau Geste* (Paramount Pictures)——4th week

*Stanley and Livingston* (20th-Fox-Columbia)——2nd week

*Stale a Million* (Universal Pictures)——2nd week

*The Old Maid* (Warner Bros. Pictures)——4th week

*Miracles for Sale* (Metro-Goldwyn-Mayer)——1st week

*Ride the Pink Horse* (Columbia)——1st week

*Daughter of the Tong ( Syndicate a) — Criticism

*Man from Sundown* (Columbia Pictures)——1st week

*Embattled* (United Artists, Bros. Pictures)——a-b-

* Unexpected Father* (Universal Pictures)——a-

*Foreign Language Features*

**USSR on the Screen—1939 (Akinia) (a) Cameo

China Fights On (Amikin) (a)

The World is Our Work (Akinia)——World

**FUTURE OPENINGS**

*Exile Express (Grand National Pictures)—Tomorrow

When Tomorrow Comes (Universal Pictures)——Aug. 16

The Wizard of Oz (Metro-Goldwyn-Mayer)——Aug. 17

Lure of the Wasteland (Monogram Pictures)——Aug. 18 (a)

Eye of Night (United Artists)——Aug. 19

Parents on Trial (Columbia Pictures)——Aug. 19

Our Lucky Lieutenants (Paramount Pictures)——Aug. 23

Dust Be My Destiny (Warner Bros. Pictures)——Sept. 1

Hotel for Women (20th-Fox-Columbia)——Music

My Fifth Avenue Girl (RKO-Radio Pictures)——(c)

Nude (Columbia)——Music Palace

Jack Brown's Neck (Columbia Pictures)——Aug. 17 (a)

Way Down South (RKO-Radio Pictures)——Aug. 17 (a)

The End of a Day (June Film)——Sept. 11

**Anti-Giveaway Measure Advanced by Ws. Senate**

Milwaukee — The Paulson bills, numbers 194 and 195 S, have been advanced toward passage in the state Senate. The first prohibition of giving anything as an inducement for attracting people to theaters while the second declares as a penalty a run of the theater and is a bill that would permit local authorities to close for one year building sin which they are held.

Reports Odeon Will Adopt Screeno Denied by Deutsch

London (By Cable) — Odeon Circuit has no intention of adopting Screeno, despite statement that the effect in the U. S. is emphatically stated by Oscar Deutsch.

**Boston Usher Strike Spreads to 2 More M & P Theaters**

Boston—The strike of ushers at the Metropolitan Theater on Friday, called by the IATSE, later in the day spread to the Paramount and Washington Street Olympia Theaters, all three being controlled by the M & P circuit.

The walkout gave indications of others in the circuit's houses before being settled. Picketing is in progress. A number of the Met's ushers recently joined the union.

Pickets outside the Paramount Theater were heard to advise passers-by to attend the unorganized RKO Keith Memorial Theater only a few yards.

M & P Theaters has now recognized the new ushers' union although Loew's and RKO have granted it recognition. Working conditions are given as the reason for the walkout.

*France Ends Quota System; Again an Open Pix Market*  

Paris (By Cable) — Official decree abrogating the French quota system has been published here, which in effect makes this country once again an open market for all distributors of pictures. There is no limitation to the number of films any distributor of any country may now ship into France. Decrease of Instead of despite provision of the French producers who took the position that increased imports will be damaging to the native industry. It is possible that such action will be taken by the French government was first published in The Film Daily.

COMING AND GOING

JOSEPH M. SCHENCK, 20th-Fox board chairman, flew back to the Coast Friday afternoon after a brief trip to New York.

S. BARRETT MCMORRICK and NED E. DEFENIT returned to New York Saturday from Hollywood.

RED TRENT, Hollywood director, and HARTMAN, writer, leave the Coast this week for New York to confer with Clifford Goldsmith on a sequel to "What a Life," which Paramount will produce.

LEE STEWART returns from the Coast tomorrow.

CHARLES EINFELD, Warner vice-president and ad. and pub. chieftain, leaves Hollywood August 18 for a two-week's business trip to New York.

ADOLPH ZUKOR and JOHN W. HICKS sail from Sydney August 18 on a trip to the Monterey for Los Angeles. They are currently visiting a number of Australian cities.

JUDY GARLAND and_MICKEY RODNEY arrive in New York this morning.

GENE LUTES, Kentucky exhib., BERNARD SCHRAM, manager of Michigan Theater, Kalamazoo, Mich. L. WINK, Nova Scotia exhib., and W. V. A. L. D., New York exhib., were visitors this week at the KRO lounge.

BRENDA MASHALL, Warner player, arrived here at the week-end for a vacation.

MICHEL SIMON, French star, arrives today on the Normandie.

SCOTT DUNLAP, Monogram production chief, arrives in New York this week to attend quarterly board meeting and confer with Purex W. Ray Johnson.

GENE BUCK, asst. president, is in Hollywood.

LESTER COOPER, Warner exec. on the Coast, arrives in Hollywood today after a two-week's vacation in New York.

JOHN E. ABBOTT, executive vice-president of the Museum of Modern Art and director of the Film Library, flew to Hollywood Friday for a two-week's stay.

R. J. O'DONNELL, of the Interstate circuit in Texas, arrives here today from Dallas.

LEON BAMBARGER leaves on a southerner cruise aboard the Mountaineer next Saturday.

FRANCES SMITH, secretary to H. M. Richey, is vacationing at Sequinn Lake.

JEROME M. WEISFELD, son of Max J. Weisfeld, Columbia's Short Subject Sales Supervisor, arrived yesterday from Minneapolis.

WALTER BACHELLOR, agent, flew to the Coast yesterday.

**Metro Closes Chi. Deals**

Chicago — Kerasotes and the Hamlin circuits, down state, have signed for Metro's new season product and negotiations are underway with the Alabama circuits.

While Chicago selling has been slow, due to the contract negotiations, both Easannes and Indiana and Illinois circuits have signed.

**Happy Birthday**

Best wishes to THE FILM DAILY to the following on their birthdays:

*Edgar L. Bonina* 70th Birthday

*Bob Hadley* 44th Birthday

*Steve Ralfe* 76th Birthday

*Harry Ark* 63rd Birthday
GARY'S THE "BEAU" OF LONDON, TOO

The new "Beau Geste" gets the biggest gross at the Plaza Theatre, London, since the silent version played there . . . and that's 13 years ago!
ALGER WILL DECIDE FAIR RKO STOCK PRICE

(Continued from Page 1)
of RKO stock because his vacation started Monday, Aug. 17, the Federal Judge William Bondy on Friday referred the matter for hearings before Special Master George W. Alger, Jr. The Court ruled that Alger was to decide whether $4 per share was a reasonable price, and if it was not, what would be a reasonable price.

At the same time, Judge Bondy stated that Alger would receive an advisory opinion from the SEC as to its views on the subject, which opinion, Judge Bondy stated, would be forthcoming with promptness. Hearings will be held in view of the urgency of the question on three days' notice and an early report is expected.

The report will not wait Judge Bondy's return for consideration, but will be heard by any District Judge sitting. Objections were raised by various attorneys who claimed that the reference would delay matters too much and that any SEC report, if thorough, could not be available for several months. Judge Bondy stated that he would consider all objections and stated that he was sure the Atlas Corp. would not withdraw its offer to undertake without substantial changes in the market-occurred. At the request of Col. Hamilton C. Rickaby, Atlas attorney, Judge Bondy agreed to direct Alger to make recommendations as to commissions to be awarded for underwriting the stock.

Hearings were formally adjourned to Aug. 28 at 10:30 when it is hoped the special master's report will have been completed.

Minneapolis Ordinance Would Limit Length of Pix Program

(Continued from Page 1)
troduced Friday in the City Council. Oscar L. Lund, city attorney, told The Film Daily that the ordinance was introduced at the request of W. A. "Al" Steffen, president of Northwest Allied.

If adopted the measure would not apply to stage shows but would eliminate most double feature programs. The ordinance and legislation committee of the City Council will debate the proposed ordinance at a meeting next week.

Because of its controversial nature, Lund expects that a series of public hearings will be necessary before it could become a law.

7 B'way Holdovers

Seven features are being held over in Broadway theaters this week: "Goodbye, Mr. Chin," at the Astor; "They Only Have Music" at the Rivoli; "Four Feathered Friends" at the Capital; "Baby, Alone Livingstone" at the Rialto, and "I Stole a Million" at the ode.
J. M. SCHENCK RAPS GOVT' INTERFERENCE

(Continued from Page 1)

ness who think they can get advantages by going to the Government with their problems," Schenck said in his suite at the Waldorf-Astoria. "As long as they can get the attention of the Government's ear, they are going to run to it and complain."

Asked if he cared to be quoted in calling such tactics "blackmail," Schenck said, "Go ahead and print it."

No Monopoly, Says Schenck

Schenck said he did not believe there was any monopoly in either the exhibition or distribution branches of the industry. The picture executives are always willing to admit, he said, adding that all important pictures involving the Fox West Coast had recently been cleared up without the Government's help.

It was pointed out to Schenck that Darryl Zanuck was quoted in the Saturday edition of the London Evening News as saying that the life of a picture was only three months. To which Schenck replied that Zanuck was a good producer, but not an authority on distribution problems.

We are getting revenue from pictures more than a year old. It may be that Zanuck meant that the most money is obtained from the first three months of distribution," commented the 20th-Fox board chairman.

In regard to the Government's equity suit against the majors, Schenck said that 20th-Fox did not fear the action but it revealed the Government's interference.

"Greater divorce would not do any harm, he asserted. If the law tells the producer-distributors to get rid of the majors, then, he said, "we'll sell them to individuals and probably get better prices for our pictures and make more money." Opposed to what he termed Capitalization.

When asked about the proposed Trade Practice Code, Schenck said that he was not as familiar with the details of it as was Sidney R. Kent, but that he did not favor the 20 percent cancellation provisions. He said if he had his way, we wouldn't give one percent cancellation.

Schenck said he did not discuss the equity suit with President Roosevelt with whom he had lunch on Thursday, but he had talked about Government regulation with the President at previous times. "We don't agree on that subject," he said.

"The sooner the Government stops suing business, the better business will be," Schenck concluded.

Stewart Plans Agency

Lee Stewart, former casting director at the Vitaphone studios, returns Tuesday from an extended stay in Hollywood, where he purchased an interest in a theatrical agency he will operate with George Schell, his former assistant at Vitaphone, and will open up a branch office in New York.

THE WEEK IN REVIEW

The Labor Crisis—Warners in S. A.?

(Continued from Page 1)

trust action against Crescent Amusement Co., Inc. and eight affiliated exhibition companies, plus 11 distributors.

Crescent operates some 100 houses in Tennessee, Kentucky, Arkansas, Alabama and Missouri. . . .

Hearings were continued in Federal Court in Southern Dist. as . . . Y. on Atlas' underwriters agreement proposed in connection with flotation of free list, incensing concerns. On the week-end, Federal Judge Bondy was poised to render a decision. * * *

NEW RKO CONTRACT: Desire expressed for years by exhibitors for a simplified form of exhibition contract fulfillment via an announcement that such a contract will be forthcoming from RKO-Radio on company's new season product.

* * *

TELEVISION: Station WOR applied to FCC for license to erect a tele station in New York area to develop program technique and engineering advancement.

"Free List" for Plotless Shows Must Pay U. S. Tax

Operators of film theaters offered for years by exhibit, interest in a "free list" for plotless shows, are being faced with a demand for collection of federal taxes on them.

The operators, who will be taxed by the Internal Revenue Department, are faced with a demand for collection of federal taxes on them.

Department has just dug up a clause in the law which requires such revues, vaude and other shows lacking "a constructive narrative interpretation by a single set of characters all necessary to the development of the plot."

While some managers yesterday were prepared to get ready to pay the tax on reviewers' passes out of the till, there was some question whether the demand would be acceptable to Revenue officials.

As construed, the only persons who will not have to pay are bona fide employees of the management, muni-
cipal duties and children under 12.

Testimonial to Nat Levy

Set Sept. 30 in Detroit

Detroit—Testimonial dinner to Nat Levy, RKO divisional manager recently transferred from Detroit, will be given here Sept. 30. All exchange managers are on a committee of the Variety Club, headed by Eddie Heiber, University manager. Other serving are John Howard, Paramount; Lester Sturn, 20th-Fox; William Flemion, Excellent; Sam Rebecca, Republic; Leo Schwab, Monogram; Moe Dudelson, United Artists; Frank J. Downey, M-G-M; F. E. North, Vitagraph; Carl H. Shalt, Columbia; and James F. Sharkey, RKO.

FOREIGN

WARNERS IN S. A.: Cable from Mr. Sam E. Morris, WB vice-president, is for purpose of survey of company's present first-run theater representation, with either London, England or Government construction of new houses planned by company if deemed advisable.

ON OTHER FRONTS: Added steps for a series of top-branch exhibition contracts to Warners' Ted- dington studios are expected to materialize during H. M. Warner's visit to England, London cable states, adding that, with a gross of $1,500,000 in British Empire alone for "Confessions of a Nazi Spy," it is expected to roll up one of largest grosses in WB history. . . . Also from England issued word that GB Monopoly, Government by 1940, and that NATKE, British counterpart of IATSE in U. S., will press for 48-hour week, plus "closed shop" in pic houses. . . . Reciprocal quota legislation thwart Britain and Australia also loomed.

Crescent to Fight Gov't Suit to Limit—Sudekum

In Federal Court here to the limit, it was indicated at the week-end by Tony Sudekum, its prey.

"We will prepare to do all we can to legally defend ourselves," Sudekum declared.


Sudekum said he knew of no action or policy of Crescent or its affiliates which would warrant the Government's strategy and that no indio or group had complained of unfair competition.

Dr. I.Q. Decision Today

Chicago—Hearing began Friday on the Doctor I.Q. case before Referee Mathew Covelli. Decision is expected today. The plaintiffs are being represented by Grant Shorley and Leonard Reid. Col. Martin Foss is acting for the city.

UA African GHQ Open

Johannesburg (By Cable) — With the arrival of A. A. Loew, managing director, United Artists in South Africa, the company has formally opened offices at 80 Delvers St.

GRIERSON TO COAST TO SURVEY PROD N.

(Continued from Page 1)

salesmen and exchanges in the "Exhibitors' Sponsored Testimonial" to Universal.

M. A. Lightman, head of the Malco circuit in Memphis, will present the "best piece of luggage money can buy" to the winning salesman, adding that "it had better remain in Memphis." John Nolan of the Commerford Theaters is offering a cash award, while Bob Wyant of the Robert circuit is offering a prize of his own. Charles Hayman, Buffalo theater manager, has promised a local businessman will win it that he is putting up $200 in cash.

TMAT Membership to be Polled on Affiliation

TMAT's attitude on affiliation with an international A.F. of L union will be decided by a vote of the entire membership through ballots which will be mailed to every member. At a midnight meeting at the week-end, the film group within the organization asked for affiliation with the IATSE, but this move was tabled and the over-all membership vote was decided on.

Meeting was held at the Capitol Hotel, but was closed.

Philip Kendis III

Cleveland—Philip Kendis, head of Exhibitor Poster Service, is confined to bed with a back ailment, resulting from a fall several years ago.

Mrs. Flora Edmond Dead

Manchester, N. H.—Mrs. Flora Kendall Edmond, a theater operator here for several years, is dead.
required, and with illustrations from various experiences of Columbia. Answer also raised the rate state and federal taxes before the first that contracts had been made with some 10 New York exhibitors and a number of artists including Irene Dunne and Cary Grant, previous to the commencement of the suit, and that these parties must be made defendants if a decree affects their contracts. The second defense cites the Governor's distribution field in the Texas in 1928 against Columbia and the Interstate Circuit and claims that offenses allegedly committed by Columbia should have been heard at that time.

Re-defines Major Producers

Columbia disputes the Government's definition of major producer, claiming that a prerequisite is that company must be engaged in the motion picture production field. A major distributor, it said, must be one which produces substantially all its product in addition to its distribution activities.

Answer questions the importance of the definition of affiliated theaters and stated that the true test in the whether booking is done for a single theater or several, and that the matter circuit would apply to more than one theater. Columbia termed itself an independent producer and listed their theaters.

The answer went into some length to describe how Columbia entered the market and claimed that it had done so in 1929 against its own wishes in order to instill a fair price for its pictures. It stated "If Columbia were compelled to desist from distributing to its own pictures, it would find that pictures in which it had invested millions of dollars annually, would be incompetently and inefficiently handled, and the financial returns wholly inadequate."

Columbia also disputed the Government's claim that the number of pictures produced had decreased in the last 10 years, and cited figures to show that indie producers had made 5,969 pictures over a period of the last 10 years and the majors had produced 3,312 for the same period.

Cites Borrowing Trouble

In defense of the Government's attack upon the custom of loaning

Hauling Success

Harrisburg, Pa.—A luncheon for babies to play "Bacheler Mother," which opened yesterday, was terminated by Manager Robert C. Sidman as a "hauling success." Fourteen babies with their mothers attended the luncheon, and the four babies with a baby carriage which Ginger Rogers was housed, by proxy, Professor Willard Fisher of the University of New York office. Five members of the Visiting nurse decided it had to be declared that everything went well. A perfect party played hooligans during the lunch.

Seven New Plays to Keep Majors' Scouts on Jump

Major company scouts face a busy week, with total of seven new plays set for tryouts in straw-hats.

"Veeeyroo, saratonic dramas concerning Queen Anne, the Duchess of York, and Agnall Hill, by Norman Ginsburg, opens tonight with a score by Albert E. Reff. A dream of Jon, is a picture of the Earls of A. D. Beatty, Limmer, marking his 50th anniversary as an exhibitor, at the Willard Friday night.

"Light of the Sea" was presented with a 21-jewel wrist watch by his friends. His other gifts included a traveling case for his daughter in Britain, and a scroll containing the signatures of all present at dinner.

Among those present were: William Waring, Robert Wheeler, John Ebersol, Julian Bryan, Edmund Plohn, Sam and Jake Flash, Sidney Lust, Harold Meakin, Gene Pori, W. E. Wilcox, Abe Tolkins, Fred Rohrs, Sam Wheeler and Carter Barron.

200 Execs, and Showmen At Lichtman Testimonial

Washington Bureau of THE FILM DAILY

Washington—More than 200 execs and showmen from the Eastern area attended the testimonial dinner to A. E. "Abe" Lichtman, marking his 50th anniversary as an exhibitor, at the Willard Friday night.

Lichtman was presented with a 21-jewel wrist watch by his friends. His other gifts included a traveling case for his daughter in Britain, and a scroll containing the signatures of all present at dinner.

Among those present were: William Waring, Robert Wheeler, John Ebersol, Julian Bryan, Edmund Plohn, Sam and Jake Flash, Sidney Lust, Harold Meakin, Gene Pori, W. E. Wilcox, Abe Tolkins, Fred Rohrs, Sam Wheeler and Carter Barron.

French Ambassador to Get Fix Smuggling Presentation

Washington Bureau of THE FILM DAILY

Washington—Acting Secretary of State, John W. Hamilton, received a New York Grand Jury's presentment charging misuse of the French Ambassador's pouch for smuggling of French motion picture films into the United States. The presentment is a sequel to an earlier version of the presentment to the French Ambassador and would invite the Ambassador to make any comments he might desire. Pending receipt of such comments Welles declined to discuss the presentment.

Lenwal to Produce Fix in British West Indies

Lenwal Productions, Inc, of this city, will shoot "Daughter of the Chief of Jamaica" (tentative title) in Jamaica, B.W.I. Arthur Leonard, who recently produced "Straight to Heaven," is producing and directing his crew including Jay Rasher, Syl Priestley, Talmont Priestly and George Ewing, latter also author.

Cast, including Nina May McKinney, Jack Carter, Hamtree Harrington, Ida James, Willa May Lane and Emmett Wallace, will be on location for the Jamaican location. Advance party, headed by Leonard, is already there. Counsel for the company are Olliphant & Lerman.

SCHENCK HOLDS SAG PACT IS STRIKE BA

Assn., who said that the actors could not strike because of their contracts with the producers.

Schenck explained that under the pact, they are unable to picket, because the SAG and ASC, players, directors and cameramen agreed not to strike for 10 years. The contract remains in force until 1947, Schenck said. The Screen Actors Guild is a labor union, he added, but corporation formed to act as a bargaining organization for the players.

However, under the agreement, he said, a producer can hire an individual member for non-performance of his contract, or even him from working for another producer.

The various guilds (SAG, etc.) are not permitted from striking is affiliated with the CIO if their members vote for it. Schenck said, and that a strike could be ordered would object to such a move as long as their contracts with the studios were respected.

However, Schenck said he could see no reason for screen players joining any union. He said that the issue was closed with IATSE contracts with the exception of the guilds whose contracts with the studios were respected by the I.A. Schenck flew back to the Con- Friday afternoon.

$100,000 Loan to Wm. Bioff Repaird, Says Jos. Schenck

Joseph M. Schenck admitted Friday that he had made a loan of $100,000 to Wm. Bioff, Schenck to the New York Grand Jury's presentment charging misuse of the French Ambassador's pouch for smuggling of French motion picture films into the United States. The presentment is a sequel to an earlier version of the presentment to the French Ambassador and would invite the Ambassador to make any comments he might desire. Pending receipt of such comments Welles declined to discuss the presentment.

Michigan Allied Hold October Convention

Detroit—Directors of Allied Theas of Michigan are to meet at place in October—probably an place for the annual convention.

Mrs. Reinhard Recovering

Canton, O.—Mrs. Harry Reinhard, wife of the owner of a local theater circuit, is at Methodist Hospital, Pittsburgh, where she is convalescing from an operation.

Remembered

Oklahoma City—Listeners to Ernest C. Day's daily motion picture program on KOCY were asked to name their favorite titles to be entered in the annual contest to win a gold watch. The most frequently suggestions were: "A Star Is Born," "Thanks for the Memory," "It Happened One Night," "The Big Sleep," "The Man from the Sea," "Captain's Daughter," "A Girl," "Lilac Time" and a number of others. One suggestion was for "any Rudolph Valentino picture."
TO IMPORTANT PEOPLE—
ABOUT IMPORTANT PEOPLE—
BY IMPORTANT PEOPLE—

Articles on the Evolution of the Theatre by John Eberson.

The Romantic History of the Theatre Seat by Heywood-Wakefield.

The Story of the Motion Picture Film by Eastman Kodak.

Autobiographies of the major companies by staff writers.

The Evolution of the Motion Picture Projector by important projector companies.

The Yesterday and Today of the motion picture industry as taken from the headlines of the many years past.

A Cavalcade of important events in the lives of outstanding personalities, directors, producers, players, etc. by special writers.

The History of Light in the Theatre by General Electric.

And a score of other important abouts by a score of other important bys to be passed along to thousands in production, distribution and exhibition.

CAVALCADE 1939

FREE TO ALL FILM DAILY SUBSCRIBERS—OTHERS $5.00 PER COPY
FLASH FROM WASHINGTON, D.C.!

“Stanley And Livingstone” opening at Palace bigger than “Jesse James”, “Kentucky”, “In Old Chicago” and within a shade of record-holding “Alexander’s Ragtime Band”!

THE KEYSSTONE OF YOUR FUTURE
U. S. Majors Block Taxation Provision in Cuban Bill

AFL COMMITTEE CONSIDERING FIVE-POINT PLAN

Hays Sounds Keynote for Industry's Golden Jubilee

MPPDA Proxy Lists 39 Outstanding Films for Fall and Winter

By RALPH WILK
West Coast Bureau of THE FILM DAILY

Hollywood—Pointing out that present day films "do not merely recreate for the moment but give their audiences something to take home with them," Will H. Hays, MPPDA proxy, in a statement released for publication today sounds the keynote for the industry's Golden Jubilee.

"Looking back over the brief period of the past two decades, it may (Continued on Page 3)

GUARANTEES AGAINST FRENCH VISAS ASKED

Paris (By Cable)—Agreement with the French government is being sought here by the American majors which will guarantee the elimination of the visa system for all time, and will also stipulate that the event any new quota legislation is sought by the French government, the distributors, will have a year of grace before they must comply with it.

Binghamton Indies Will Shift to Single Bills

All of the independent theaters in Binghamton, N. Y., will shift to a single-feature policy after Labor Day, it was learned yesterday. Decision to drop double feature programs was made at a meeting of New York Allied members in Binghamton on Friday. Approximately six houses will be affected.

Philly Indies Plotting Court Battle on Games

Philadelphia—City indie exhibs. are getting money together to finance a test on games in the city. A committee is contacting theater owners (Continued on Page 4)

Final Distributor Approval of Film Code Stated at Sales Exeex. Meet Tomorrow

Final approval of the revised trade practice code is expected tomorrow when the sales managers of the seven major companies participating in the code are scheduled to convene. While it has been reported generally that the revamped draft has been completed, it is understood that tomorrow's session has been called for the purpose of giving the document the final okay. Release of the changes or additions to the code has been promised definitely for this week. It may be that the details will be revealed after the meeting tomorrow.

N. J. ALLIED EXPECTS 400 AT A. C. PARLEY

Biggest attendance in history is expected at the New Jersey Allied convention and Eastern Regional Conference scheduled for the Ritz-Carleton Hotel, Atlantic City, Sept. 6-8. From present indications, more than 400 exhibitors and distributor representatives will be on hand, according to E. Thornton Kelly, executive secretary of New York (Continued on Page 3)

Judge Bondy Signs Order Okaying RKO Stock Change

Federal Judge William Bondy yesterday approved the certificate of incorporation of RKO, the new company by-laws, the proposed form of committee and preferred stock certificates (Continued on Page 4)

Philadelphia—Another anti-trust suit was recorded against the majors and Stanley-Warner when the case of George Graves, of the Carman theater, against them was re- vealed as having been filed in U. S. District Court last Friday.

Defendants, served yesterday were Warners, Loew's, Paramount, RKO (Continued on Page 7)

Loew's May Add Nabis in Argentine's Capital

Loew's, Inc., is considering the acquisition or construction of several neighborhood theaters in Buenos Aires, according to Sam N. Burger, special foreign representative, who (Continued on Page 4)

Squawks of U. S. Distributors Block Taxation Provision in Cuban Measure

Columbus Exhibs' Co-op Booking Attempt Fails

Columbus, Ohio—Effort by local exhibs. to establish a booking combine has met with failure, but the corporate setup remains indicating the exhibs. haven't given up the idea. Virgil Jackson, operator of four houses, is president of Theater Ser- (Continued on Page 7)

Havana (By Cable)—Bill introduced in the lower branch of the Cuban Congress providing for a tax upon motion picture distributors of 33 per cent of gross admission receipts, and limiting film rentals payable to foreign distributors of producers to not more than 40 per cent of gross admissions, has been defeated in its original form. Although the bill is still alive, it (Continued on Page 3)

Decision Expected Today As Council Orders Meets Be Continued

Atlantic City—Following four days of meetings, William Green, AP of L president, announced last night that although progress had been made by the special negotiating committee which is attempting to clear up the AAA-IATSE-AFA jurisdictional question, no decision has yet been reached.

It was learned however, that the committee, consisting of representatives of AAA and the AF of L Council, has under consideration a five-point plan. They were said to be in agreement on four of these points, differing only on a point involving personalities. Proposed plan is believed to take in the following: 1—Elimination of Ralph White (Continued on Page 4)

BROADWAY BIZ BUCKS WEATHER, STAYS BIG

Notwithstanding adverse weather, week-end business of the big six palaces in the Great White area was highly satisfactory, checkup yesterday disclosed.

The "takes" recorded fell some (Continued on Page 4)

Mass. Labor Board Rules Against TMAT in WMT Case

Springfield, Mass.—The Spring- field local of the TMAT suffered a setback yesterday when its petition for certification as collective bargaining agency for employers of the Western Massachusetts Theaters, (Continued on Page 4)

Boston Ushers Strike Hits M & P Suburban Theaters

Boston—IATSE ushers strike which got underway Friday at the Metropolitan Theater and spread (Continued on Page 7)
Penn. General Assembly
May Convene on Nov. 13

Harrisburg, Pa.—Republican leaders have set Nov. 13 as a tentative date for a special session of the General Assembly. It is learned here by The Film Daily that the call date is just six days after the 1939 municipal elections.

Pennsylvania's governor has power to call a special session on the emergency of unusual or extraordinary public necessity. A special session action is possible at the special session right before session and tax revision were considered the major issues to be included in the governor's call.

The two amendment tax bills were introduced during the recent ses-
sion of the Legislature, but neither were brought out of committee. One measure provided for a tax of one 

for every 100 shares of stock for all permanent production companies, with the proceeds to go into the state treasury.

Wis. Salons to Resume
Tax Bill Consideration

MADISON, Wis.—Administration leaders here are believed to have sufficiently co-ordinated their forces to return to the job of attempting to tax a bill for the biennium, tomorrow.

Whether the tax proposal will con-
form to anything to be feared by exhib-
itors remains to be seen, although there have been rumors of an in-
creased tax on chain stores. To date, exhibitors have successfully staved off a tax on film, admissions and an occupational theater tax.

Small Chi. Houses Get
License Fee Reductions

CHICAGO—Effective Sept. 9, the city tax on film theaters, seating fewer than 550 persons, will be reduced from $250 to $200 a year. For houses seating more than 250 and less than 750, the tax will be reduced from $325 to $275. This reduction is an amendment, only to theaters making a maximum charge of 25 cents.

Temporary D of J Field
Staff for Oklahoma City

Oklahoma City—Contrary to previous reports, the Oklahoma district attorney has no chance of becoming the location of a permanent anti-trust division of the Department of Justice. A temporary field staff may be set up here, however, officials have an-
ounced.

Holt to Confer on Policy

Nat Holt, RKO Great Lakes di-
vision manager, is vacationing in Atlantic City. Before returning, he will confer with home office officials to determine the new season policy at the RKO Palace, Cleveland.

Oklahoma Allied Unit
May Meet on Sept. 26-27

Oklahoma City—Tentative dates for the Allied Theater Owners of Oklahoma convention have been set by the association's organizing committee as Sept. 26-27 at the Biltmore Hotel in Oklahoma City.

A full program, including, according to chair-

man Orville Von Guler, call for a number of speakers on the first day with a banquet that evening if a "very important speaker" can be secured.

The committee is set to meet again Aug. 22 at the Biltmore to discuss convention plans and arrange fur-
ther details, according to Von Guler.

At World Trade Center

Washington Barons of THE FILM DAILY

Washington—Secretary of Com-
mmerce Harry I. Hopkins has designated Nathan D. Golden, chief of the Motion Picture Division as the department's representative at the World Trade Center of the New York World's Fair for the month of Aug. 14.

Golden will be available to domes-
tic and foreign motion picture dis-

tributors for discussions of problems relating to the industry during his stay in New York.

Robert Lury Sails Today
For “U” Post in Japan

Robert Lury, whose appointment as Universal representative in Japan was announced recently by J. H. Seidelman, foreign head department head, will sail today from the West Coast on the Kamakura Maru to take up his new duties. Lury formerly was asso-
icated with M-G-M in Japan and Manchuria and was general manager in the Dutch East Indies.

Warners’ Brazilian Exec.
Killed In Plane Crash

Rio de Janeiro (By Cable)—Eva-
isto G. Miranda, manager of War-
ners branch office in Recife, Brazil,
which was killed in the crash of the Pan-
American Clipper at Rio de Janeiro
Sunday. Miranda was on his way from Recife to Rio to attend a sales meeting, called by Sam E. Morris.

Republic Signs Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Thrust of a strike by directors and assistant directors at Republic was averted late Monday when the Screen Directors’ Guild and the Screen Directors’ Guild to pay as-
sistant directors same scale and pro-

vide same working hours prevailing at major studios.

"I" Signs III, Circuits

Chicago—Peck Gomillers, Universal Exchange, is said to have taken over the distributing circuit of the Chicago of-

fices, the Alger, the Bailey, the Kerasotes and Hamline circuits.
Hays Sounds Keynote for Golden Jubilee

(Continued from Page 1)

be that future historians will mark as a great milestone in the art the period when the screen developed a sense of public responsibility," Hays said. "That is the basis of the industry's self-regulation which has served the dignity and significance of the art."

Assuming that today the better products of the screen are addressed to a universal audience, and movie entertainment covers the whole gamut of drama, history, literature and life," the MPDA adds, "that the new pictures "do not mark the closing of a period but the beginning of a new and greater era of universal entertainment."


Peerless Plans 8-6

West Coast Bureau of THE FILM DAILY

Hollywood—Series of action melodramas, calling for a maximum of eight and a minimum of six pictures, will be produced for the state rights market by Peerless Pictures, Inc., it was announced yesterday by Sam Erus.

Leroux Acquires Rights

Leroux Film and Trading Corp., New York, has closed a deal for the North and South American distribution rights to "La Route Heroïque" which is being produced by the French SIPEC company in Paris.

STORKS!

Columbus, O.—Mr. and Mrs. Bill Pullin, Jr., are parents of Bill, III, born Aug. 16. Pullin is in business with his father at the Lin- den Theater. Bill, Sr., is chief banker of Variety Club, Tent Two.

U. S. Majors Block Cuban Tax Proviso

(Continued from Page 1)

is not expected to contain any provisions which will tax importers and distributors of foreign pictures here when it is finally passed. Object of the legislation is to raise funds to foster the native industry.

American distributors, presented a joint statement to the Legislature in the form of a letter which pointed out the iniquity of the proposed special taxation and abrogation of the right of free contracts, and also showed that the estimated total of receipts received by distributors was greatly exaggerated.

N. J. Allied Expects 400 at Atlantic City Parley

(Continued from Page 1)

Allied, who is "on loan" to the New Jersey State Trade, said Knelly said that reservations from the major home offices were coming in rapidly. Because of the Beauty Pageant which opens in Atlantic City during the convention, the hotels are almost entirely booked up and Knelly advises that exhibitors who expect to attend should make reservations immediately.

Prospective heavy attendance by exhibitors is attributed to the large number of important, issues now facing the industry, Kelly said.

Government To Probe Charge of $100,000 Paid to Bioff

West Coast Bureau of THE FILM DAILY

Hollywood—Charles H. Carr, special assistant to U. S. Attorney General Frank Murphy, arrived in Los Angeles yesterday to start an inquiry into charges that William Bioff, former Coast representative for the IATSE, had been paid $100,000 by a major producer in connection with the studio strike of 1937.

The investigation is expected to last for several weeks and Carr's recommendation will be submitted to Washington to determine whether any prosecution shall follow.

WEDDING BAILS

C. W. Kent, Altex inspector, will be married on Sept. 2 to Miss Mary O'Dell, Thirty Eastern District Altex men honored Kent with a bachelor dinner last week at the Great Northern Hotel.

London (By Cable)—Engagement is announced of Nova Pilbeam and Priscilla Templeton, film director.

Chicago—Ten Lyon, Warner exchange buyer, and Pearl Fireman, assistant exchange cashier were married, and are now honeymooning in Canada.
AFL COM. CONSIDERS A FIVE-POINT PLAN

(head, AFL executive secretary, from all actors' union activities.

2—Recognition of the right of AAA to expel AFA.

3—Reinstatement of Sophie Tucker and others.

4—Vesting of the charter issued to AFA by IATSE.

5—Cailing of an election of the AFA membership to vote for a new slate of candidates—the election to be supervised by a joint committee representing all interested parties.

Rumors that Ralph Whitemhead would resign as executive secretary of AFA were denied last night in a statement from Sophie Tucker, president of the group. Miss Tucker claimed that AFA had advised Whitemhead a clean bill of health if he would resign. She stated that there was a rumor that he had done nothing dishonest.

Neither Miss Tucker nor Richman would be barred from the ticket.

Green, at his press interview, was of the opinion that the committee would be dissolved in a day or two, and said, "All parties concerned are showing a more tolerant attitude toward one another, and regard to questions under discussion."

Green said that the special committee would return to maintain unity, and that the IATSE, which has no part in the meetings, will accept any understanding reached by the Council.

Matthew Woll last night was hopeful about the situation. He thought the chance looked promising, and that the matter might be cleared up today.

Yesterday's argument of the AF of L Council listened to reports of the special committee but took no action, other than to order the members to continue along present lines.

It was learned yesterday that in the coming week peaceful settlement of the dispute, in all probability, will be accomplished, and charges by AAA affiliates against Miss Tucker and Richman, would be dropped.

Judge Bondy Signs Order

Okaying RKO Stock Change

(Broadway Bux Bucks, Weather, Stays Big

New York Banks Ready to Back Coast

Indies Who Can Get Major Releases

New York banks are prepared to back West Coast production by Indians who can secure major releases, it was learned yesterday.

Two of the largest bank-lending institutions, setting an investment outlet for cash now crowding their vaults, are cycling the West Coast situation, and have indicated that they are prepared to back major pictures.

Couple of tentative deals were discussed here last week by Herbert T. Silverberg, Coast film attorney, who is due back in Los Angeles Friday to further discussions.

Loew's May Add Nabes

in Argentine's Capital

Mass. Labor Board Rules

Against TMAT in WMT Case

(Continued from Page 1)

Recently returned from South America and South Africa, Loew representatives in Buenos Aires are scouting after suitable sites, Burger said.

M-G-M business in South America, he stated, has shown a steady improvement. Installations of air conditioning equipment have boosted theater grosses, Burger said, adding that Loew's was the first to cool its theaters. Most houses were forced to follow suit.

Burger said that Clark Gable, Mickey Rooney, and Robert Taylor and Nelson Eddy are the most popular M-G-M stars among the South American women, while Greta Garbo, Norma Shearer and Jeannette MacDonald rank the highest among the men.

The trip to South America and South Africa was of a routine nature, Burger said, explaining that it constituted one of his annual survey jaunts.

7 New Michigan Houses

Bow In during Quarter

Detroit—Quarterly report just released by Allied Theaters of Michigan shows seven new theaters added to the Michigan list: Rainbow, Detroit; Alon, Alton; "B," Charlotte; New Century, Coopersville; Flatroo, Flat Rock; New Garden, Garden City; and the New Milan, at Milan.

The theaters in the state are reported closed—the Wolverine and Times Square, both of Detroit; six houses upstream and one in Detroit changed hands in the period.

Mrs. W. J. Millard Dead

Detroit—Mrs. William J. Millard, 63, owner of the Star Theater at Mt. Clem, died in Saginaw General Hospital, and was buried at Gladwin. Three children survive. One daughter, Mrs. Pauline Heslow, who has operated the house for the past year, will continue as manager.

Leichter New York-Bound

West Coast Bureau of the Film Daily

Hollywood—Mitch Leichter leaves this week with a print of "Sudan," presented by William L. Fears, of the Continental Distributing Corp., for Ohio, Kentucky and Indiana. Loew's has also closed with Alliance for the same states plus Tennessee. Warner's Ohio houses have been signed for the Alliance product.

Franchises to Goldberg

Cincinnati—Lee Goldberg of Big Feature Rights has closed a five-year franchise deal with the Republic Distributing Corp., for Ohio, Kentucky and Indiana. Goldberg has also closed with Alliance for the same states plus Tennessee. Warner's Ohio houses have been signed for the Alliance product.

Radio City Music Hall called in with report that RKO Radio's "In Name Only" stood a good chance of rolling up close to $50,000 in its second week, the Saturday and Sunday business was so strong. The Paramount, offering the second week of "Beau Geste," grabbed about $15,000 on Friday and Saturday, but the showing was excellent. The two-day holiday saw the Roxy with "Stanley and Livingstone," doing so well that the attraction was immediately slated for a third week. Rivoli with "They Shall Have Music!!" and Capitol housing UA-Korda's "Four Feathers," and the Astor with the hardy perennial "Goodbye, Mr. Chips," got away share of the patronage.

The only newcomer to the Broadway scene, Warners' "The Old Maid," at the Strand, cashed in handsomely, with less steady building. Wednesday the attraction did even better than on opening day, evidence of its entertainment power.

Reports received by 29th-Fox from eight other keys where "Stanley And Livingstone" is beginning runs are to the effect that figures are surpassed only by "Jesse James" and "Alexander's Ragtime Band" as a business-getter.

"Four Feathers" continued to chalk up records over the week-end. Exhibitors Wednesday reported that Picture reportedly drew patronage ranging from 35 to 60 p.c. above normal in approximately 12 situations.

Philly Indies Plotting

Court Battle on Games

(Continued from Page 1)

men to contribute, with money to be returned if the move does not go through. When William A. Schaefer would be the attorney if the plan is ever

Carriers Hold Pix Biz

Chicago—Reduced express rates on film packages under 5 pounds, which have been effective for approximately four months, were to cut into film carrier biz in this territory, according to J. Allen of the Allen Film Delivery Service.

Examination Ordered

Film Exchanges, Inc., yesterday was ordered by Judge John D. Supplee to pay out $15,000 to Kenneth O'Brien to appear for examination before trial in the suit against it brought by Celia Bershoff.
For the New Warner Season
'The Old Maid'

You are cordially invited to the marriage of
As Singular an Achievement
As The Pulitzer Award Play
As Deeply To Be Cherished
As The Renowned Best Seller
As Assured Of Success
As Warner Bros.' Unfailing Production Policy Can Make It

BETTE MIRIAM DAVIS * HOPKINS
in
"THE OLD MAID"
with
GEO. BRENT
DONALD CRISP * JANE BRYAN * LOUISE FAZENDA
JAMES STEPHENSON * JEROME COWAN * WM. LUNDIGAN * CECILIA LOFTUS

Directed by EDMUND GOULDING
Screen Play by Casey Robinson * Based on the Pulitzer Prize Play by Zoe Akins and the Novel by Edith Wharton * Music by Max Steiner * A First National Picture

JACK L. WARNER * HAL B. WALLIS * HENRY BLANKE
In Charge of Production Executive Producer Associate Producer
PHILLY TRUST ACTION NAMES S-W, 6 MAJORS

(Continued from Page 1)

UA and Universal in addition to the Warners and C. Brewer Rhodes is the attorney for the plat-tiff.

The case has run a Columbia and 20th-Century-Fox product, which probably accounts for their not being defendants.

Graves charges a conspiracy to restrain trade as well as monopoly on the part of the defendants. He charges that the Camran has not been able to get sufficient first-run pictures for its operation. He charges that the Uptown, a Stanley-Warner house, buys approximately 300 pictures a year although it cannot use more than 100 and that the Uptown is able to tie up this product without obligation to pay more than the going trade charges. He also charges that the Uptown thus controls the entire distribution of pictures, giving it an unfair advantage. He claims that as a result, the Camran has suffered substantial losses and that the attendance public has been affected by this alleged restriction.

The plaintiff asks that the distributors be enjoined from entering into any contract with respect to the Uptown under which the exhibitor defendants are permitted to buy more feature pictures than can be reasonably used by it, that the defendants be enjoined from conspiring in any way to prevent the plaintiff from fair and reasonable privileges, and that the defendants be enjoined from encouraging or carrying out any monopoly practices.

Grainger Closes 1939-40 Product Deal With Saenger

Deal has been closed by Republic with the Ben Grainger Co. of Chicago and Saenger Affiliated Theatres Corp., for the company's complete 1939-40 product. This was announced yesterday by James R. Grainger, presy, upon his return from New Orleans. Past covers 120 houses in Louisiana, Alabama, Mississippi and Florida.

In addition to Grainger, A. C. Bromberg, southern division holder for Republic, Clair Hilgers, southern district sales manager, and Leo Sechsmayr, manager of Republic's New Orleans exchange, represented the company. Gaston Dureau and L. C. Montleu were negotiated for the theater chain.

Bob Burns’ One-Nighter

Pt. Worth, Tex.—Bob Burns has been set for two appearances at Casa Manana open air tea-theater in Fort Worth, Tex., on the night of Aug. 21, by the William Morris Agency, producers of the Casa Manana Revue. This would be the first special one-nighter for this season. Ray Noble's orchestra comes in for two weeks at the theater, which Tony Martin is scheduled for one week's p.a., the following week.

Fewer Chi. Tripes

Chicago—Triple bills lost out last evening as Chicago area showgoers flocked to the shackup that showed only four houses featuring triples. The Rosewood again offered a feature program.

Premieres come back with a rush, the checking showing 45 hours advertising giveaways with their dual bills. Premiere expansion is on in the suburbs.

Boston Ushers Strike Hits M & P Suburban Theaters

(Continued from Page 3)

during the day to the Paramount and the Washington St. Olympia is gaining additional momentum and now includes M & P Theaters Corp. houses in suburban Boston.

The walkout, which is pointed toward union recognition and coincidental "better working conditions" and higher wages is centered in the Paramount-screened theater chain. Picketing ushers are seeking to turn prospective customers to Eko and Loew theaters, where the screeners' union has been recognized. A mediation meeting was still unscudled yesterday.

Spokesman for the stagehands and projectionists admitted that their locals might be called out in sympathy. There has been no attempt so far as to establish a picket line that APL members may not pass.

Walkout is being directed by Walter Nolan, pre-medical student who is president of the ushers' local and himself an usher at Loewers Theater.

Columbus Exhibs' Co-op Booking Attempt Fails

(Continued from Page 3)

vice, Inc., comprised of a majority of local exhibitors, excepting the J. Real Neth and Ethel Chesbrough Circuits.

Failure of the five-month old combine to justify existence may be attributed to reported refusal of disinterested to sell the houses as a group.

Producers Reply to NLRB's Complaint on SWG Contract

West Coast Bureau of THE FILM DAILY

Hollywood — Declaring they had made every reasonable effort to arrive at a written contract and that they had been willing, to continue collective bargaining, the motion picture producers Monday filed an answer to an amended complaint issued by the NLRB based on charges made by the Screen Writers' Guild.

The Guild yesterday states they believe an effort is being made to drive them into a contract with the SWG for a term of less than seven years, the period specified by the producers.

Horton Rides Today

Ellenville, N. Y.—Funeral services will be held here today for Henry (Hi) Horton, 73, veteran ac-

REVIEWS OF NEW FILMS

"Lady Of The Tropics"

with Robert Taylor, Hedy Lamarr, Joseph Schildkraut

M-G-M

LAMARR TAYLOR COMBINE SHOULD MAKE HISTORY OF YEAR'S HEAVIEST 8.0 CLICKS

Lamarr is beautiful, Lamarr is luscious and Lamarr here is definitely box-office with a big bang. teamed with Robert Taylor, this is a double-header attraction that will prove a magnet at any exhibitor's theater. In addition to the two stars, the brilliant talents of Joseph Schildkraut add a suave polish to the finished product. A capable cast of finished actors provides ample measure of support for the principals, Sam Zimbalist has given the film a lavishly production... 92 mins.

"The Birthplace of Icebergs"

(Father Hubbard's Alaskan Adventures)

20th-Fox

Top-Notch Entertainment

Something different in the shorts field, this new 20th-Fox series promises to be outstanding. The initial release, with a combined narrative by Father Hubbard and Lowell Thomas shows us that icebergs actually come up from the bottom of the ocean instead of falling into the water. The result, a series of touching, humorous, and instructive shorts, which portrays the effect of the glacier with an cartoon. Produced by Truman Taylor.

"The Memory Lingers On"

(Bert Ennis Novelty)

Progress

10 mins.

Swell Subject

Second release of "The Memory Lingers On" conceives and produced by Bert Ennis, is cleverly devised entertainment. Real presents, largely in an aura of sentimentality, such personalities and subjects as Teddy Roosevelt, Amelia Earhart on her solo ocean hop, the formation of United Artists, sequences from early starry vehicles of Mary Pickford, Doug Fairbanks, and the entire series are blown up in Havana harbor in 1898. The pace and content matter of this show is short, the story is the vehicle and the verbal interpolations are crisp and informative. The verbal treatment of the Ford story is done in comedy style by Ennis.

"The Two-Headed Giant"

(Terry Toun)

20th-Fox

7 mins.

Swell Short

Our old friend, Mr. Paul Terry's notable two-headed giant is brought back again in this cartoon. Our friend Jack The Giant Killer comes riding into a scene of destruction that looks like the mighty giant crushes houses and assaluts the castle where Jack's princess is being kept to escape the marauder. Jack unleashes a mighty attack with his bow and arrow, staff and whatever weapon happens to be handy and he saves the day. Kids and grownups too will like this short. It is in Technicolor.

Vote for Sunday Pix

Crossville, Tenn.—Sunday film shows, authorized by a referendum, will start here Aug. 27.
THE ROLL CALL OF SUCCESS!
CLEAN SWEET OF SMASHING
FOR THE GREATEST WOMAN'S

177% OF TOP BUSINESS
LOSA NELES
“Absolutely the biggest Friday business in years... tops everything we ever had!”

150% OF TOP BUSINESS
ASHEVILLE, N. C.
“Biggest Friday opening in years. Audience reaction and reviews marvelous.”

131% OF TOP BUSINESS
ROCHESTER
“A box-office smash. Beat everything in sight!”

175% OF TOP BUSINESS
SAN FRANCISCO
“Seems like all the women in town were waiting for this... and they all came at once to see it!”

120% OF TOP BUSINESS
STAMFORD
“Women wild about picture... sock business in Waterbury and Danbury too.”

IRENE DUNNE and CHARLES BOYER
UNIVERSAL'S PRESENTATION OF
TEN WEEK-END OPENINGS AND A RECORD BREAKING GROSSES PICTURE IN TWENTY YEARS!

165% OF TOP BUSINESS
SYRACUSE: "Excellent smash opening with Boyer and Dunne dynamite with audience."

135% OF TOP BUSINESS
CINCINNATI: "It slayed the gals for a better opening than any Universal picture in two years!"

125% OF TOP BUSINESS
NEW ORLEANS: "Biggest day's business in months!"

153% OF TOP BUSINESS
LOUISVILLE, KY.: "Exceptional! Almost double the previous big ones we've had!"

156% OF TOP BUSINESS
SEATTLE: "Best opening in months. Comments excellent. The femmes are in hysterics about it!"

"WHEN TOMORROW COMES!"
JOHN M. STAHL'S TOP TRIUMPH!
"STANLEY AND LIVINGSTONE’S" Record-Breaking Runs in New York, Los Angeles and Washington...

San Francisco
Beating every 20th hit to play the Paramount this season!

Detroit
Sets a new high by fifty per cent at the Fox!

Chicago
Tops everything but 20th’s all-time record hit, "Alexander’s Band", at the Chicago!

The new season’s biggest news!
Expect Court to Order Early Trial of N.Y. Equity Suit

The Film Daily

Intimate in Character
International in Scope
Independent in Thought

Intimate in Character
International in Scope
Independent in Thought

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Evidence in Coast Probe to U. S. Grand Jury in Sept.

AAA JURISDICTION UPHeld BY A F OF L

State Labor Convention to Back Eastern Production

Resolution Slated for Adoption Wants 10% of Pix Made in New York

In a concerted drive to bring back production in the East, Sal J. Scoppa, business agent of Local 52, studio mechanics, backed by the entire IATSE and A.P. of L bodies in New York State, will present a resolution before the State Federation of Labor convention in Boston which will ask that 10 per cent of all pictures produced each year should be made in New York.

Resolution is certain to be adopted, it was stated last night. In the resolution, Scoppa states that, whereas more and more money is being loaned by New York banks for

(Continued on Page 2)

SAY SWISS QUOTA MAY FORCE OUT U. S. COS.

Berne (By Cable)—With U. S. distributors strongly opposed to the pending Swiss quota act, it was reliably learned yesterday that the companies are seriously considering withdrawal should the measure become effective.

At the present time, it is understood that the matter has been turned over to the American State Department in the hope that some equitable agreement can be reached.

Loew's Calling 1947 Realty Bonds at 102 on Sept. 15

Loew's Theater and Realty Corp. is redeeming its First Lien 6 p.c. sinking fund gold bonds on Sept.

(Continued on Page 8)

K-A-O, B. F. KEITH SHOW MARKED GAINS

Both the B. F. Keith Corp. and Keith-Albee-Orpheum Corp. and their subsidiaries increased their net profits after all charges for the 26 weeks ended July 1, according to

(Continued on Page 6)

JLS Threatens Court Action Over Product for Oriental

Chicago—Threat of court action to obtain product for the Oriental Theater was made by Aaron Jones, president of the Jones, Linick &

(Continued on Page 8)

Murphy's Aide Started Interviewing Execs. Tues.; Quick Action Demanded

Industry Escapes Adverse Legislation in Bay State

Boston—Third longest sitting legislature in Massachusetts history, the 151st closed this week without passing any laws hitting at film industry. Film slate was wiped clean by

(Continued on Page 8)

For a Press Relations Bureau... and the quicker, the better

by Chester B. Bahn

MORE than six months ago, Howard Dietz, Metro's ad-publicity chief and chairman of the advertising committee of the 1938 industry drive, submitted a well-considered formal report in which he recommended, among other things, the establishment of a permanent press relations bureau "for the proper handling of the newspaper relations of this industry."

It was a report favorably received generally, both inside and outside the industry, and there were indications that the recommendation for a permanent press relations bureau would be adopted. For one reason or another—perhaps because the industry

(Continued on Page 2)

EXPECT EARLY EQUITY SUIT TRIAL ORDER

Federal Judge John C. Knox, who is considering the government application for an early trial in its equity suit against the majors at a closed hearing on Friday, August 11, on

(Continued on Page 8)

Ushers Strike Extended as Peace Parleys Start

Boston—IATSE ushers strike at local Paramount-M & P Theaters Corp. houses yesterday extended outside of Boston for the first time

(Continued on Page 8)

IATSE Must Withdraw AFA's Charter; Reinstatement by 4 A's Specified

By W. H. Mcmahon

FILM DAILY Staff Correspondent

Atlantic City—The A F of L Executive Council last night (1) called upon the AAAA to reinstate the AFA, its officers and members, and withdraw the charter issued to the AGYA; (2) affirmed the AAAA's jurisdiction "over all performers in the amusement and entertainment world"; (3) directed the IATSE to withdraw its charter to the AFA; (4) requested the AFA to withdraw all pending litigation and likewise immediately withdraw from the IATSE; (5) specified the AFA must hold new elections within 90

(Continued on Page 7)

HEARINGS NEXT WEEK ON RKO STOCK PRICE

Order of Federal Judge William Bondy referring to Special Master George W. Alger the question of the fairness of the price of $4 per share for shares of common stock of RKO which will be issued under

(Continued on Page 8)

Estimate $8,095,000 "Take" In Okla, for Fiscal Year

Oklahoma City—Total box office receipts of theaters in Oklahoma have varied little so far this year with March being the high spot, equaling last December, figures of

(Continued on Page 8)

RKO Boosts Sisk

U.S. Coast Ber.—THE FILM DAILY

Hollywood—When Robert Sisk completes his work on a group of pictures now in production, he will be appointed to handle some important pictures and special features.
For a Press Relations Bureau
...and the quicker, the better.
(Continued from Page 1)

The industry in this year of grace is under scrutiny and attack as never before. The Department of Justice, with anti-trust suits filed in New York, Oklahoma City, Boston, Chicago, Nashville, and criminal contempt proceedings instituted in California, preparing to follow through with others; the NLRB is prosecuting on the West Coast and the Attorney General may do likewise; the Treasury Department is investigating; the TNEC is reporting eyeing films as a possible subject for consideration in the fall; Congress, reconvening in December, faces a continuation of the Neilly bill drive and the likelihood of a further pressure campaign in behalf of a Boren measure for an industry-wide probe; the Department of Commerce presumably is taking a more sympathetic view of films in its own microscopic examination but you never can tell.

That, however, is only part of the picture. Add the intra-industry controversy over trade reforms, the increasing array of litigation instituted by individuals, the innumerable union disputes, the antics of the censors and the baseless assaults upon the honesty and integrity of the industry by some newspaper writers, and you have a pretty good idea why this industry could use such a bureau as Dietz recommended.

The amazing total of industry misinformation appearing in the daily press these days is not due to any inherent desire on the part of the press to reflect discord upon films. It stems largely from industry misunderstanding and ignorance on the part of reporters, news editors, editors, and publishers. An industry bureau prepared to instantly service the press with background material for spot news, to see that the industry’s side is adequately and fairly presented and to promptly call to account those who break into print with destructive and false statements would be highly beneficial to press and films alike.

And, with a weather eye to the future, the quicker it takes shape, the better.

Jersey-Made Indian Film
To Have Release by Major

Production starts Aug. 28 on “The Saga of the Lenni-Laplace Indians,” Western epic picture planned by a New York photoplay producing firm for a pictorial representation of the Red Indian’s pre-historic, cultural and historical period from 500 B.C. to A.D. 1650. Scheduled for release by a major company, the picture is to be made by the Red Wing Motion Picture Co., and sets are now being constructed on the Hackensack River in New Jersey.

Governor Moore of New Jersey and several of the leading educators of the state are members of the advisory board. With a cast of real Indians, the picture will attempt to pictorialize the Red Indian’s customs and custommakers to his tribe which figured prominently in early American history.

Seek Before Trial Exam.

ofzanuck in "Lincoln" Suit

Apposition was filed yesterday in the New York Supreme Court, to be heard today, asking for an order directing commission to issue to Charles E. Milliken, attorney, to take the testimony of Darryl F. Zanuck in Los Angeles in an examination before trial in the suit of Robert E. Sherwood and the Playwrights Producing Co. Plaintiffs are asking for the examination in reference to their suit against 20th-Fox which charges the defendant with unfairly employing on “Sherwood’s play “Abe Lincoln In Illinois” in the advertising of the defendant’s picture, “Young Mr. Lincoln.”

Defyer Clearance Action

Buffalo—Buffalo allied unit defyer action on the clearance report unsealed last week in Buffalo. It is stated by Al Francis, district vice-president.

Ben Washer Will Join
Donahue & Coe Staff

Ben Washer, press representative for Samuel Goldwyn, joins Donahue & Coe, Inc., advertising agency, in the fall. He will devote most of his time to the legitimate theater advertising activities and will assume his new duties when he completes his present assignment for Goldwyn on “The Real Glory.”
"THE ANGELS WASH THEIR FACES"

The "Oomph" girl made WARNERS' little Angels clean up!

ANN SHERIDAN makes a lucky seventh for the six 'DEAD END' KIDS

with RONALD REAGAN
BONITA GRANVILLE • FRANKIE THOMAS • HENRY O'NEILL
EDUARDO CIANNELLI • Directed by RAY ENRIGHT

Screen Play by Michael Fessier, Niven Busch and Robert Buckner
From an Idea by Jonathan Finn • A First National Picture

Watch what a difference a little extra 'oomph' will make in your campaign!
Run Extended!

Carole Lombard - Cary Grant - Kay Francis

"In Name Only"

with

Charles Coburn - Helen Vinson
Katharine Alexander
Jonathan Hale - Maurice Moscovich

Pandro S. Berman in charge of production • Directed by John Cromwell
Produced by George Haight • Screen Play by Richard Sherman
What a pace it's setting!... And right in the middle of sweltering August!... SENSATIONAL!... Opening day the biggest in three years for any RKO RADIO picture at the Music Hall!... First week smashingly up in that $100,000-a-week-class!... Second week further establishing its tremendous draw and amazing BUILDING POWER!... Now ready for the same kind of performance in pre-release runs Coast to Coast!

That's the kind we mean when we say BIG ONES from RKO RADIO!
N. Y. LABOR CONFAB TO BACK EAST, PROD’N

(Continued from Page 1)

picture production it is only fair that production should be increased here to increase employment. He estimates that approximately 50,000 people would benefit directly and indirectly by employment, if such action is brought about.

The Federation is reported to be solidly behind Scoppa’s drive to increase production here, and in all probability he should be appointed chairman of a committee to speed up action on the question. In his resolution, he also points out that the territory, and city are not only the largest market for pictures, but also serve as background for a large number of them.

Earlier this week, at a meeting of the LATTE, Local leaders of the Federation reported that L. Nathanson and his nominees have now exercised their options to the extent of 6,000 shares, reserving the right in each case to exercise their options in respect of the balance, namely, 5,000 shares, at any time between January 1 and January 15, 1940. The 6,000 shares that were taken up form part of an option on a block of 15,000 shares which had been extended from July 31, 1939, up to and including Jan. 15, 1940.

Frohlich to Press Ascap’s Action Against Neb. Law

Ascap’s suit, initiated to test the constitutionality of the new Nebraska statute which would ban the society’s operations in that state, will be pressed personally by Louis D. Frohlich, Ascap counsel, who, it was learned yesterday, will leave New York shortly before Sept. 18, for Lincoln, where case will be heard before a Federal statutory court, comprising three judges.

WEDDING BELLS

Mexico City — Following their marriage in Yuma, Ariz., on Monday, Janet Gaynor, film actress, and Gilbert Adrian, fashion designer for M-G-M, are scheduled to arrive here today on their honeymoon and remain for several weeks. Springfield, Mass.—Miss Margaret M. Mahoney, cashier at the Jefferson Theater here, was married to Daniel O’Brien in Sacred Heart Church.

K-A-O, B. F. KEITH SHOW MARKED GAIN

(Continued from Page 1)

their financial statements issued yesterday.

The 26-week net profit for the B. F. Keith Corp., was $323,887.09, an increase of $68,549 over the company’s profit for the period of 1938. The Keith Corp.’s 26-week net was $25,909.13, compared with $388,194.44 for the first 26 weeks of last year. The latter company’s net represented 88.18 per share on the 64,304 share of seven per cent cumulative convertible preferred stock, compared with $6.04 in 1938.

For the 52 weeks ended July 1, B. F. Keith Corp., showed a net profit, after all charges, of $830,360, 13, partly estimated and subject to audit and adjustment at the end of the calendar year.

The 52-week net of K-A-O was $1,194,716.02 after all charges. This is equal to $17.65 per share. This figure also is in part estimated and subject to audit.

Famous Players Canadian May Increase Dividends

Toronto—Increased dividends for Famous Players Canadian are regarded here as likely. It is pointed out that apart from the possibilities of further growth, the company has worked into a position where it should benefit from careful financial management in the past. Between the years 1932 and 1938 the company’s funded debt and mortgages were reduced over 30 per cent, with interest payments more than cut in half, while minority interests were reduced 25 per cent, and net working capital improved by $400,000. Last year’s earnings of $2.32 were about 2 1/3 times the present annual dividend rate of $1 a share.

52-M of T In Agreement

Contract between Local 52, studio mechanics, and the March of Time, has been agreed on in all points, it was stated yesterday by a union executive. Pact will be drawn up and filed in the near future.

Robert Schenck Killed

Chicago—Robert Schenck, son of the amusement advertising director of Hearst’s American, was killed in a South Dakota auto accident.
4 A's Board Will Meet Here
Today to Consider Course of Action
(Continued from Page 1)
days (and 6) authorized a committee of 10 to conduct AFA affairs in the interim.

Green Predicts Acceptance
William Green, A, F of L proxy, stated the recommendations and or-
ders were based upon a series of con-

Both AAAAA, AFA Claim AF of L Decision as Victory

AFA Execs. See Decision as a Victory:
Won't Accept Whitehead, Says Thomson
Atlantic City—Reactions of key figures in the AAAAA-IATSE controversy to the A F of L Executive Council solution for the film industry's battle with the Screen Actors Guild are now clear.

President Roosevelt, in a letter read at the AFA convention, announced that he had on Friday with the American Federation of Labor and the Screen Actors Guild in a settlement which the AFA would accept. The AFA, along with the Screen Actors Guild, has been ordered to cease and desist from striking or filing charges against the Screen Actors Guild.

E. Browne, IATSE proxy, as saying he would abide by the decision.

When asked what action would be taken if the 4 A's did not accept
Green replied, “We have means of dealing with such a situation.” He
added in a reply to a question that
Ralph Whitehead, executive secretary of the AFA, would be given no
special privileges in the new setup and that he would have to take his chances at re-election. Whitehead retains his title, but has no say until the new Executive Council is
ordered within 90 days.

Kenneth Thomson, AAAA and SAG exec, speaking for the 4 A's said: “The decision of the Executive Council represents a victory for the 4 A's. This is due to the fact that the AAAA and SAG are the only organizations which have recognized the need for such a solution.”

We accept the decision of the Executive Council. We will abide by the decision of the Executive Council and will work towards the establishment of a fair and just system for the protection of the interests of both the actors and the industry. We will continue to work towards the establishment of a just and fair system for the protection of the interests of both the actors and the industry.

May Accept or Reject... Thomson
“As far as the recommendations of the council are concerned they are not binding upon us in any way. We may reject them or accept them as we see fit. Upon our return, we will submit the recommendations of the council to the International Board of the 4 A's and will make our decision known to the A F of L Council in due course.”

“Until we have had an opportunity to study the recommendations we cannot say whether or not those of the 4 A's committee, will recommend the rec-

ommendations to the International Board of the 4 A's and will make our decision known to the A F of L Council in due course.”

“AFA give early and thoughtful consideration to amending the present arrangement and structure and amendments such as have developed in this in-

stance are to be avoided.”

Green Lists Assurances

1. In the interest of unity, harmony and co-operation we call upon the AFA to rejoin the AFA, all its officers and members and withdraw the charter issued to the AGVA, thus re-establishing the status quo and under the following conditions and assurances:

2. That there be held nominations and elections of all officers and for the charter of the AFA and of the AGVA are to be eligible for nomination and election and to participate in the voting.


Committee to Guide Elections

“This committee of 10 is also to be authorized and empowered to fix the rules, regulations and conditions for the conduct of nominations and elections of officers and officers herein provided including the determining of all questions of eligibility of members to vote.

“We call upon the AFA immediately to withdraw all litigation now pending and likewise immediately to withdraw from the IATSE.

“C. In view of the following, the IATSE is hereby instructed to with-
draw the charter issued to the AFA.

“We call upon all parties concerned and their interests to carry out these conclusions and decisions are presented, that is to the end that unity, that harmony and co-operation may be re-established.”

Max Fox Dead in Dallas

Dallas—Max Fox, pioneer Dallas theater man, former owner of the Fox Theater and of the Texas Theatre, Survivors are: son, Dr. Albert Fox of Dallas; a brother Dave Fox of Dal-
lar; Mrs. Sara Glasmann of New York, a daughter; two brothers in Poland, a sister in Poland and two sisters in France.

UMPTO to Take Steps to Meet Rental Issue

Philadelphia—UMPTO proposes to take “constructive steps” to meet the situation presented by a universal demand for higher rentals on 1939-40 product in this territory, it is announced following a meeting of the Board of Managers. Just what these “steps” will be, however, was not disclosed.

Rennsaler Mayor Vetoes Measure for Sunday Pic

Albany—A strong blast at “com-
mercializing the Sabbath” marked executive veto of the City of Rennsaler’s new Sunday film ordinance which was designed to permit exhibition after 2 p.m. in the day.

Mayor William T. Wright penned his disapproval and sent the bill back to the Common Council, which had earlier approved it after public hearing found but one complaint against adoption, on Advocate of Sunday films will seek to override the Mayor’s veto.

Moss Amusement Center

Includes Film Theater

Pittsburgh—A new 1,000-seat thea-
ter is to be built in Brentwood, a suburb of this city, by John F. Moss, who also operates the Melrose Thea-
er in Carrick. In addition to the theater, this project is to include bowling alleys, lodge rooms and a parking station, and will be called the Whitehall Amusement Center. Victor A. Rigaume, theater designer, is the architect and construction is to begin immediately.

Einfeld Due Next Week

S. Charles Einfeld, Warner adver-
sing and publicity director, arrives here next Monday from the Coast to launch advertising and exploita-
tion campaign for “The Private Lives Of Elizabeth And Essex,” “Trust Me Tonight,” “Your Toes” and several pictures. Ein-
feld plans to stay here two weeks.

Eagles' Helping Hand

Chicago—Advent of 30,000 for Eagles convention has definitely aided Loop box-offices.

No! Thanks! !

Okahoma City—One thing is now cer-
tain—nothing! Stanley Draper, director of the Oklahoma City Chamber of Com-
merce, nor Dr. J. M. Ashton, research director of the State Chamber of Com-
merce, could say “no” to the “Grapes of Wrath” in the “dust bowl.”

Statements were issued after announce-
ment was made Darryl F. Zanuck would send a company to Oklahoma to film scenes of the “dust bowl” for the film based on John Steinbeck’s book.
his evidence then available to a Federal Grand Jury which will be impaneled here in mid-September. Attorney General Frank Murphy has indicated he wants quick action.

Racketeering Charges First

Just which of the three cases, so-called, will have Carr's first attention is not definitely known, but it is reliably reported that right of way will go to the charges of labor racketeering in the IATSE.

Additionally, Carr will concern himself with the application of the anti-trust suit to be brought against film big-wigs to be held in Florida, it was reported here last night.

On Carr's letter of appointment, filed here, in part says:

"You are hereby appointed a special assistant to the Attorney General under the authority of the Department of Justice, to assist in the trial of the case growing out of the proceedings heretofore mentioned, in which Carr is not delegated to take over the Fox West Coast investigation, in progress for about two years.

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Coast Probe Info. To Jury Next Month

(Continued from Page 1)

roracketeering in California, the District attorneys are authorized by law to conduct.

On Carr's Bid Test

Representatives of companies and individuals whom Carr will interrogate include officers of the

Hearings Next Week on RKO Stock Price

(Continued from Page 1)

the proposed underwriting agreement of Atlas Corp., was filed in the U. S. District Court yesterday. Under the order the Special Master is also directed to determine the "relationship of any of the compensation...to place at which the stock is underwritten."

Hearings may be held after two days' notice to parties interested. The SEC was directed, and has filed, a notice of appearance in the proceedings and will file an advisory opinion. Judge Bondy's order stated it was learned yesterday that in all likelihood no hearings will be held this week, but will start next Monday or Tuesday.

On Wednesday the order approved of an allowance of $7,000 to Alger as an ad interim allowance for hearings held in the case. This commenced on July 18, 1938, on modifications to the plan of reorganization. Prevailing General Alden to Alger totaled $27,500.

Judge Bondy also approved of the reduction of claims of six creditors of RKO from $2,241,469 to $411,685.

Industry Escapes Adverse Legislation in Bay State

(Continued from Page 1)

fore the first biennial session pro-ogru. A proposed sales tax, one that would include theater admission throughout the nearly eight months.

A group of labor bills, several of which were protested by the industry, has been given a recess commis-son for study. A bill for a 9:30 curfew was tossed. Laughed out was another bill by Rep. Francis X. Coyne, the much publicized true name act, which would make stage names illegal.

A move to invalidate daylight saving was put over to the next session. Failing to pass also was a measure that sought "nothing in the laws respecting gambling, lotteries or games of chance shall be held to render illegal Bank Night." Two bills seeking imposition of film and vaudeville censorship were given the hook.

A move was a bill that projectors be "equipped or fitted with a safety control device that will automatically interpose an opaque heat screen, shutter or other barrier to prevent projection light and film" upon breakage or stoppage. A bill permitting the sale of human races, even dangerous to films, also did not pass. Proposed to legalize state lotteries failed to get far.

Jitterbug Case Deferred

Chicago—So-called Sam Herman jitterbug case was put over to Sept. 15. An "unusually agreeable" offer is out of B & K theaters, with

Midway Corp., former operators of the reorganization of the Beacon and the Beacon Theater, severely criticized the situation in the motion picture industry and stated that it warranted an early trial of the government's action. Reliable sources revealed yesterday.

Judge Knox's remarks were mad when the Beacon Theater Corp. offered to rent the Theatre for four years at a $40,000 yearly rental, with a guarantee of pay-ment by subsidiaries of Loew's, RKO and Shubars. The Judge stated that for a long period of time he has at-tempted to lease the theater to an independent exhibitor and has been unable to do so. It is understood that he desires to lease one of the Midway Corp., to make one more attempt to lease the theater to an independent and to report back on Monday.

On that day, Judge Knox, upon learning that no independent lessee could be obtained, approved the lease offered by the Beacon Theater Corp. It was in reference to this situation that Judge Knox stated at the hearing for a preference in the Govern-ment suit that he was unable to ob-tain pictures for "money.

It was learned that Judge Knox is attempting at present to fill vacan-cies on the bench and that one of his objectives is to assign a new judge to hear the Government suit, if possible, in the early Fall. However, since the Judge will go on his vacation on Friday for two or three weeks, no decision is expected on the preference motion till his return.

Ushers' Strike Extended as Peace Parleys Start

(Continued from Page 1)

when a group of ushers at the Broad-way in Chicago walked out. Spokes-men of the executives met with the ushers Tuesday afternoon in their initial meeting but did little more than lay the ground work for nego-tiations. A second meeting has been arranged for this morning. No of-ficial move has been made yet, but the ushers have drawn up a tentative agreement which they have presented to the management.

Sears, Bernhard, Goldberg

Speak at S-W Philly Meet

Philadelphia—Stressing service as the keynote of Warner Theatre oper-ation Joseph Bernhard yesterday gave the principal address at a meet-ing of the executive board and manage-ment of Warner's Philadelphia zone. De-tails of the Warner line-up for the new season were presented by Brad-ward L. Sears.

Meeting was also addressed by Ted Schelbea, local manager; O. E. Warmer-man, Lester Krieger and Harry Gold-berg. Time was taken out to attend the Aldine, where "The Old Maid" opened to an ovation by the 143 conferees.
Kentucky Indies Organize to Fight for Lower Rentals

Four Unions Ask Parley on Basic Pact Renewal

4A's Refuses Full Acceptance of the A F of L Decision

On "Selling"... pix and industry

By CHESTER B. BAHN

This industry, someone once observed, has two "selling" jobs. One is the "selling" of very specific items, the other is the all-important task of "selling" the industry. The latter follows no set pattern, and indeed is apt to be the one over lightly if remembered at all, due to the insatiable demands of the former.

Occasionally—and this column wishes it were more frequently—the paths of the two cross, or perhaps it would not be going too far to say that they coincide. When that happens, it's something to talk about... and hence these paragraphs.

As a publicity promotion for the p.a.'s of Judy Garland and Mickey Rooney at the Loew's Metropolitan Theater last week, the studio's once and former neighbors an appreciation of the movies generally, the value of which to this industry cannot be calculated in dollars and cents.

A New and Lower Rentals Will Be Sought by New Kentucky Exhib. Unit

Butterfield Circuit Signs For Republic's New Lineup

Arriving in New York yesterday from Chicago, Mr. J. A. R. Grainger, Republic's president and general manager in charge of distribution, disclosed that a deal has been con-
On "Selling"... pic and industry

(Continued from Page 1)

the tangible, as manifested by the heavy publicity play the stunt (and, incidentally, the long press pass) received in the press in the 18 and other cities. And it is the whole industry, not Paramount alone, to which the benefits accrue.

Johnston Says Litigation Is Stiffening Showmanship

(Continued from Page 1)

not letting anything interfere with the application of showmanship, with the result that Monogram, as well as other companies, is enjoying top grosses in Great Britain.

In his first formal interview since returning from England, Johnston said he believed too many exhibitors were sitting back and waiting for a so-called Monogram deal. This relief, whereas, in his opinion, they could be Messiah's, themselves, by applying the principles holding those who help themselves.

"A good hype," he said, "would be better than any short-term worry." With newspaper ads and greater effort in selling the vehicles which the exhibition is offered to offer. From all reports, business is not doing quite as well as some predicted, but the Monogram is的步伐 gaining.

Johnston also said that no time in the history of the business has there been a better opportunity for those who have the industry at heart to give everything they have to bring back show business with intelligent showmanship.

Johnston expects to leave for the Coast shortly after the semi-annual J. F. Johnston open which is scheduled for Aug. 28.

Fly Metro Short Subject

From Coast to Australia

Marking the fastest film shipment on record for so great a distance, and the first time a print has been shipped entirely by air from Los Angeles to Australia, is the first print of "From the Ends of the Earth, A New Romance in Ceylon," M-G-M institutional short subject, is scheduled to arrive in Sydney on Aug. 24, 13 days after leaving the Culver City studios, to have its premiere at the M-G-M Australian convention. The print arrived in New York via TWA, proceeded to San Francisco on the Yankee Clipper, and is now en route by way of the Royal Dutch Air Lines to Sydney, sufficiently enough, the flight dramatically justified the title "From the Ends of the Earth."

Retsama Signs Claire Windsor

West Coast Bureau of THE FILM DAILY

Hollywood—Claire Windsor has been signed by Retsama Film Prods. to play a 25 percent role in "The Trail Blazers," which will be made in Cinechrome.

Plan Bomb-proof Basement for New Metro London Bldg.

(Continued from Page 1)

moltion of the present buildings there will start immediately.

The new building is scheduled for occupancy in June, 1940. Entirely devoted to M-G-M, the building will cover 30,000 square feet of floor space, and will have seven projectors. Six repair, inspection and cleaning rooms, will be provided for the technical care of film. Part of the basement will be specially designed to form a bomb-proof shelter.

There will be two preview theaters, one seating 100 persons and the other 400, the latter to be used for all M-G-M trade shows. These, together with other parts of the building, will be air-conditioned.

The building, which will be carried out in Portland stone facing, is to be erected by Messrs. Harry Neal, Ltd., in accordance with plans prepared by Arthur Frank, P. I. B. A., well-known architect. Agents for the site were Messrs. Henry Joel, Ltd.

Duvivier in Exclusive Pact with Transcontinental Films

Paris (By Cable)—Julien Duvivier has been made technical and artistic director general of the Societe Transcontinental Films S. A., which, through its agreement with Columbia Pictures of the U. S. A., assures distribution of product throughout the English-speaking countries.

Duvivier, it is reported, will personally direct two productions a year for Transcontinental, and will not direct for any other company after completing his present assignment, "Casque d'Or," for Regina.

Relief Fund to Benefit

West Coast Branches of THE FILM DAILY

Los Angeles—The "Relief Fund to Benefit West Coast Branches of THE FILM DAILY" has been set up in Los Angeles—Mt. Olympus—Cinepix—Metro, is to get the gross proceeds of the swank $111 premiere for 20th Fox's "Hollywood Cavalcade" at the Four Star Theater next month. Company is standing all overhead.

Horrific Twin to Debut

Dubl American premiere of the horrific twin bill, "The Return Of The Frog" and "The Demon Barber Of Fleet Street," has been set by Select Attractions, Inc., distributors, for Aug. 26 at theaters in Worcester, Mass., and San Francisco.

Botanical Pix to Open

Beginning tomorrow, the Rockefeller Center News Reel Theater will include on its programmatical netti's pictorial tour of the New York Botanical Gardens "Waltz of the Flowers," filmed in Kodachrome.

CFL to Pay 25c Dividend

Board of Directors of Consolidated Film Industries, Inc., has declared a 25 cent per share dividend on preferred stock, payable Oct. 2, to stockholders of record Sept. 11.

LOUIS B. MAYER is scheduled to return to the Coast this week from Saratoga, probably stopping in New York for at least a day or two.

SIDNEY S. KENT leaves New York today for a vacation at the Thousand Islands.

IAN C. JAYAL, commercial director of Baird Television, sailed for England yesterday on the Normandie, returning from there within six weeks.

ROBERT KANE, English production head for 20th-Fox, is expected to arrive in this country next week.

NAT STEINBERG, Republic's St. Louis branch manager, and BOB WITHERS, franchise holder for the company in Kansas City, are in New York to confer on circuit deals with the home office.

JAMES R. CRANGER arrives back in New York today after several weeks in the Coast.

H. M. RICHEY goes to Detroit tomorrow.

DOROTHY PARKER and ALAN CAMPBELL arrive from Europe today on the Champlain.

JOHN GARY arrives in New York in the near future for a vacation.

LUCILLE WATSON has returned to New York after several weeks in the Coast.

PAUL LUKAS and his wife arrive from Europe today on the Manhattan.

NEW JERSEY, arrives in New York Monday from the Coast.

Eight New Oklahoma Theaters Near Opening

Oklahoma City—Month of August finds new theater activity and remodeled openings booming with Louis Groves getting his new 600-seat Villa theater here ready for opening by Sept. 1.

Other August openings include Lewis Barton's remodeled Fritz theater in Oklahoma City, and new Thompson, 464 seats, at Tishomingo, to replace the burned Prisoner theater. A new theater now nearing completion by Thompson at Colbert, and Griffiths' new State theater at Sapulpa.

G. M. Deen is also set to open a new negro house, the Pittman at Wewoka. Set to open are also new houses by Walter Martin at Jay, and the New Theater by Norman Rylander at Langley.

Mrs. Wm. Murray Dead

Detroit—Mrs. William Murray, wife of the manager of the Savoy Theater, Grand rapids, is dead. Her husband and two children survive.

ANNOUNCING

THE OPENING OF OUR NEW YORK EXCHANGE

723 Seventh Avenue
Bryant 9-3835

SACK

Amusement Enterprises, Inc.
EXCLUSIVE NATIONAL DISTRIBUTORS FOR

Million Dollar Productions

Thursday, August 17, 1939

SAFETY LLOYDS

FILM STORAGE CORP.
Storage by Reel or Vault

729 Seventh Ave.
Bryant 9-5600

SECURITY

The Film Daily
Along the Deal Line

4 Unions Ask Basic Pact Renewal Parley

(Continued from Page 1)

believed that they will ask for wage increases which will be countered by the producers with a request for decreases in a similar amount.

Meeting last year resulted in a stalemate as the unions asked for a 10 per cent wage increase and the producers asked a 10 per cent cut. Some adjustments may be made in conditions, but it is believed that no change will take place in the present wage scale setup.

Whether or not the IATSE will sit in at the meeting could not be learned. The IA withdrew from the basic pact and negotiations for new contracts were carried on individually by the Coast Locals, but with the IA invited to rejoin it is possible they will make the step before the meeting.

New Metro-Warner Product Deal May Be Signed Today

(Continued from Page 1)

National Theaters is also well along, being described as 75 to 80 per cent. Other deals similarly are said progressing satisfactorily.

WEDDING BELLS

Dorothy Rothacker, daughter of Douglas Rothacker, was married Saturday to Ensign Hugh Raynor Rimmer, U.S.N., at the Christ Episcopal church, Manhasset, L.I. A reception was given at the bride's parents' home after which they left on their honeymoon by car to California where Ensign Rimmer will be permanently stationed.

Indianapolis—Miss Beth Ann Williston, daughter of Dr. and Mrs. Dudley Williston, owners of a chain of theaters here and in Louisville, will be married here Sept. 4 to Joseph Barr, Bicknell, Ind. They will live in England for a year while the bridegroom studies on a scholarship.

Salinas, Calif.—Brian Aherne and Joan Fontaine, sister of Olivia de Havilland, obtained a marriage license here and state they will wed Sunday in Del Monte.

Indianapolis—Larry Shubnell, Columbia office manager and head booker was married to Helen Collins. They are spending their honeymoon in northern Michigan.

Indianapolis—Albert Blankenbaker of Warner Bros. staff was married to Jane Lewis. They are on an Eastern wedding trip.

Sheboygan, Wis.—Herbert Graefe, manager of the Badger Theater, Merrill, Wis., was married here to Miss Jessie Fairweather.

Johnny Weissmuller and Beryl Scott have announced their intention to be married this week.

Odeon Takes Over 14 Para. Theaters

(Continued from Page 1)

Street, will be taken over on Sept. 4 by the powerful Odeon Theaters, a corporation under the Oscar Deutsch, chairman and managing director.

Involved in the deal are 14 houses, 12 of which are located in England, one in Cardiff, Wales, and one in Glasgow, Scotland, thus raising the Odeon holdings from 207 to 221 theaters.

Pact took shape rapidly as result of conferences held between Deutsch, acting for Odeon, and Stanton Griffis, Paramount's executive committee chairman who recently arrived here.

Following are the Paramount stands agreed upon for acquisition by Odeon: Paramount and Futurist, Birmingham; Carlton, Brixton-Astor, Streatham-Astor, Finsbury Park-Astor, Old Kent Road-Astor, and the Paramount on Tottenham Road, all in London; Paramount, Manchester; Paramount, Newcastle; Paramount, Leeds; Paramount, Liverpool; Capitol, Cardiff; and Paramount, Glasgow.

Retaining by Paramount of the Plaza here is said to have been dictated by company's desire to preserve one house as a London "showcase." Observers believe that the factor of sentiment entered into the keeping of the Plaza, since this was Paramount's first theater in the U.K.

Butterfield Circuit Signs

For Republic's New Lineup

(Continued from Page 1)

cluded by him, in concert with Sam Seplewkin, company's branch manager in Detroit, by terms of which the 160 houses of the Butterfield Circuit play Republic's 1939-40 lineup.

E. C. Beatty, Butterfield prexy, and J. O. Brooks, circuit's chief film buyer, handled the deal for the theaters.

Grainger leaves the home office today for Boston.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays:

AUGUST 17

John Hay Whitney
W. S. MacDonald
Charles Nolde
Winnie Lightle
Mary Price
John McCormick

Sincerely yours,

PHIL M. DALY.
Hollywood, Aug. 9-

In "Lady of the Tropics," Hedy Lamarr proves beyond any possible doubt that she is the most startling beauty ever to reach the screen. She is so captivating that the audience is riveted to their seats. The film is a triumph of her beauty, charm, and talent. She captivates the audience with her performance.

Hedy Lamarr, born in Austria, was discovered by Erich von Stroheim in the silent film "The Miracle." She later starred in "The Big Parade" and "The Merry Widow." Her performance in "Lady of the Tropics" earned her critical acclaim and established her as a major Hollywood star.

Hedy Lamarr's beauty was not just skin deep. She was also a brilliant inventor, known for her work on frequency hopping and spread spectrum communications. Her inventions have been used in the development of modern wireless technology.

The film "Lady of the Tropics" was a huge success, and Hedy Lamarr's performance was praised by critics. It was a turning point in her career, and she went on to star in numerous films, solidifying her status as one of the greatest actresses of her time. Her beauty and talent continue to inspire generations of filmmakers and audiences alike.
Isn't it thrilling! One hit after another! The new one is terrific!

ROBERT TAYLOR
HEDY LAMARR
"LADY OF THE TROPICS"

Directed by Jack Conway  
Screenplay by 
Sam Zimbalist  
Screen Play by Ben Hecht
AAA WON'T ACCEPT AFL DECISION IN FULL

(Continued from Page 1)

Friday William Green and the Council stated that they never agreed to the decision in full and they have expressly disapproved of a number of recommendations.

This action followed receipt of a wire from William Green at the AFL's headquarters in which it was stated that they must accept the decision in full or have a strike in the event of the decision, with “necessary action and further consideration” of the whole matter by the Council if its decision is rejected.

Principal points in the decision that the AAAA balked at were the recommendations that would swing Ralph Whitehead back into the actors' field of organization and the ruling that would have three representatives on a 10-man control board to supervise the AFA, if and when it was formed, which AFA opposed. However, in the AFL's reply to Green, it was suggested that if there was a majority on this board, they might be willing to consider some of the Council's other suggestions.

It was believed by observers of the dispute that Green might take retaliatory action in reply to this rejection action. In the actors' union wire to Given they further stated that they "will not" accept the decision in full at the request of AFA of L.V.G., and any part of the World, and further, that they had never been informed of the contents of the decision until it was released to the press.

This action may renew the bitter battle between the two factions and ultimately lead to a serious strike situation, as both sides have threatened strike action, but hope was held last night in the return of Atlantic City today of an AAAA committee to discuss the situation with Mayor Matthew H. Woll, that peace may still be brought about by mediation.

AAAnn committee will be comprised of Ken Thompson, SAG, Paul Turner, AEA, Frank Gilmore, AAAA proxy, Florence Martinson, SAG, Emily Holt, APRA, Paul Dullez, AEA, and Henry Jaffe, AAAA general counsel.

Whitehead Holds Decision Must Be Accepted as Whole

Atlantic City—Stating that the "American Federation of Actors has accepted the decision of Executive Council ruling on the jurisdictional dispute in the actors field," Ralph Whitehead, executive secretary, yesterday bitterly assailed Ken Thomson, SAG executive secretary, and the entire "persecution" of the AFA, and named Thomson as the person who would be "guilty" if the decision of the Council is thwarted.

Whitehead contends that the Coun-

Kentucky Indies Organize to Fight for Lower Rentals

(Continued from Page 1)

have obtained the same rights for from 8 to 10 per cent.

Jesse L. Lausman, Louisville independent operator, said the organization—to be known as the Theater Business Association of Kentucky—would seek to get the price down to 25 or 30 per cent on all pictures.

In the past, Lausman said, the average indie has paid high prices because he was afraid that if he didn't, his competitors would.

"Gateway to Hollywood" Using Broadcast Format

Houston—Jesse L. Lasky's "Gateway to Hollywood" revue is playing a week's engagement at the Metropolitan. Several hundred people were turned away at the opening. Edmund Lowe, Anita Louise and Wendy Barrie are among the members of the revue, with Lowe acting as master of ceremonies. Houston candidates for screen careers appear in three acts, with Lowe and the Misses Louise and Barrie playing supporting roles. The revue runs 50 minutes. The show is presented in the form of a big-time broadcast with two announcers being used.

RKO's Theaters Launch Golden Jubilee of Hits

A celebration within a celebration will make RKO Theatres' observance of the Fiftieth Anniversary of motion pictures, Having adopted "RKO's Golden Jubilee Year of Hits," as expressive of the type of shows to be presented during the 1939-40 season, RKO Theatres have announced a billboard schedule which is being decked with banners, pennants, streamers and other festive trimmings bearing this inscription.

Rowland Appoints Agency

Richard A. Rowland, president of Rowland Productions, Inc., has appointed Donahoe & Coe, Inc., to handle all advertising in connection with all 1939-40 product which will be released through United Artists.

"Plums of Plenty" Answers "Grapes of Wrath"

San Francisco—A three-reel pix, "Plums of Plenty" has been filmed to be shown as a counter attraction to "Grapes of Wrath," the former side of the story, in defense against Steinbeck's expose of migrant worker conditions.

Javal Sails For England To Confer on Tele Deals

(Continued from Page 1)

England yesterday to confer with home office executives and inspect new equipment. The company is hopeful of success.

Javal said he was pleased with the progress the company has made since they entered the American field, but expressed the opinion that lack of programs at this time was the cause of some of the difficulties. The special theater constructed in the Gaumont British headquarters in New York will continue in operation with the theater screen set for demonstration purposes, it was learned.

In Baird export, is believed anxious to see the developments the company has made with color television, reported to be highly successful. Javal will return here within two months.

TMAT's Executive Board Declares the ITOA Unfair

(Continued from Page 1)

said plans to put the organization on all union unfair list, it was disclosed. What action they will take in addition to this could not be determined.

The ITOA was charged with intimidating members of the union working in the member houses of the realm. A meeting, in intimidations buckets, unfair practices were also charged in places where the union is striking.

Raymond Theaters-TMAT case will be held this morning before the State Labor Relations Board. Photographers are still being maintained by the union at the Vogue Theater.

Release of Revised Draft of Code Is Again Delayed

(Continued from Page 1)

is made public by the Distributors Negroes Group. William F. Rodgers, Metro sales chief, says revisions embrace both substance and language changes, it is understood.

Published reports to the effect that Rodgers personally had submitted a final draft to the Department of Justice in Washington last week were said without verification in informed quarters yesterday.

150,000 See "Chips" in Chi.

Chicago—More than 150,000 persons attended the eight-weeks' showing of Metro's "Goodbye, Mr. Chips" at B & K's Apollo Theater here. Film will be succeeded by Paramount's "Our Leading Citizen."

"When Tomorrow Comes"

with Charles Boyer and Irene Dunne

SPLENDID STORY DEEPLY ENGRAVED WITH BOYER AND DUNNE AT THE BEST SHOULD MAKE THIS ONE A BOX OFFICE FAVORITE""""""Charming and gay, said and endured this is a story of two people that in the gamut of emotions as it is truthfully projected on the screen in an adult fashion by John M. Stahl. Charles Boyer and Irene Dunne are superb in the lead roles with Barbara O'Neal rating laurels for her part as Boyer's destined wife. The entire cast has been carefully selected and the supporting roles are filled perfectly. Stahl directed and produced the film deftly, not allowing his story to sway from its track with any sappy interludes as a rule. Nothing new, nothing original but all times, Romance and heartbreak off walk hand in hand as they do in the Jam Can novel, from which the film was made-Courtesy of Metro Pictures. Stahl in his directorial efforts before the screen steward is where she is a witness. I am happy and bearing the burden of being married to a woman has taken its toll in this film. Irene learns who he is for the first time, a celebrated concert pianist. Her situation is severe and decides it is better to leave immediately than matters go any further. A savage hu-

renace hits the shore and their car cripplied when a tree hits it. Rainy wet forces them to seek shelter in a church where they spend the night in the church. In the morning they are rescued by Irene meets Boyer's wife, and learns it's a whole story. They meet once more a Boyer leaves her to sail for Europe with his wife, but he promises to come back "tomorrow." A simple story, but beautifully felt, wistfully told with charm and feeling. If you love a good love story, you will love this one. It is a great picture and it is made to be enjoyed. It is a film that will be remembered and talked about. Here is a picture that is sure to be one of the great love stories of the screen, with a plot which audiences of all ages will enjoy."

CAST: Irene Dunne, Charles Boyer, Bar-

bara O'Neal, Onslow Stevens, Nydia West man, Frank Craven, Walker, Harry Be-

ley, Milton Parsons.

CREDITS: Producer and Director, John I.

Stahl; Novel by James Cain; Screenplay
draft, Arthur W. Phillips, John M. Stahl,
John M. Stahl; Editor, Milton Carruth.

DIRECTION, Excellent. PHOTOGRAPh

Top-Notch.

Pollock at World's Fair

Leo Pollock, until recently admir-

ing and publicity director of Tri-National Films, Inc., is now a member of the executive committee of Director of Public Relations for the New York World's Fair. Pollock is in charge of the assigning of publicity and photographic staff.
It's BIG!
It's IMPORTANT!
It's ROMANTIC!
It's INTERESTING!
It's VALUABLE!
It's VITAL!

It's

THE DAILY
CAVALCADE
1939

FREE TO ALL FILM DAILY SUBSCRIBERS—OTHERS $5.00 PER COPY
TO ALL BRANCHES:

Note following letter to all of our customers.

"We had expected to release during August 1939 a DEANNA DURBIN picture in the course of production, under the title of FIRST LOVE.

We now find that due to unforeseen circumstances it will be impossible for us to have this picture available for release during the current releasing season.

In view of the support and cooperation extended to us during the past year by our customers, we will deliver this DURBIN picture under our 1938-39 contract, even though under our contract we are not obligated to do so."

Please be governed accordingly.

Sincerely,

W. A. Scully
GENERAL SALES MANAGER
AF of L Council Considering 4A-IA Compromise Proposal

U. S. SPURNS CODE, WARNS OF NEW SUITS

Schaefer Announces Promotions in RKO Studio Setup

Nolan Becomes Assistant to Schaefer; Benedict Made a Producer

West Coast Bureau of THE FILM DAILY


Joseph J. Nolan, long-time assistant secretary, who has served the organization for the past 18 years in both home office and studio positions, was named assistant to Schaefer. Nolan will continue to make his headquarters at the studio.

Howard S. Benedict, studio publicity director, goes over to the production department as a producer in

(Continued on Page 7)

N. Y. LABOR DEMANDS PRODUCTION IN EAST

Resolution introduced before the New York State Federation of Labor convention by Sol J. Scoppa, business agent of Local 82, studio mechanics, asking that 10 per cent of all yearly film production be made in New York was unanimously adopted yesterday by the State body. That this would happen was

(Continued on Page 9)

RCA Has Method of Using 16 mm. Films for Television

RCA engineers, following a long period of experimentation in company's Camden, N. J., laboratories, have perfected a projector-

(Continued on Page 4)

Industry to Get Hearings on Belgian Trade Treaty

Washington Bureau of THE FILM DAILY

Washington—Motion picture industry will have opportunity to ask for change in tariff laws on films sent to Belgium under a new trade

(Continued on Page 9)

“OZ” OPENING PENS HISTORY

38,000 Storm Capitol for Pix, Stellar P.A.'s

In an opening without precedent in the history of the Capitol Theater, “The Wizard of Oz,” with Mickey Rooney and Judy Garland appearing in person, drew approximately 38,000 patrons yesterday.

Lines started to form at 3:30 A.M. when many arrived at the box office with hot coffee and doughnuts. By 8:45 the entire block was surrounded six-deep and the sale of tickets was suspended. At 11 o'clock ticket-selling was resumed both at the box office and by ushers to persons in the lines.

At 3 P.M. the Capitol was still completely encircled. Additional police reserves were called, with cap-

(Continued on Page 9)

Williams-Griffith Charter $250,000 Oklahoma Circuit

Oklahoma City—Another new circuit has been incorporated with H. P. Williams, K. Lee Williams, H. J. Griffith, and Harry McFarland as of-

(Continued on Page 9)

Michigan Allied Meets In Kalamazoo on Oct. 2-4

Detroit—Allied Theaters of Michigan will hold the annual convention Oct. 2-4 at the Burdick Hotel, Kalamazoo. P. C. Schram, Kalamazoo exhibitor, is chairman of ar-

(Continued on Page 9)

New “Peace Proposal” Less Favorable to Sophie Tucker and Whitehead

Skouras Hopes Gov't May Benefit Industry

Denver — Addressing managers and executives of National Theaters

(Continued on Page 4)

D of J Insists on Divorcement, Says Arnold; Code

See Menaced; Government Fears Indians Must Sign to Survive

Washington—Adoption of the pending Trade Practice Code by the film industry “can only lead to continued and perhaps additional prosecutions,” Thurman Arnold, Assistant Attorney General in charge of the Anti-Trust Division, announced yesterday in a letter to the majors counsel that some quarters here felt may spell the Code’s doom.

The letter attacked the Code as failing to solve what the Government considers illegal practices of the industry. Arnold stated that the aim of the Department of Justice is still divorce of production from exhibition, primary objective in the New York equity suit.

The industry now faces the choice, according to observers here, of go-

(Continued on Page 4)

ESPERIA TO BE ENIC DISTRIBUTOR IN U. S.

ENIC, Italy’s government-controlled film bureau, has closed a contract with the Esperia Film Distributing Co. of New York whereby Esperia becomes the exclusive dis-

(Continued on Page 5)

Denies Further Particulars to UA in N. Y. Equity Suit

Federal Judge Edward A. Conner yesterday signed a formal order denying the application of United

(Continued on Page 9)

Coast Labor Council Will Co-op in Coast Pix Probe

West Coast Bureau of THE FILM DAILY

Hollywood—Open letter has been sent to Attorney General Frank Murphy by the American Federation of
“Octopus” Suit vs. WB Goes to Federal Court

Suit against Warner Bros. Pictures, Inc., brought by M & G Amusements, Inc., was disclosed yesterday when New York Supreme Court Justice Thomas Noonan ordered transfer of the suit from the court to the Federal Court. Plaintiffs claim the ownership of the film rights to the play “8th The Octopus,” authored by Alfred D. Murphy and Donald Gallacher. Warner Bros., charged with asserting conflicting claims to the play.

Warners has filed an answer in which it alleges that Federal Judge Harry A. Holler in July ruled in its favor in a suit brought against them in California by the two authors.

RKO Opens 1st of 3 Foreign Sales Meets Today in Brazil

The RKO Radio Di Janeiro sales meeting opens today at the Palace Hotel. Foreign manager Bruno Cheli is presiding. Foreign manager Phil Reisman and Nat Liebeskind, South American, are in attendance.

Reisman is expected to sail for Buenos Aires next Friday on the S. S. Brasile where the Argentine Convention will open on August 31 under Nat Liebeskind’s directorship.

Australian manager Ralph B. Alicoate has announced that the Australian and New Zealand sales forces will meet at Sydney Tuesday.

UDT Reduces Children’s Prices in All 17 Houses

Detroit—United Detroit Theaters is dropping price of children’s admissions in all 17 houses. At the Michigan and Palms-State, first-run, price drops from 25 to 15 cents, Michigan, English, Annan, Co-ops, and second-run, it drops from 15 to 10 cents.

Ten cent patrons for the last four runs have been introduced, overcoming a competitive handicap provided by parking charges of 25c to 40c for patrons in local parking lots. New rates apply to both day and night patrons.

Wanger to Spend 2 Millions On Verne Tale for 1940-41

West Coast Bureau of THE FILM DAILY

Hollywood—Walter Wanger has set a $2,000,000 budget for “Around the World in 80 Days,” and will send the Jules Verne story before the cameras tomorrow. January 7th is the start and Wanger is seeking Ronald Colman for the lead. Rele- iew will probably be on 1940-41 program.

Delay Raybond-TMAT Case

Hearing before the New York State Traffic Relations Board on the 1st day of the Raybond Theaters-TMAT case was postponed until Thursday of next week.

Orpheum Theaters Creditors To Receive 1.977 Per Cent

Federal Judge Murray Hubert yesterday approved the final report of Walter B. Reinhart, trustee in bankruptcy on Orpheum Theaters, and discharged Oney. The company in the proceedings was a Mis- sion corporation operating theaters in St. Louis.

Creditor will receive 1.977/1000 of claims, amounting to $2,115,233 filed and assets amounted to $27,684.

Fleischer Studios File for Dissolution in N. Y.

Albany—Fleischer Studios, Inc., has filed papers with the Secretary of State’s office here for dissolution of the New York corporation which has been supplanted by the new Florida company operating under the same name.

Papers were filed by N. William Warner, of New York City, owner for Fleischer. Move is a purgative one, described as getting rid of a “legal relic” no longer needed.

Gehring Signs 20th-Fox Pact with Michigan-Coop

Chicago—W. C. Gehring, central sales manager for 20th-Fox, has signed an agreement for the Michigan-Coop circuit. It is expected to be closed next week.

Gehring states that 20th-Fox’s business is ahead of the same period last year. He returns to New York today.

Mutual Theaters Signs Pacts With 7 Companies

Detroit—Mutual Theaters, hooking producers like United Artists, has signed contracts for the new season with M-G-M, Warner Bros., Columbia, 20th-Fox, United Artists, UA, and Monogram, general manager Raymond E. Moon disclosed. Mutual has declined to state whether new contracts represented an increase in film rentals.

Mutual has one new member, the Flint Theater at Flint, being opened by Willard Johnson.

In Name Only” Will Play 4 Weeks at Atlantic City

“In Name Only” will run for four successive weeks in Warner first-run theaters in Atlantic City. The unprecedented pre-release engagement follows a top-grossing initial week in Miami where Warner won all tickets. Pia also plays at the Mayfair Theater, Asbury Park.

Cummings Gets New Pact

West Coast Bureau of THE FILM DAILY

Hollywood—Jack Cummings, M-G- M producer, has been given a new contract by the studio.

COMING AND GOING

SPYROS SKEARAS, National Theater chair- man, arrives in Salt Lake City today on his of the NT divisional headquarters.

WILLIAM J. HEINEMAN, Western—C. N. C. Cummings, will be in Salt Lake City today for an extended tour of his territory.

WILLIAM A. SCULLY, general manager distribution for Universal, left last night for a brief visit to Charlotte, N. C., returning home office Monday.

ERICH WOLFGANG KORNGOLD leaves Har- wood in a few weeks for a vacation in Swed- en.

N. C. CASSIDY, Michigan exhib., N. LEWIS, Louisiana exhib., and W. F. WEL- South Carolina exhib., were visited this week at the RKO Lounge.

M. S. HILL, division manager for the circuit in North Carolina and his s— HUGH and MONTY LEFFLER, exec. of the Jefferson Amusement Co. in Texas, W. COWDEN, North Dakota exhib., LEWIS MARTIN, Minnesota exhib., were visitors this week at the Paramount home office.

HELEN HAYES is on route to Europe on Nor- mandie.

DR. FRANCISCO MACALUSO, Esperia head, arrived yesterday from Italy.

JOE E. BROWN is planning a trip to land in the near future.


DAVE LEWIS has arrived in New York as the Coast.

Chi. Won't Push Quiz Case

Chicago—Sources close to Corporation Counsel’s office here declare yesterday that the City of Chicago will not further press the “Dr. J. E. Brown Quiz Case. This quiz attraction has been a recent feature at the Chicago Ti- pper, but winds up on Monday or next week.

Contention has been that the quiz violates a city ordinance because it is essentially a lottery.

New FitzPatrick Pact

A new contract calling for TravelTalks to be released by 1 M during the 1939-40 season has been signed by James A. Fitz- Patrick. New series will cover North and South America.
Further reading to be ENIC DISTRIBUTOR in U. S.

(Continued from Page 1)ENIC distributors in the U. S. Dr. Francesco Macaluso, head of ENIC, arrived from Italy yesterday and announced that the deal had been set in Rome about two weeks ago.

ENIC has acquired about 50 Italian pictures for distribution on this side. Macaluso said that approximately 80 features will be in Italy this year.

Show window for the Italian pictures in New York will be the Esquire Theater, 8th Avenue. The time the theater will be changed the Cinetta and will open under the Esquire banner on Sept. 15. The pictures acquired by the distributors and which will open at the Cinetta are “Life of Giuseppe Verdi,” “Scipione L’Africano” and “Vittorio Veneto.” The Esquire will also under newsreel.

Macaluso said that he believed the Italian government and the U. S. distributor eventually would adjust their differences growing out of the ENIC monopoly.

French “Season” to Start

New York’s French cinema “season” will open on Sept. 1, when the fifty-Fifth Street Playhouse will present the U. S. premiere of Victor Trivas’ “Song of the Streets.” The will be the first of four French shows imported scheduled to have their first showings in this country next early winter.

WEDDING BELLS

Detroit—Edna L. Grace, secretary Frank Gene, Vitagraph office manager, is to be married tomorrow to Riggiebottom.

Detroit—Paramount is having three marriages among the staff. Elwood Dwyer, booker, was married recently to Ellen Studt. Ellen Whitman, inspector, was married Saturday to Arthur Thordood. Dari Dorst, shipper, has announced in forthcoming marriage to Madame DeRosier.

Miami, Fla.—Dan Cupid continues to get in effective work at the “leischer Studios where everything a special shooting is specified to complete “Gulliver’s Travels” before Christmas. Four more couples are scheduled to say yes.

Blenche Farbot and George Gannamenti, Bettina Ryons of Los Angeles and Almuta Colhoun and Maurice Mark of New York and Anthony DiPaloa; and Jane Mercer of Coconut Grove and Walter Cunningham.

N. Y. Exchange for Negro Pictures Opened by Sack

Sack Amusement Enterprises, distributors of Negro pictures, has opened a New York exchange at 725 Seventh Ave. The company has other branches in Dallas, Atlanta and Chicago.

Lester J. Sack, vice-president of the organization, is branch manager in New York. Adolph Pollack has been named sales representative and Dorothy Schapiro is cashier.

Sack is the exclusive national distributor for Million Dollar Productions, Inc., leading producer of Negro pictures. The New York exchange will serve the eastern territory. A few pictures with white casts also will be handled.

Alfred N. Sack, head of the firm, celebrated his 20th anniversary in show business on Monday.

Post Contract Extended

Under a renewal of contract just signed, Post Pictures Corp., will continue to handle foreign rights of the single reel, “Susie Slagle,” “Populc

Promotions Named in RKO Studio Setup

(Continued from Page 1)

the Lee Marcus unit. Benedet had held the office as publicity director for the past five years, coming to the Coast from New York where he was engaged in publicity and newspaper work.

Perry Lieber was named to succeed Benedet as publicity head at the studio under S. Barret McCormick, head of advertising and publicity for RKO Radio. Lieber has been associated with the past 10 years with the department here.

Bert Gilroy, formerly assigned to production of shorts and features, was promoted to produce features exclusively in the Lee Marcus unit. Lou Bruck, director of shorts was moved up to head the short subjects department.

No other changes or promotions are said to be contemplated by Schaefer who leaves here today for New York.

Born, R. McDonough vice-president in charge of studio operations and Sid Rigel studio manager will continue in their present capacities it was declared.

Mannix, Warner Deny SWG Charges at NLRB Hearing

West Coast Bureau of THE FILM DAILY

Hollywood—Testifying at the hearing before NLRB at which major producers are charged with intimidating and coercing the membership of the Screen Writers’ Guild and refusing to bargain with them, E. J. Mannix denied that he had called any meeting of M-G-M writers or that he had ever spoken to Grover Jones, the scenarist, in connection with activities of the SWG. He also stated that in 1938 Irving Thalberg represented M-G-M in negotiations with writers.

Jack L. Warner denied that he had ever spoken to George Bricker, a scenarist, in connection with SWG activities, Sol M. Wurtzel of 20th Century-Fox testified briefly.

R. Kahane and Sam Briskin of Columbia, Darryl F. Zanuck, David O. Selznick, Bernard Hyman and William Koening were among the executives who had been summoned to testify before the NLRB.

STORKS!

Rudy Weiss, of the Warner home office real estate department, is celebrating the arrival of a baby boy, Linda. Weiss was on Sunday at Doctor’s Hospital. The baby has been named Ronald Whitman Weiss.

Another boy for the Shirley Wilcoxes of New Albany, Ind., Louis, was born Saturday at Ohio River. Wilcox manages the Grand and Indiana Theaters there for the Street Amusement Co. of Louisville.

PROMOTIONS NAMED IN RKO STUDIO SETUP
Code Spells Continued Industry Prosecution--Arnold

Murphy Aide Cites Alleged Economic Effects of Film Monopoly
(Continued from Page 1)

Continuing ahead of the Code in the face of Government opposition or drop-
ing it completely after more than a year’s work on the part of distribution and exhibition branches.

(William F. Rogers, spokes-
man for the Distributors’ Negoti-
tiating Committee, in New York did not care to comment upon the Arnold letter last night).

Arnold’s letter was written in re-
sponse to a request for an expres-
sion from the Department by the majors’ attorneys who sent a copy of the proposed Code for examination and comment.

“The Code assumes that the present organization of the motion picture industry is legal and that divestiture of exhibition and production is unnecessary. It therefore completely ignores the position taken by the Gov-
ernment in pending litigation against the major companies. It also ignores the repeated state-
ments of prosecution policy with respect to the moving picture in-
dustry made by the Depart-
ment in 1934 and 1935. Written.

The letter was sent to the follow-
ing: Austin C. Keough, general coun-
 sel, Paramount Pictures; Robert W. Perkins, general counsel, Warner Brothers; Rich-
 ard E. Dwight, of Dwight, Har-
ris, Hoegel and Caskey; J ohn
 Howley, of Down-
 ovan, Leisure, New-
 ington and Lumber- dorf and J. Robert Rubin, general counsel, Loew’s.

The proposed Code is, in effect, an absolute set of trade practice provisions imposed upon a com-
 bination of producers, distributors, and exhibitors which, the Depart-
mament contends, is an illegal and un-
reasonable restraint of trade, Arnold charged.

While the Code appears to be voluntary, the practical effect of its adop-
tion under existing condi-
tions might be to compel in-
dependence to comply in order to survive,” he wrote.

The Government has directly chal-
 lenged some provisions of the pro-
posed Code, Arnold stated. “In ad-
dition to the illegality of the Code in failing to provide for divestiture of production and distribution from exhibition, various specific provisions of the Code are directly challenged by the Department in pending litigation against the major com-
panies.

Divorcement Held Vital

“The Department therefore re-
 affirms the position which has con-
sistently taken since proceedings against the motion picture companies were commenced, to wit, that di-
 vestiture of distributors and pro-
ducers from the exhibition branch of the industry must be obtained.”

Arnold outlined what he called “the economic effects of the present illegal combinations” as:

1. Independently-owned the-
aters are being driven out of business because of the enorm-
ous size and discriminatory conditions not only on the rental of film but with respect to other trade prac-
tices. At the present rate at which independently-owned theaters are being driven to financial failure, it will only be a question of a short time before there are no independents left in the field.

2. No independent competitors who at-
tempt to enter the field of mo-
tion picture exhibition find it al-
most impossible to secure film for exhibition on any reasonable and non-discriminatory basis. The result is that there is prac-
tically no effective new competition.

3. Those independently-owned theaters that have managed to date to survive are compelled, in order to get pictures, to operate under terms which leave them very little freedom in the selec-
tion of film and in the manage-
ment of their own business.

4. Independent producers find it practically impossible to se-
cure a satisfactory market for their films because of the discrimina-
tion by the major companies over the exhibition houses. These independent producers are up-
against an almost hopeless bar-
gaining disadvantage in securing markets for their film in ex-
hibition houses that are con-
trolled by the major producers

RCA Has Method of Using 16 mm. Films for Television
(Continued from Page 1)

Scope machine, by means of which 16 mm films can be utilized for television programs.

Development is viewed by observ-
 ers as assuring that new films small and large source of film footage.

Michigan Allied Meets in Kalamazoo on Oct. 2-4
(Continued from Page 1)

arrangements. Miss Pearl M. Sprott, office manager, has been named for Kala-
mazoo to make arrangements.

Metro to Do Wilde Tale; "Quo Vadis" for Taylor

"U" Spends $50,000 to Plug Two Films
(Continued from Page 1)

campaign with the report of smash open-
ings in more than 60 key situa-
tion theaters, many of them hitting better than 200 per cent of top open-
ing day business. rave reviews in nearly every instance make for con-
tinuance of business, and a record number of hold-overs are already in-
dicated.

At the opening in New York, at the Rivoli Theater, the gross was report-
ed as the highest in many years, with no let-up on the second day, and indications for a record break-
ing business. Following the play, Arnold’s charge to the group, was that "there is room for some improvement in the exhibition field.”

Meanwhile one of the greatest promotional campaigns ever insti-
 tuted, is being undertaken by Metro with "Quo Vadis" and "Quo Vadis". The pic-
ture will be shown at a double pre-
 micre in Scranton on the evening of Aug. 24, and will be generally re-
 leased the week following. For the premiere Gloria Jean is coming East to make a p.a. surrounded by an entourage of approximately 75 newspaper critics from all over the coun-
try, trade paper scribes and fan mag-
nazine editors.

The group will gather at the St. Moritz Hotel in New York, where two full floors have been set aside for them, and will leave for Scran-
ton on a special train out of the Pennsylvania R. R. Station next Thursday. They return the follow-
ing day, and on Saturday, will be the guests of Universal at the World’s Fair, in a celebration named "Gloria Jean Day" by the Fair.

Skouras Hopes Gov’t Trust
Suits May Benefit Industry
(Continued from Page 1)

trust suit filed by the Government against the film industry had been brought in good faith, and expressed the hope that they will aid rather than hinder business.

Skouras said it was possible some unintentional bad practices had de-
veloped in the theater and film business over a period of years, but he was confident that they could be corrected. Skouras left for Salt Lake City after attending a lun-
cheon which was attended by 250, 100 of them NT men. He was presented with a watch and bill base by the NT employees.

Rex Ricketson, Intermountain division head, presided at the meet-
ing.

Wesley Studios Quits

Albany—Wesley Studios, Inc., has had dissolution proceedings served on the Secretary of State by The Corp., 385 Madison Avenue, New York.
Hello-
say “Hello!” and get on to what’s happened! Universal has found a new star! A girl with a thrill-ion dollar voice, an amazing faculty for being herself. A star who’s first picture finds her surrounded by the top favorites of Hollywood and backed by the production genius of Joe Pasternak, unerring creator of successes!

Robert CUMMINGS • Nan GREY
and Gloria JEAN in

"The UNDER-
-There’s one in every family!

with

Beulah Bondi • Virginia Weidler • Margaret Lindsay
C. Aubrey Smith • Billy Gilbert • Ann Gillis
Raymond Walburn • Paul Cavanaugh • Samuel S. Hinds

Original story by I. A. R. Wylie • Screenplay by Grover Jones • Directed by RICHARD WALLACE

A JOE PASTERNAK Production
HERE'S A STORY SO HUMAN YOU COULD CAST IT WITH ANY FAMILY, ANY YOUNG LOVERS, AND ANY SHINING YOUNGSTER—PROVIDED SHE HAD THE VOICE IN A MILLION THAT IS GLORIA JEAN'S.

Nothing ever happened to this family until Pip-Emma wrote about trees.

HERE'S HOW
JOE PASTERNAK (Creator of the Deanna Durbin successes)
CAST "THE UNDERPUP"

1. Gloria Jean's first movie role is that of "Pip-Emma," a girl full of pranks and golden voice.
2. Robert Cummings, star of "3 Smart Girls Grow Up," plays breezy "Dennis," imaginative football star.
3. Nan Grey plays "Priscilla," who, for a time, denies "Dennis" claim that life's best things are free.
4. Beulah Bondi is immutable as a chilly old maid with a reserve like the Federal Bank.
5. Virginia Wendler was assigned as "Shy Janet."
6. Margaret Lindsay plays Mrs. Cooper, Janet's troubled mother.
7. C. Aubrey Smith is scislable, dominating as "Grandpa."
9. Ann Gillis was handed the part of "Letty-Lou," red-headed "stooge."
10. As the moneyed Mr. Layton, Raymond Walburn really swings his weight.
11. Paul Cavanagh plays the good provider but bad father.
12. Shirley Mills is the dictatorish president of the "Penguins."

But that did it! That brought on the people...and the Penguins...and the kind of happenings that could occur only in—and out of—a typical American home!

AUGUST 24th SEES the WORLD PREMIERE of UNIVERSAL'S "THE UNDER-PUP"
—There's one in every family!
at the Strand Theatre, SCRANTON, PA.
GENERAL RELEASE SEPTEMBER 1st
Backed by a $75,000 National Promotion Campaign
made clear on all sides that one individual stands in the complete settlement, that man being Whitehead, executive secretary.

A new compromise proposal was considered at an all night session, and a statement is expected today.

The 4-A’s yesterday demanded of the A F of L an interpretation of authority vested in the committee of 10 provided for in the original recommendation, especially in the matter of this committee deciding on the eligibility of officers to be elected or voted upon. The intention of the 4-A’s, being, from all appearances, to clip the wings of Whitehead who had previously stated he would be a candidate for re-election in the elections of the committee of 10. Negotiations Continue Today

Further negotiations will be continued today with the complete clarification of the recommendations will be put before executive committee. Kenneth Thompson speaking of the A F of L’s stated: We are still standing pat on our original three points and will have absolutely nothing to do with anything in the name of Whitehead appears. We wait patiently to see what further the Council has to offer.

Green, after an all-night session, stated: “In response to representatives of the 4-A’s we are endeavoring to get an interpretation on those parts of the decision which provided for a committee of 10. The A F of L will go further into that authority. This discussion will involve procedure and principle.”

Council Not in Accord

Green stated he had brought back from executive committee qualifications of which the session had been agreeable to 4-A’s but the Council itself was not entirely in accord. It was agreed, however, that if committee should have tie vote that they should select an arbitrator who should have full authority to make decisions.

Green intimated that the new arrangement of things would not be so agreeable to Sophie Tucker and Whitehead as was the previous decision, but refused to enlarge upon the statement. Miss Tucker could not be found immediately for statement.

It became apparent last night that certain agreement was reached between the 4-A’s and the A F of L on the committee recommendations and it has been a sore spot. Complete report of the “clarification” of recommendations will be made today and released.

Well Works on Peace Plan

The proposal which it is hoped may result in bringing peace to the war-torn union is the result of conversations held during the day yesterday between a spokesman for the 4-A’s and a member of the A F of L, with advice of William Green, proxy of the A F of L, being

Coast Labor Council Will Co-op in Coast Pix Probe

Labor’s Central Labor Council here promising full co-operation in the Government probe of industry affairs that has been launched by Charles Carr, Special Assistant Attorney General.

The Council at the same time charged Murphy had been induced to take a part in the CIO studio negotiations and Labor Relations Board as being responsible for the current labor strife. More, president Technicolor, too, wired Murphy welcoming the investigation and asking for a bargaining election.

Denies Further Particulars to UA in N. Y. Equity Suit

Artists Corp. for a further bill of particulars in the government’s anti-trust suit. The order directed UA to file its answer by August 25. United Artists is the only major defendant that has not filed its answer as yet.

“Bill of Rights” Debut

World premiere of Warners Technicolor featurette, “Bill of Rights,” will be held Aug. 31 at the National Congress of Christians and Jews to be held at Williams College, Williamstown, Mass. Warner publicity department has arranged for a national radio broadcast of events over the NBC Blue network, with company’s stars participating on Coast hookup.

New Canal Point House

Canal Point, Fla.—Prince Theater will give way to a new house.

sought at various times. The 4A representatives did not appear before the Council session, but presented their arguments in a private conference.

The 3A delegation which came for the conference included Frank Gillmore, president of the 4A’s; Kenneth Thompson, executive secretary of the Screen Actors Guild; Paul Dulzell, secretary of the American Equity; Emily Holt, secretary of AFTRA; Edwin Arnold, SAG vice-president; Paul Turner and Henry Jaffe, attorneys. They indicated they were considering a changeover to the CIO if no decision could be reached, the 4A spokesman said: “It is too early in the game to say.”

The 4A spokesman received telegrams expressing its position relative to Whitehead from a number of Hollywood actors.

New York Labor Federation Demands Production in East

Continued from Page 2

exclusively forecast in THE FILM DAILY earlier this week.

With the convention winding up yesterday afternoon, it was expected that action would be taken by the State organization within the next few weeks as soon as State’s George Meany returns from a vacation. Governor Herbert Lehman has sent a telegram to Mr. Florello that if all in the union’s campaign it was reported.

Industry to Get Hearings on Belgian Trade Treaty

treaty now being negotiated with Belgium, the State Department said yesterday. Under the procedure in effect only list available of products on which any retaliation will be levied on any products from Belgium expected to be exports from the U.S.

On this list appears photographic film, sensitive but not exposed, developed of every kind except motion picture films having a width of 70 millimeters and motion picture films sensitized but not exposed or developed having a width greater than 70 millimeters.

The U.S. industry is invited by the State Department to submit its list of items that appear before committee for reciprocation information to suggest changes in the trade treaty. The industry has until Sept. 16 to submit a list to be heard with hearing opening Oct. 2.

Williams-Griffith Charter

Williams-Griffith Charter $250,000 Oklahoma Circuit

Continued from Page 2

Circuit has a $250,000 Delaware corporation charter and will be known as Williams-Griffith Theatricals Inc.

First acquisition was of theaters in Auburn and Nebraska City, Neb. An Oklahoma tender was also bought because of the extension of the expansion program through Nebraska and Iowa. The two Nebraska towns are now being operated out of the Griffith-Dickinson offices in Kansas City under supervision of H. J. Griffith.

H. F. Williams is president of the new organization, K. Lee Williams is vice-president, H. J. Griffith is secretary and treasurer and Harry McKenna, assistant secretary and treasurer.

Chili May Nix Dual Parking

Chicago — Police officials here launched a drive yesterday against double parking of automobiles on city’s thoroughfares. Film theaters having no parking lots regard the proposed plan as too severe in its attitude to attendance and consequent revenue.

Defer Ford Case Hearings

Chicago—Hearings in Ford Theater’s anti-trust action against B & K and major company defendants have been postponed until Aug. 25. Counsel for both sides agreed on the move yesterday.

WIZARD OF OZ OPENS TO RECORD BUSINESS

Continued from Page 1

who, and grooms and servants on hand to assist the children.

Highly efficient crowd handling permitted a constant line movement, varying the flow of the fans from moments and only a half hour wait from time of joining the waiting queue. Not only is the Capitol benefiting but stores and restaurants as well as other Broadway houses appeared to be capitalizing on the crowds.

New York dailies gave the record-breaking opening Page 1 attention.

15 Technicolor Features to Follow “Wizard of Oz”


“Stanley And Livingston” Draws 200,000 in Two Weeks

Total attendance for “Stanley And Livingston” in its first two weeks at the Roxy had gone well past the 200,000 mark yesterday, with final audit expected to show a total of 225,000 paid admissions. Picture had a strong first day yesterday than any other day of the second week with exception of Saturday and Sunday. Pix goes into its third week today.

“Old Maid” Sets Wednesday Record for the Strand

At the Strand yesterday Warners’ Betty Davis-Mirian Hopkins attraction, “The Old Maid,” rolled up another huge week-day gross, final returns for the day disclosing 17,400 paid admissions. The Strand management asserted this was a Wednesday record for the house since the stage and screen show policy was inaugurated.

For the week of this decade of the week showed business of similar proportions.

B & K Holding “Each Dawn,” “Stanley And Livingston”

Chicago — Balaban & Katz are holding 29th Century-Fox’s “Stanley And Livingston” at the Chicago Theater and will give Warners’ “Each Dawn I Die” another week at the Garrick. Business generally in the Loop area is picking up.
A STANDARDIZED THEATER?
From Today's Trend Tomorrow Viewed
By JOHN EBERSON, Architect

IN our previous article, discussing what means can be taken to provide both small communities and sub-divisions of larger ones with film theaters of their own, it was suggested that a new, standardized type of motion picture house be evolved.

Now, there naturally arises the query: "What specific advantages are to be gained through the idea of the standardized theater?"

As already pointed out, the initial benefit would be the setting-up of more adequate entertainment facilities for the public, who, via strategically placed houses, could with greater convenience and comfort than now exists witness the contemporary photoplay.

Secondly, the creation of more and better small film theaters is one of the essentials if a renaissance of interest and consequent patronage is to come about. Witness that the all-time high in attendance, according to industry records, was attained in 1930, which was some 20,000,000 persons more than the 88,000,000 set down as the total attendance during 1938. It must be realized that population has grown considerably in the U. S. during the past ten years, and every means should be instituted to win the existing public back to the screen in the 1930 proportion, and to court the rising generation of potential patrons by means of the best in entertainment and the best settings in which to enjoy it.

FURTHER, the small standardized type of house would afford the alert circuit and individual theater operator an opportunity to expand, without "going overboard" from the economic point of view, as if often the risk where the big, elaborate class of theater, wholly unstandardized, is concerned.

Additionally, the project of the small, standardized house should be welcomed by the American producer of films, since added outlets promise added revenue.

The so-called standardized theater, would have to be undertaken with an eye to varying size building plots, and likewise take cognizance of varying community building codes. More than that, the architectural form of the exteriors could be expressed in countless designs, with the benefits of standardization accruing from similarity in size, equipment and certain appointments.

It is my opinion that the theaters of tomorrow can be standardized, and yet be wholly different in appearance.

What shall constitute the standardization of the small, modern motion picture house of which we speak?

In a subsequent article, John Eberson will discuss the scope of standardization.

“ON BORROWED TIME”

Time is one of the best selling allies Alexander Smith Carpet has. Our files are filled with unsolicited letters from theatre owners praising its amazing wear life. Which is why you find it in most of the country’s successful theatres.

ALEXANDER SMITH CARPET
THE proving period for Eastman’s new negative films has been left far behind. With their special emulsion qualities reinforced by typical Kodak dependability, Plus-X, Super-XX, and Background-X are firmly established as successors to other notable Eastman films for the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Beginning immediately all CINECOLOR prints will be delivered on single coated stock (emulsion on one side only) produced by an exclusive new patented method.

Continuing its policy of giving the industry better color today instead of promises for the future, CINECOLOR announces a revolutionary new process which creates these advantages for buyers of color film processing right now:

1. Makes refocussing unnecessary.
2. Sharper images.
3. Lowest price in CINECOLOR history—reduction effective immediately.
4. Possibility of scratches reduced 50% with emulsion on one side of film only.
5. Grain greatly reduced.
6. Splicing same as black and white—no longer necessary to scrape both sides.

More than ever now

CINECOLOR IS THE BEST BUY IN COLOR

2800 SOUTH OLIVE AVENUE, BURBANK, CALIFORNIA
National and N. Y. Allied Split; Cohen Raps Leaders

CODE STILL ALIVE, DISTRIBUTORS ASSERT

Withdrawal From the A F of L Threatened by AAAA

Green Says IATSE to Refuse to Return AFA Charter; 4A's Bolt Session

By W. H. MacNaron

FILM DAILY Staff Correspondent

Atlantic City—Charging that the Executive Council of the American Federation of Labor is a "shameful failure" and the upholding of dishonest unionism, the AAAA Friday bolted the sessions and flatly refused to accept any recommendations or interpretation of recommendations and will consider the question of leaving the A F of L affiliation.

The AAAA stated "the Executive Council's action forces us to consider terminating our 20-year relationship with the American Federation." (Continued on Page 12)

FREL'S SUIT CHARGES

TRUST LAW VIOLATION

Victoria, Tex.—Rubin Frel's suit filed suit in the Federal Court here against J. G. Long, R. E. Griffith and all of their corporations, the Jefferson Amusement Co. and the East Texas Theaters, Inc., alleging a combination and conspiracy in restraint of trade in violation of the trust law.

$5,000 for Films Rights to Stage Flops Proposed

Long pending negotiations between the Dramatists Guild and film producers hit a new snag last week when the latter informed the Guild that, in their opinion, a down payment of $15,000 on the screen rights is necessary.

(Continued on Page 12)

Columbia's "Arizona" Will Be Produced in Technicolor

Columbia is going Technicolor with "Arizona," to be directed by Wesley Ruggles. Company over the week-end an-

(Continued on Page 12)

ED KUYKENDALL, MPTOA prefix: "I am not surprised at the Department of Justice action on the Code. I have said many times publicly they would expect me to do it. Again I say there was nothing to prevent distributors making trade practice adjustments without a Code. It should have been done a long time ago. Exhibitors were fast losing interest in the Code anywhere because of the long procrastination on the part of the Government to act.

(Continued on Page 12)

COL. H. A. COLE, Allied States prefix: "The report of the Negotiating Committee at Minneapolis listed four basic items to Allied's rejection of the Code. Four of that report, which was referred to as "the most important factor entering into our decision" stated that acceptance of the proposals would jeopardize prospects for additional relief, specifically referring to the need for bill and government regulations.

(Continued on Page 12)

New York Allied Will Carry On; Cohen Explains Cause of Break

Exhib. Reactions to Code Rebuff

Tele Station Cost $300,000; 175 Commercial Hrs. 1st Yr.

Capitalization required to organize and operate a television station is about $250,000-$300,000, while about 175 "commercial hours" can be expected to be sold during the first year of operation of such a station, David S. Spector, general counsel.

By AL STEEN

FILM DAILY Staff Writer

The long-awaited open break between national Allied and allied theater owners of New York came to a head over the weekend when the parent body announced that it had severed all relations with the New York unit. At the same time, Max A. Cohen, New York Allied president.

(Continued on Page 12)

Hope to Persuade the Government to Okay It, Declares W. F. Rodgers

The Trade Practice Code is not dead.

Despite the action of Thurman Arnold, Assistant Attorney General, in advising counsel for the majors that the Code, as submitted, falls far short of meeting the Government's objectives and in fact an invitation to "continued and perhaps additional prosecution," the Distributors Negotiating Committee proposed to carry on.

By William F. Rodgers, Metro sales chief and spokesman for the Committee.

(Continued on Page 4)

WARNS CANADA INDIES ON APPEAL TO GOV'T

Toronto—Warning against the present tendency of indie exhibitors to enlist the aid of organized groups and to appeal for Government aid in solving trade problems is voiced here by N. A. Taylor, vice-president of the ITA, head of Exhibitors Booking Association and proxy of 20th Century Theaters, Ontario's largest indie chain.

Taylor brands such indie tactics.

(Continued on Page 12)

Skirball, Wildberg Close Production Deal with Col.

Jack Skirball and John Wildberg, who recently formed Knickerbocker Pictures, Inc., have closed a deal with Columbia whereby they will produce.

(Continued on Page 4)

National Allied Closing

Headquarters to Sept. 6

Washington Bureau of THE FILM DAILY

Washington—National headquarters of Allied here closes tight from Wednesday to Sept. 6.

Abram F. Myers, general counsel

(Continued on Page 12)
Brooklyn, N. Y.—"BEAU GESTE" scores smash at Fox Brooklyn establishing record gross for opening day, exceeded only by New Year's and Christmas opening and a Mae West personal appearance.

Newark, N. J.—Despite rain and heat wave "BEAU GESTE" turns in biggest opening day business since January 1937.

C'EST BEAU!  C'EST BEAU!

(French for IT'S PARAMOUNT'S YEAR!)
CODE IS STILL ALIVE
DISTRIBUTORS ASSERT

(Continued from Page 1)

mittee, in a statement released on
Friday made that plain in emphatic fashion and, in so doing, nailed as
without foundation a published story to
the effect that distribution comp-
panies had on Thursday "decided to
abandon all efforts at adoption" of
the Code.

Rodgers' statement, brief and to
the point, said:

"The Committee that worked
on the Code has not lost one
single bit of faith in it. They
believe thoroughly that it can
be of tremendous value to the
industry and will tend to solve
a great many of the difficulties
which have arisen. We still hope
for passage of the amend-
ment that the Code should be
put into effect."

Rodgers earlier told THE FILM
DAILY that the Justice Department's
action had come as a complete sur-
prise. He said that the distributors
had not expected the D of J to take
any action, either for or against the
document.

There is no basis, he said, for the
assumption that the Code is dead.

$5,000 for Films Rights
to Stage Flops Proposed

(Continued from Page 1)
to a play, as set forth in the terms of
the new proposed contract, are
exorbitant.

Producers countered with an offer
of $5,000 as a down payment, with
$2,500 to be paid the end of the
second week and $7,500 at the
end of the third week. It was
pointed out that on this basis, the
average price of flop plays would be
only $5,000.

Representatives from Warners,
Metro and L. Parnapart have been
huddling with Guild officials re-
spectively.

Skirball, Wildberg Close
Production Deal with Col.

(Continued from Page 1)
will distribute three pictures to be
made at Eastern Service Studios.
First to go into production about
Oct. 1 will be "Angela" by Sinclair
Lewis. The second will be
"For All Our Lives," by Ursula Par-
rott. A third story by Peter Arno is
being considered.

The pictures will be budgeted at
$400,000 each. Financing was
arranged by Frank Speidel of Eastern
Service.

WEDDING BELLS

Pennoack, N. H.—Arthur K. Danoe,
assistant manager of th Palace The-
ater here, Thursday was married to F. Shaw
were married at Salisbury.
FRANK CAPRA'S
MR. SMITH GOES TO WASHINGTON
co-starring
JEAN ARTHUR • JAMES STEWART
with
CLAUDE RAINS • EDWARD ARNOLD • GUY KIBBEE • THOMAS MITCHELL
Beulah Bondi • Ruth Donnelly • Eugene Pallette • H. B. Warner and one of the largest casts ever assembled
Screen play by SIDNEY BUCHMAN
Directed by FRANK CAPRA
Sold exclusively from any Columbia group

The magnificent filming of the CLIFFORD ODETS Group Theatre stage success . . .

GOLDEN BOY
BARBARA STANWYCK • ADOLPHE MENJOU • WILLIAM HOLDEN
A ROUBEN MAMOULIAN PRODUCTION • Produced by WILLIAM PERLBERG
Screen play by Lewis Meltzer, Daniel Taradash, Sarah Y. Mason, Victor Heerman
1938-'39 PROGRAM

COAST GUARD
RANDOLPH SCOTT • FRANCES DEE • RALPH BELLAMY • WALTER CONNOLLY
Screen play by Richard Maibaum, Albert Duffy, Harry Segall • Directed by EDWARD LUDWIG
Drama blended with romance . . . the triumphant story of the service that never sleeps!
1938-'39 PROGRAM
JOAN BLONDELL • MELVYN DOUGLAS
THE DOCTOR TAKES A WIFE

Directed by ALEXANDER HALL
Carrying on the gay mood of "There's Always A Woman" and "Good Girls Go To Paris" in a grand comedy by Aleen Welslein ... in response to hundreds of letters to our studio asking for more of this incomparable laugh team ...

1939-'40 PROGRAM

HOWARD HAWKS'
HIS GIRL FRIDAY

CARY IRENE RALPH
GRANT DUNNE BELLAMY
The "Awful Truth" stars—and the director who made "Only Angels Have Wings" such a memorable entertainment achievement ... bringing you now the Charles Lederer adaptation of a stage success by the ace writing team of Ben Hecht and Charles MacArthur.

1939-'40 PROGRAM

WESLEY RUGGLES'
ARIZONA

JEAN ARTHUR
... and an imposing cast to be announced ...

Based on Clarence Budington Kelland's Saturday Evening Post serial novel ... Screen play by Claude Binyon ...
A roaring, lusty story of the West during the thrilling days of our Civil War!

A 2nd Wesley Ruggles Production—to be announced

1939-'40 PROGRAM
FRANK LLOYD'S
The TREE of LIBERTY

Adapted from the best-selling patriotic novel by Elizabeth Page . . . Choice of The Literary Guild and The Discoverers! Acclaimed by all critics! Given **** by Liberty Magazine! The glorious chronicle of the beginnings of our country . . . filled with meaning for Americans today!

and

A 2nd Frank Lloyd Production—to be announced

1939-'40 PROGRAM

3 "BLONDIES"

PENNY SINGLETON
as "Blondie"

ARTHUR LAKE
as "Dagwood"

LARRY SIMMS
as "Baby Dumpling"

Based on Chic Young's famous King Features comic strip... packed with the grand antics of those lovable Bumsteads!

1939-'40 PROGRAM

NOW IN RELEASE "BLONDIE TAKES A VACATION" 3rd of the Series!

The INCREDIBLE MR. WILLIAMS

Mirth-packed comedy introducing a genuinely new type of hilarious personality—created by talented Sy Bartlett!

1939-'40 PROGRAM
ALEXANDER HALL'S 
SUPER CLIPPER

Think of 84,000 pounds of glistening metal... a hundred human souls... hurrying across the oceans' trackless wastes! A picture that promises to be one of the season's unforgettable events!

1939-'40 PROGRAM

THE MAN THEY COULD NOT HANG
BORIS KARLOFF

Eerie, fascinating story of a great doctor who discovered how to bring the dead back to life! A superb role for Karloff, the imitable!

1938-'39 PROGRAM

EDITH FELLOWS 
FIVE LITTLE PEPPERS
AND HOW THEY GREW

1938-'39 PROGRAM

Rich in swell acting opportunities for a versatile youthful star!
Based on the famous novel by Margaret Sidney Lothrop... and
2 ADDITIONAL EDITH FELLOWS PRODUCTIONS

JOE E. BROWN

SPOOK HOUSE

(TENTATIVE TITLE)

One of the year's grandest comedy scripts... a new departure in Brown shows!

1939-'40 PROGRAM

PRISON SURGEON

WALTER CONNOLLY

A great role for a great performer!
Prison drama that's more than action—though there's plenty of that, too!

1939-'40 PROGRAM

WARDEN LEWIS E. LAWES

appearing in his own stirring drama of the famous "Big House" on the Hudson which he heads...

MEN IN SING SING

Written by the man who knows more about criminals and their lives than any one in America...

1939-'40 PROGRAM
MRS. MARTIN JOHNSON’S
I MARRIED ADVENTURE
The greatest woman explorer of them all carries on ... alone ... the gallant tradition of her late husband ... to bring you a heart-warming true story set amid the strange excitement of far-off jungles ...

Sold exclusively from any Columbia group

LONE WOLF No. 1
(WARREN WILLIAM)
A star born to play the suave, elegant gentleman rogue created by Louis Joseph Vance ...

AN ADDITIONAL "LONE WOLF" PRODUCTION
1939-'40 PROGRAM

SCANDAL SHEET
Revealing in all its dramatic importance the "heart" story behind a big paper’s headlines!
1939-'40 PROGRAM

MILITARY ACADEMY
Wide in appeal ... the glorious chronicle of young America in the making!
1939-'40 PROGRAM

4 JACK HOLT PRODUCTIONS
Stories inspiring him to give the vital performances that keep him in the front rank of all action stars! Outstanding casts and production values will give him the support he deserves ...!
1939-'40 PROGRAM

SINGAPORE
Capturing all the seething color and drama of the exotic melting pot of the seven seas ... the very name of which — Singapore — breathes adventure, romance and mystery ...
1939-'40 PROGRAM
104 SINGLE REELS
Never approached before in diversity, novelty and box-office power
16 "COLOR RHAPSODIES" in full Technicolor • 10 "PHANTASIES" • 6 "FABLES" • 6 "FOOLS WHO MADE HISTORY"
6 "PALS AND PETS" • 6 "FAMOUS MOMENTS OF COMEDY" • 6 "CINESCOPES" • 10 "COMMUNITY SINGS"
12 "SCREEN SNAPSHOT" • 12 "WORLD OF SPORTS" • 8 "COLUMBIA TOURS" • 6 "WASHINGTON PARADE"

26 DOUBLE REELS
8 THREE STOOGES COMEDIES
The triumphant trio of mad zanies more hilarious than ever...

18 ALL-STAR COMEDIES
Starring
CHARLEY CHASE • ANDY CLYDE • BUSTER KEATON
and other major comedians!

16 Westerns

10 STARRETTS
with the SONS OF THE PIONEERS
Your favorite action ace in fast-moving thrillers filled with rollicking tunes of the saddle.

WILD BILL
6 ELLIOTTS
The man who made Wild Bill Hickok live again rides to greater glory and adventure.

16

4 SERIALS

1 THE SHADOW
Favorite hero of millions over 175 radio stations ... and in "The Shadow" magazine.

2 TERRY and the PIRATES
Based on Milton Caniff's Famous Artists Syndicate strip read by millions.

3 EDGAR WALLACE'S
The GREEN ARCHER
The greatest of all stories by the most celebrated of all mystery writers.

4 DEADWOOD DICK
The Western hero who has thrilled generations of Americans comes to full-blooded life on the screen.
"A NATURAL" FOR TECHNI COLOR...

So that's the way Columbia is doing...

"ARIZONA"

CLARENCE BUDINGTON KELLAND’S SATURDAY EVENING POST SERIAL AND NEWEST NOVEL

Already, on the outskirts of the modern Tucson, are rising the adobe pueblos of the old walled town of 1859, employing hundreds of workers, and enlisting the assistance of Arizona officials, historians and educators. Nearby will be established a tent city to house 2,500 players, extras, technical workers, cooks, servants, etc.

ALL THE GLOWING COLOR OF THE GOLDEN WEST CAPTURED IN GLORIOUS TECHNICOLOR!

WESLEY RUGGLES’ "ARIZONA" STARRING JEAN ARTHUR

and an OUTSTANDING CAST to be announced shortly.
DOMESTIC

THE CODE: D of J tossed a bombshell into industry ranks on Thursday when Trans-Western Theater Tony Arnold declared that adoption of the trade practice Code would "certainly be followed by additional prosecutions." In a letter to the majors, Arnold attacked the Code as failing to solve what the Government considered illegal trade practices. On the week-end, Code's fate was undetermined as far as distributors were concerned.

LEGALISTIC CROSS-FIRE:

Earlier in the week, Joseph M. Schenck attacked Government interference with the film industry and those advocating Government regulation. W. Ray Johnston, Monogram's presy, asserted that litigation is stillling show business in the U.S.

Developments in the Government's equity action against the majors in N.Y. included Columbia's refusal to carry the company an indie. An early trial is looked for by the D of J. . . .

Harry Warner reported that D of J's trip industry probe there is under way, with evidence set to go to U.S. Grand Jury Sombrero.

LAVOR FRONT:

Following a bitter jurisdictional dispute between the AAAA and the IATSE a decision was handed down last week by the American Federation of Labor Executive Council. However, the decision was rejected by the 4A's and the dispute was renewed vigorously.

Following the signing of the pact between the IATSE and the producers took place. Meeting of New York State Federation of Labor unanimously endorsed a resolution to bring 10 per cent of all production to New York. Parley on the basic pact renewal was asked by the unions in the pact.

FOREIGN

CABLE NEWS: London flash word that deal had been concluded of a powerful Odeon Circuit and Paramount whereby and of 'letter' houses in the U.K. go under Odeon's charter. Para, retained only its Plaza Theatre on London's Regent St. as a showcase. House was first Para, theater venture in the U.K.

From Berne came word that Swiss Film Union is to back the American film company out of Swiss market . . . Squawk of U.S. distribs., succeeded in blocking tax-exemption bill introduced in lower branch of Cuban Congress . . . Italy's ENIC, government-controlled film bureau, closed contract with Esperia Film Distributing Co. of New York whereby Esperia becomes the business distribution agency for ENIC in the U.S.

American Federation of Actors which all of these members em- phasically repudiated by joining the AGVA.

Calls Decision Dishonest Unionism

"It is in effect ironic that when the 4A’s for the first time in its 29-year association with the A of F L comes to the body for a square deal it gets what is without question an unjust verdict.

The Executive Council has chosen the path of dishonest unionism. Their action is dictatorial and unconsti- tutional. The 4A’s cannot, with honor, submit to such a conflict. Not only is the IATSE’s decision not only is the IATSE’s decision not on the basis of the case but the Union has already been refused an opportunity to submit.

All of the above conflicts with Whitehead's statement which follows:

"The AAAA rejection is a go ahead signal for us to go through with organizing plans aided by the IATSE. The AAAA missed a wonderful opportunity. Mr. Browne has as- sured me that he was not leaving us in the lurch.

Statement by Green

Green at his press conference stated:

"In view of the conflicting inter- pretations of the decision of the Execu- tive Council and the stand of the IATSE the AAAA decided to go ahead with organizing plans aided by the help of the IATSE. The AAAA missed a wonderful opportunity. Mr. Browne has assured me that he was not leaving us in the lurch.

"Looks Like Open Warfare"

Green added: "This looks like open warfare. We hoped to settle things and forego a loud on the shoulders of the AAAAAA. Now it becomes apparent they want to work out their own affairs. It is the same situation as before we started these discus-

sions. The AAAAA has no AFL- standing and will not be allowed to participate in the meetings. The IATSE will give up the AAAA that was decided against the AAAA.

"There will be no further discussion by the A of F L until the resolution of the AAAA.
Exhib. Reactions to Code Rebuff

(Continued from Page 1)

The government's new film commission will have to draft the contract itself. No agreement could be reached on the 80 clauses in the proposed contract.

Government had set Aug. 1 as the effective date.

To Reopen Omaha's State

Omaha—State Theater will be operated by A. L. Kaplan, former New York fur dealer, who will also advise Ralph D. Goldberg, veteran exhib. and circuit operator.

Gov't to Draft Standard Contract for Australia

(Continued from Page 1)

interpretation despite what Myers and others have said.

Mis-statement, Charges Cohen

The second charge that Cohen involved the assertion by Myers in a recent bulletin that the code was not rejected at the Minneapolis convention until after the distributors had had an opportunity to be heard. That, according to Cohen, was a mis-statement of fact as he said he was present at a board meeting on the day before Rodgers and other advocates of the code had talked to the directors at that time. In fact, he added, he had voted for its re-jection himself, on that day after he had discovered that its provisions allegedly were not the same as those agreed upon in Chicago.

The code was killed by the Allied board before the distributors had a chance to say a word, Cohen contended.

Cohen indicated that the controversy between the studios and Allied's national organizations had resulted from his desire to keep the door open to negotiation on all fronts. 'While not seeing "eye to eye" with the Allied leaders, Cohen declared that his only aim was to achieve a just contract for the independent exhibitor and that he wanted to re- sort to litigation and legislation only if and when other methods had failed. The Allied leaders, he said, did not see things his way.

Cites N. Y. Allied's Code Aid

Several of the additional clauses which would be of benefit to the exhibitors were the result of New York Allied's efforts, even after President H. A. Cole had insisted that the distributors would give no more ground, Cohen said.

New York Allied has worked for harmony within the industry, he concluded, and that can be contrary to national Allied policies if its leaders are sincere.

In answer to the charge that the unit had not discharged its obligations under the national body, Cohen said that while actual dues had not been paid, the New York group had contributed financially in paying off legal fees and other debts.

"The hands are clean," he said, "we have nothing to worry about."

County Prosecutor Gives Green Light to Bank Night

Belleville, Ill.—State's Attorney Louis J. Furrer of St. Clair County has given an informal opinion that Bank Night as it is being conducted by three local motion picture theaters does not constitute a lottery under the Illinois laws.

Terzower's interpretation is in direct conflict apparently with various court rulings on the subject, including the Illinois Supreme Court.

Talk Chi. Variety Club

Chicago—Plans are still in the preliminary stage for the organization of a Variety Club here.
20th CENTURY-FOX congratulates SPENCER TRACY on another Academy Award performance in “Stanley and Livingstone”

A great actor again wins acclaim for a performance that will stand as one of the screen's most memorable. Twentieth Century-Fox joins the nation in paying tribute to his distinguished portrayal of Henry M. Stanley in “Stanley and Livingstone.”
AAA Appoints Steering Com., Preparing for “Any Eventuality”

With top American Federation of Labor executives still working desperately to bring about a peaceful settlement of the dispute between the AAAA and the IATSE-AFA coalition, further fuel was heaped on the fire yesterday when Sophie Tucker, AFA prexy, stated that she would not appear at the Equity trial today because she has no confidence in the body and following the executive council’s decision there were no charges against her with any foundation.

Miss Tucker last night wired the

(Continued from Page 15)

FRENCH, ENG. FILMS
DOMINATE IN SPAIN

Because the American newspapers did not take full advantage of the possibilities for making shots in rebel Spain during the recent civil war, Spanish exhibitors are giving most of their business to British and French distributors, according to Garcia Vinolas, chief of Spain’s prop-

(Continued on Page 4)

GN Stockholders Approve Amended Felt & Co. Plan

Stockholders of Educational and Grand National yesterday approved the amended Felt & Co. financing plan, which will make approximately

(Continued on Page 4)

Triple Bills Gaining in Chicago Houses; Essaness Offers Premiums with Three Pix

Chicago—Week-end check of Chicago area theaters shows triple bills are gaining a bit, with B G K using triples at its Belmont, Biltmore and Crystal Theaters. The Essaness Circuit is using not only triples at its North Center Theater, but is throwing in dreamcomics to boost, while at its Biograph Theater, three cups and three silents are given with each admission. The Rio Theater has gone in for free ice cream for the kiddies with a triple feature show, while on the South side the Harvard and Eastside Theaters are using kitchen knives to bring the folks in.

SCRANTON PREPARING FOR GLORIA JEAN DAY

Scranton—This town today is preparing to play homage to 11-year-old Gloria Jean, Star of Universal’s “The Under-Pup.” When the picture opens here Thursday with Gloria Jean in person, 100 motion picture critics from all over the country, stage and screen stars and other figures in the industry will be her guests in a celebration never before seen in this town of anthracite mines and silk mills.

Gloria Jean’s rise to stardom has

(Continued on Page 15)

Admission Taxes in July
Up $4,989.40 Over June

Washington—An increase of $4,989.40 in admissions taxes collected in July compared to June was reported yesterday by the Bureau of Internal Revenue. July admissions

(Continued on Page 15)

Number and Quality of British-Made Pix Expected to Show Strong Upswing

Modification of Delaware Blue Laws Held Possible

Wilmington, Del.—Modification of Delaware’s 144-year-old Sunday blue law appeared likely at the week-end as Governor Richard C. McMullen and a group of Wilmington minis-

(Continued on Page 4)

London (By Cable)—General Film Federation follows up its announcement of a large program of Gainsborough pictures for distribution with another perhaps even more important. It has contracted to release the output of a new producing firm, Legeron Films, Ltd. Stars of international reputation will appear in the films.

Chairman of the new concern is

(Continued on Page 15)

Orphans Guests of Para. At “Star Maker” Preview

West Coast Bureau of THE FILM DAILY

Hollywood—Seventeen “most deserving orphans” were the guests of Paramount and Linda Ware, 14-year-old Paramount singing star, at the world premiere of “The Star Maker” here last night. A “dream train” brought the orphans from leading

(Continued on Page 15)

Parts of Draft May be Salvaged and Incorporated in Film Contracts

The status of the trade practice Code was described by an industry attorney last night as being “completely up in the air,” but it was indicated that parts of the Code may be salvaged by the individual companies and incorporated in their contracts.

Counselors for the majors met yester-
day to decide on a compromise in view of the Department of Justice’s declaration that the proposed code was regarded as illegal.

(Continued on Page 16)

EINFELD SEES AGE PIX FROM ALL LOTS

Hollywood’s 1939-40 product, all studios considered, will be stronger in quality, production value and entertainment than during any previous year in filmland’s history, asserted Charles Einfeld, publicity-advertising director, as he

(Continued on Page 16)

“Star Maker” Paramount wrote poignantly and convincingly last night on the screen of its own Paramount Theater here that it has a box office big enough to hold the Charles R. K. Lawton-launched attraction, “The Star Maker.” Though for and away the best picture Bing Crosby has made to date, and offering Lucie Campbell and Ned Sparks rich roles for their talents, the most significant attribute of “The Star Maker” is that it makes a new star, youthful Linda Ware, whose exciting voice, personality and whirled sense of showmanship score with decisiveness. Packed with human interest, equipped with a fast-moving screen story which is both visual and in keeping with the story of Gus Edwards’ life, and packed with both much-loved melodies of the long age, plus songs which America will shortly be humming, the footage is welcomed from first to last.” Its mass appeal becomes all-embracing when you look at Walter Damrosch’s juvenile with the Philharmonic Orchestra of Los Angeles, showing a class symphony of majestic force. Roy Del Ruth’s direction is stand out.

(Continued on Page 16)
Screen Publicists Demand 100 Per Cent Guild Shop

West Coast Bureau of THE FILM DAILY

Hollywood — Screen Publicists’ Guild has given producers until Thursday, May 26, to provide a contract providing 100 per cent Guild shop and suitable severance pay. Testifying before the guild in a hearing which has major producers like Walt Disney and United Artists present, President J. W. Alcicu stated that major producers felt that the Guild’s demands were unreasonable and if producers accepted them it would be tantamount to turning the complete control of studios to the writers. He declared that action of Leonard Janosky, attorney for the Guild in walking out of the meeting with the producers’ committee shortly before the collective bargaining election in which the Guild was chosen as sole bargaining agent for producers was awkwardly timed, contending that the committee and Guild representatives were getting along on their negotiations.

Jos. Cantor Has 5-Theater Circuit in Indianapolis

Indianapolis — Joseph Cantor yesterday announced a new circuit of five theaters in this city with the purchase of long-term leases of the Parker and Golden Theaters. He operates the Rivoli and Emerson Theaters, while several months ago he acquired the Gatehouse which will be reopened in September under the name of the Esquire Theater. The Golden was leased from Herman Goldin who built the house in 1937. It will be renamed the Arlington. The Parker was leased from Ben Marcus who operated the house until Cantor leased it.

Cantor will be president of the new circuit, Robert L. Lerner, Cantor’s secretary - treasurer and general manager,

This agreement came to Indianapolis in 1952 as branch manager for United Artists, and before that was special representative for Universal.

K. Lee Williams Shifting Managers in Okla. Circuit

Okahoma City — Permanant shiffng of managers in the K. Lee Williams, Inc., circuit has been announced by General Manager K. Lee Williams, Gerry Doig, manager at Nashville, Ark., has been named manager at Fordyce. Bill Frazier, new manager at Ashdown, will be the new manager at Broken Bow, Okla., and Jack Callahan, assistant manager at Broken Bow has been moved to Ashdown as city manager. Cecil Callahan joins the new organization as manager at Nashville, having been assistant manager at Frederick, Okla., for the Griffith Amusement Company for a number of years.

The new managers’ meeting will be held this week in DeQueen, Ark., and the new man will be here the following month in a different town.

Illinois Allied’s Relief Fund Has $2,526 on Hand

Chicago — Relief fund set up by Allied Theaters of Illinois for picture people who are unemployed or in need has a balance of $2,256.17. President Jack Kirsch announced last week. Since the fund was established, $1,140.94 has been distributed. The fund was established after the Jack Kirsch Testimonial Dinner when $2,850.28 was raised. Three other dinners have added money to the treasury.

Third Week of “Name Only” Tops Second at Music Hall

“In Name Only” for the first four days of its third week at the Radio City Music Hall (Thursday, Friday, Saturday, and Sunday) will continue to present, as is the same period of its second week in cross by a considerable margin. The first four days of the third week were close in total receipts to the first four of the initial week’s run.

Republic Renews With Tropical Films, Cuba

Expressing himself as well pleased with the progress of Republic Pictures Corporation in Cuba, Mr. MRS. H. S. ROTH, vice-president in charge of foreign sales, announced that he had extended for another year the distribution deal with Tropical Films of Havana, Cuba, for the company’s entire 1938-39 program of features and westerns, and the group of four serials.
Warner Bros. are happy to announce that

"THE OLD MAID"

has broken all first week records at the New York Strand; that in the first four days of the second week the record-breaking pace continues, receipts coming within two thousand dollars of the first week's mark; and that in its first out-of-town engagements—Washington, Atlantic City and Bridgeport— it has beaten "Dodge City" and "Dark Victory", the top grossers of last season . . . . . .

JACK L. WARNER
In Charge of Production
HAL B. WALLIS
Executive Producer
HENRY BLANKE
Associate Producer

BETTE DAVIS • MIRIAM HOPKINS
"THE OLD MAID"
with GEO. BRENT
DONALD CRISP • JANE BRYAN • LOUISE FAZENDA
JAMES STEPHENSON • JEROME COWAN
WM. LUNDIGAN • CECILIA LOFTUS
Directed by EDMUND GOULDING
Screen Play by Caryl Robinson • Based on the Play by Dorothea Larder

A First National Picture
TRADE CODE STATUS IS "UP IN THE AIR" (Continued from Page 1)

The attorneys reached no decision but another meeting to be held this week was scheduled.

While it was learned that the distributors believe that a method of settling clearance disputes is a definite necessity, an arbitration system as proposed in the Code will not be agreed to by all, much as Assistant Attorney General Thurman Arnold has indirectly warned against its adoption.

Printed reports to the effect that the attorneys would meet with Justice Department officials were without basis of fact, a major company counsel said last night. No meetings with the Department have been scheduled or contemplated, he said.

The distributors, the counsel declared, will make every effort to keep the Code alive. "We hate to see 10 months of hard work thrown in the waste basket," he said.

Modification of Delaware Blue Laws Held Possible (Continued from Page 1)

ters favored changes to bring the law within the scope of modern life.

Governor McMalen, who recently vetoed a bill providing for a Sunday movie referendum in Wilmington, said that strict enforcement of the Sunday law would precipitate "a serious situation."

Members of the General Assembly offered no comment on the ultimatum by Attorney General James R. Morris for the legislature repeal or modernize the blue laws, or the police agencies in the state would proceed to enforce the law as it is written.

The legislators said there undoubtedly will be conferences when the General Assembly reconvenes on Thursday.

GN Stockholders Approve Amended Felt & Co. Plan (Continued from Page 1)

$1,000,000 available to the distributing company. While the Felt deal is subject to the consummation of the RFC loan, arrangements have been made whereby the Felt money will be available within 48 hours after GN receives the Government loan.

Plan B & K Outing Chicago—President Roy McMalen of the B & K Employees Association, says the annual golf tournament of the association will be held next month. A committee will select the club grounds to be used and set the date for the outing.

Tsk-Tsk! Manchester, N. H.—If the telephone company starts giving out a lot of wrong numbers to the Empire Theater here, this double billing might be the reason: "Alexander Graham Bell" "Almost a Gentleman."

FRENCH, ENG. FILMS DOMINATE IN SPAIN (Continued from Page 1)

agenda bureau, who is in New York, told THE FILM DAILY th

the majority of the pictures not shown in Spain are from England and France.

The American newsreels, Violin said, refused to give as much as four feet to the Nationalists' activities as they did to the Loyalisists, indicating that there was some resentment against the Nationalists. However, American pictures are still favored, he added, and the Government in Spain is hopeful for a satisfactory agreement whereby distributors over here may renew their Spanish business.

As to the American Mills, Violin said, there is not much any American distributor can do toward the purchase of American pictures, although no agreement has been reached as to how, if at all money may be taken out of the country.

There are approximately 10 distributors in Spain and all of them escape damage during the war. One company already has started production and others will begin when improved equipment has been purchased, Violin said.

Admission Taxes in July Up $42,989.40 Over June (Continued from Page 1)

collections were reported at $1,534, 249.77 compared to $1,491,560.37 for June. A decrease of $48,563.33 compared to July, 1938, was recorded otherwise. The figure for July of last year was $1,618,813. Broadway figures were reported at $897,418.34 compared to $478,553.12 in June, 1939, for a drop of $419,865.48. The July Broadway figure is also $42,989.40 less than the $841,450.60 collected in the Broadway area for July, 1938.
THANK YOU, Mr. Exhibitor...

Thank you for creating the "EXHIBITORS' SPONSORED TESTIMONIAL to NEW UNIVERSAL!"

FOR the first time in the history of the motion picture industry, exhibitors have chosen to honor a producing and distributing company with the sponsorship of a booking drive!

— We are proud and happy to have earned such faith!

Thank you, Mr. Spyros Skouras, for undertaking the National Chairmanship for the Drive.

Thank you, Mr. Morton Singer, for volunteering as Chairman of the Mid-West Section!

Thank you, Mr. N. L. Nathanson, for taking over the duties of Canadian Chairman!

We know that words alone can never fully express our appreciation, but you are all showmen and understand the language of BIG PICTURES.

HERE, on the following pages are listed BIG PICTURES and their approximate release dates, that will be and are ready for you during

THE "EXHIBITORS' SPONSORED TESTIMONIAL TO NEW UNIVERSAL" FOR AUGUST • SEPTEMBER AND OCTOBER
SHE LIVED ON THE BACK STREET of LOVE

(Here’s a Selling Line That IS EXCITING Every Woman in the Country!)

Universal Gives You the Greatest Box-office Team of the Year – Directed by JOHN M. STAHL who Directed “Magnificent Obsession” and “Only Yesterday”

Irene DUNNE Charles BOYER in WHEN TOMORROW COMES

with BARBARA O’NEIL ONSLOW STEVENS NYDIA WESTMAN FRITZ FELD

A JOHN M. STAHL production Screenplay by Dwight Taylor Based on a story by James M. Cain
Produced and Directed by John M. Stahl

NOW AVAILABLE – and cracking house records all over the country!
THE UNIVERSAL STAR-FINDERS
DO IT AGAIN!  An Amazing New Per-
sonality Presented to Your Box-Office...
Insured by a Splendid Human Production...Crowded
with Favorite Screen Names backed by one of the
biggest promotional campaigns ever
put behind a new star!

A JOE PASTERNAK
PRODUCTION

Robert CUMMINGS
Nan GREY
and
Gloria JEAN

in The UNDER-PUP
(There's One in Every Family)

READY FOR YOU
SEPT. 1ST

with Beulah Bondi • Virginia Weidler • Margaret Lindsay
C. Aubrey Smith • Billy Gilbert • Ann Gillis
Raymond Walburn • Paul Cavanaugh • Samuel S. Hinds

Original story by I. A. R. Wylie • Screenplay by Grover Jones
Directed by Richard Wallace
EXHIBITORS' SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

Drama from the root of life . . .
Youth turning to the swift call of adventure
And the heart-call of loyalty!

TWO BRIGHT BOYS

Starring
Jackie

Freddie

COOPER • BARTHOLOMEW

with
ALAN DINEHART • MELVILLE COOPER
DOROTHY PETERSON • J. M. KERRIGAN

Directed by Joseph Santley  Associate Producer, Burt Kelly

FOR RELEASE
SEPT. 8TH
Love and the Glamour of Paris—Transforming a Vengeful Flame to Hatred and Death in a Tropic Penal Hell!
ALL AMERICA is Waiting For This Moment!

Deanna falls in love — her glorious voice finds new inspiration in romance! ... Millions of fans eagerly await Deanna

FIRST LOVE

with Helen Parrish, Robert Stack, Eugene Pallette, Lewis Howard, Loretta Young, Marcia May Jones, Charles Coleman and other favorites.

Produced by
JOE PASTERNAK

Directed by
HENRY KOSTER

FOR RELEASE
SEPT. 29TH
EXHIBITORS' SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

TOWER OF LONDON

From Grim Pages Long Hidden by Time . . . Storms the Gripping Drama of the Most Gruesome—Most Fascinating—Character in History!

Starring
Basil RATHBONE

with BORIS KARLOFF, IAN HUNTER, NAN GREY, BARBARA O'NEIL, JOHN SUTTON, VINCENT PRICE

a ROWLAND V. LEE production

Produced and Directed by Rowland V. Lee

FOR RELEASE OCT. 6th
The FIRST of the FAMOUS PRODUCTIONS from HARRY EDINGTON for UNIVERSAL!

BACKED by tremendous star power, an important new producer brings you a picture aimed straight at your box-office... The cast—crowded with talent and popular appeal... The story—a dynamic, swiftly-paced romance set in the strangest, most dangerous country on earth!

DOUGLAS FAIRBANKS Jr. and JOAN BENNETT in GREEN HELL

with JOHN HOWARD ALAN HALE GEORGE BANCROFT GEORGE SANDERS • VINCENT PRICE

A JAMES WHALE production

FOR RELEASE OCT. 20TH
SHOWMANSHIP – Two names that will ignite the hearts of romantic America!...

Another Pasternak Sensation!

Hesitant Jimmy, glamorous Marlene, make every moment a glowing one as they run the gauntlet of true love to happiness!

Marlene

James

DESTRY RIDES AGAIN

FOR RELEASE OCT. 27TH

with Charles Winninger • Mischa Auer • Brian Donlevy

a Joe Pasternak Production directed by George Marshall
EXHIBITORS' SPONSORED TESTIMONIAL PICTURES DELIVERED
BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

To Round Out the BIG PICTURE Schedule Made Ready for You During August, September and October!

MUTINY on the BLACKHAWK
Richard ARLEN and Andy DEVINE
in the first of the series of the grandest action pictures Universal has ever produced
Backed by a swell cast with CONSTANCE MOORE, NOAH BEERY, GUINN "BIG BOY" WILLIAMS and others.
Produced by Ben Pivar • Directed by Christy Cabanne

DESPERATE TRAILS
Rip-Roaring, Pulse-Stopping Adventure with the Greatest Opa-Doa Team of the Year
JOHNNY MACK BROWN
BOB BAKER and FUZZY KNIGHT
Produced and Directed by Albert Ray

HAWAIIAN NIGHTS
Breathless Romance of Swing-Mad Youth Set to the Alluring Tempo of the Hula
with JOHNNY DOWNS MARY CARLISLE CONSTANCE MOORE MATTY MALNECK and His Orchestra EDDIE QUILLAN THURSTON HALL SAMUEL S. HINDS ETIENNE GIRARDOT Max Golden, Associate Producer Directed by Albert S. Rogell

HERO FOR A DAY
Timely as the headlines on tomorrow's sports page! Action on the gridiron! Love on the sidelines! A Laugh Touchdown
with ANITA LOUISE DICK FORAN BERTON CHURCHILL CHARLEY GRAPEWIN EMMA DUNN Ken Goldsmith, Associate Director • Directed by Harold Young

TROPIC FURY
A thousand dollar bill—torn in half—starts the strangest, most exciting story ever lived or played, with
Richard ARLEN Andy DEVINE BEVERLY ROBERTS, SAMUEL S. HINDS, LUPITA TOVAR
Produced by Ben Pivar • Directed by Christy Cabanne

Released Sept. 1
Released Sept. 8
Released Sept. 15
Released Oct. 13
Released Oct. 13

Approved by Exhibitors as "The Exhibitor Company!"
SOPHIE TUCKER WON'T APPEAR AT AEA TRIAL

(Continued from Page 1)

following message to THE FILM DAILY:

"To keep the record straight, I wish to appear before the Equity Council with my application pending my request. Having been in the theater more than 30 years, I think this rate as my career is at stake."

"Sophie Tucker," it is expected that the Equity Council will agree to a trial anyway, hearing the charges against Miss Tucker on her alleged treasonous actions against the AAA, whether or not the Council will convict Miss Tucker on the charges without her making an appearance could not be learned. The Council can not postpone the Trial or take it at, and in the event the Council goes ahead it can also reserve its decision on the amount of damages.

In the monthly issue of the Equity magazine issued yesterday a strong appeal is made to Miss Tucker in an editorial, setting forth her case for rejoining the AEA before the trial takes place.

Report At Scranton

Efforts of the A.F. of L execs, to avert any open hostilities in the theoretical field through an amicable settlement of the dispute were reported yesterday to be directed at George E. Browne, IATSE proxy, in an attempt to have his charter to the AFA. It is expected that if Browne did this it would do it for Browne's own interest, to prevent any misunderstanding on the part of thoseopposing Browne, and to prevent the charter from being revoked.

Scranton Getting Ready

To Honor "U's" Young Star

(Continued from Page 1)

American cities to Hollywood where they will be entertained lavishly during the week.

Among the film notables attending the premiere last night were: Bing Crosby, Louise Campbell, Horace MacMahon, Arthur Hornblow, Jr., Myrna Loy, Robert Taylor, Barbara Stanwyck, Linda Ware, Ned Sparks, Laura Hope Crews, Charles Rogers, Margaret Beer, Joel McCrea, Frances Dee, Fay Bainter, John Garfield, Mischa Auer, And Devine, Robert Florey, Mark Sandrich, Dr. A. H. Giamal, Patricia Goddard, Henry Herzbrun, Douglas Fairbanks, Jr., Fred MacMurphy, Patricia Morison, Tama Hanyi, Mary Livington, Ellen Drew, Evelyn Keyes and Olympe Bradna.

Coincident with the Hollywood premiere, film critics of New York newspapers and news syndicates together with reviewers of the industry's trade press witnessed a special preview of "The Star Maker" at the Paramount Theatre. The preview was preceded by a dinner tendered to the invited guests at the International Casino.

A capacity audience gave the picture an enthusiastic reception. Lobby comment indicated that the attraction will grab heavy box office revenue.

Vote Within Thirty Days

On Studio Bargaining Agent

(Continued from Page 1)

them more and more frequently will have to be seen together in the days to come. The reason is that the majority of the leading picture executives have expressed their desire to see the agreement of the International Film Televising and Stage Alliance with the Screen Actors Guild, as it is called, approved by a majority of the persons in the industry who are not yet members of the same.

Among the top executives of the industry who have expressed their desire to see the agreement approved are: Louis B. Mayer, president of United Artists; Harry Cohn, president of Columbia Pictures; Samuel Goldwyn, chairman of the board of Goldwyn Pictures; Darryl F. Zanuck, president of Twentieth Century-Fox; Louis B. Berton, president of Republic; and D.W. Griffith, president of Griffith Pictures Corporation.

The agreement is expected to be approved by the Screen Actors Guild at its next meeting, which is to be held in a few days.

West Coast Bureau of THE FILM DAILY

Takes Glastonbury House

Glastonbury, Conn.—Mrs. Nathan Lambert has acquired the 550-seat Glastonbury Theater, formerly operated by the Glastonbury Little Theatre, and will operate it individually, with Maurice Kemper as manager.

Fairmont Adds One

New Britain Fairmont Amusement Co., an Al Piches corporation, has taken over operation of the An- nex Theater, which has been closed for several months, and the house will reopen as the 403-seat Fairmont Theater on September 10.

Continent Boston Ushers’ Strike Parleys

Boston—Mr. O P and IATSE troubles were aired yesterday before Massachusetts Labor Board. No decision was forthcoming and second demand was scheduled for tomorrow when the authorities may again be voted to take the closed Gabley theater to decide the Local B4 rights to represent ushers under provisions that $1 per cent or more may bargain for the whole.

Orphans Guests of Para.

At "Star Maker" Preview

GFD WILL RELEASE FOR NEW BRIT, FIRM

A. J. Dukoff, producing directors include C. M. Woolf, Zoltan Korda, Hargood Grant and Harold Bozell. Zoltan Korda and Josef Somlo will be in large production at the Denham studios.

First Legioner production will be "King's Messenger," starring Ralph Richardson who will again appear as Major Hammond, the secret service agent of "Q Planes." Tim Webb, who directed "Q Planes" and "The Divorce of Lady X," will direct "King's Messenger."

Second picture will bring back to the screen Bruce Bairnsfather's war humor in "The Gift of God," which will also be the title of the picture. Bairnsfather has written an original script, and "The Gift of God" will star a young boy named Ian Dalmrophy, who will scatter "Pygmalion" and "The Beauty of the Bill," his first directorial assignment.

Michael Powell has been chosen as the third fraction, "The Contender," which A. E. Lea- son, author of "Four Feathers," has written directly for the screen.

TMAT Petition Before SLRB At Slated Hearing Tomorrow

Formal hearing of the petition filed by the Theatrical Managers, Agents and Treasurer's union for recognition as the bargaining agent for the men under its jurisdiction employed by the Liberty Theater, owned by Holges, Inc., assertedly a Brandt affiliate, will be held tomorrow morning before the New York State Labor Relations Board.

Meanwhile the hearing of the petition continued by the union at the 16 houses of the Nelson-Remer-Endicott Circuit in Boston, has been continued by the union has struck in protest over the discharge of one of the chain's managers. The discharged man was re-employed by the chain and the union was recognized.

Hoffberg Sets West Coast Contract for Distribution

West Coast Bureau of THE FILM DAILY

Hollywood—Deal was closed here at the week-end by J. J. Hoffberg, president of the distributing corporation of the same name, with Sam Nathanson, general sales manager of Coast Pictures Corp., to handle Hoffberg's entire product for distribution in Southern California and Arizona. Coast Pictures was recently organized by Hoffberg and Farkas, formerly with Columbia, Maurice L. Fischer and Irwin E. Meyer.

Hoffberg, who goes to San Francisco this week, told THE FILM DAILY that in his opinion there is no profitable market for ordinary foreign pictures except in the theater business. He said that unless pictures are sold by exhibitors. He predicted a turn for the better in the theater business shortly as the new season is just now getting under way.

Tuesday, August 22, 1939
year had four British films made for quota in conjunction with Irving Asher, will double the number in 1940. This numerical increase in the schedule will be attended, Cohn declares, by Jean Arthur and Cary Grant appearing in features here. Additionally, other talent from Hollywood is being contemplated.

Wesley Ruggles, Cohn added, is the probable director of the Arthur Grant opus.

Virtually coincident with the Columbia plan for expansion in the U. K., RKO's Lasbury announced at RKO Radio's two-day convention that the company has decided to produce three top-flight features annually in British studios, in light of the success of "The Saint in London." Further crystallization of these plans awaits the return here of William Sistrom from the U. S. Reported intention of RKO Radio to make the trio of movies which is considered the quota is interpreted as being in addition to those which are to come from the Leslie Howard-Walter Putter combine, and the pictures via Herbert Wilcox.

Barney Balaban is quoted here as having announced that Paramount will mount to have an even more ambitious program in Britain during 1940 than ever before, with an annual increase thereafter, and foresees the time when many of the greatest Paramount attractions will come out of British studios. He added that David Rose, company's head here, can have any story, talent or technical personnel he sees fit to fill out the pictures from the Paramount lot in Hollywood.

H. M. Warner's visit to England for conferences with the organization's British production chief is linked to expansion of present feature activity.

Robert T. Kane, British production head for 20th-Fox, is due to arrive in New York today for home office conferences on forthcoming products. Monte Banks, Kane's production executive, is already in the U. S. for preliminary negotiations.

Twentieth Century-Fox's deep interest in British-U. S. production link is manifest by Darryl F. Zanuck's recent citation that every picture made in the company's Hollywood studios is written and shaped for British consumption. Most of the good films from the U. K. are highly acceptable to the American public.

Seek Reinstatement

Reinstatement proceedings will be instigated in Bronx County Supreme Court yesterday before probate judge Doreen by Nathan H. Elman, attorney for Joseph Kimmel, in answer to the action of the Empire State Motion Picture Operators union contesting Kimmel from the union recently.

Pays $5 To Hear Himself Sing

Extra, and unsung, vocalized the finale of M-G-M's "Tarzan Finds a Son" at the Mersonere Theater, Brooklyn, last Saturday night. So inspired with the pix was the movie world's favorite ballyhoo, Pimblett, that he is in his ballyhoo routine of "I'm a Tinny Fishtie." The usher demanded that he stop. Then Patrolman Herman Walker issued him a citation of disorderly conduct on account of lack of breath while grapping with the policeman who took him into custody. Pimblett admitted in court that the charge against him was accurate, and Magistrate Joseph D'Andrea fined him $2 for disorderly conduct.

Einfeld Predicts Biggest Season from All Studios

(Continued from Page 1)

arrived in New York yesterday morning from the Coast aboard the 20th Century Limited.

This conclusion, he explained, is justified because each Coast location is determined to put forth ace story properties, allocate adequate budgets, and make the features with care and enthusiasm.

Warner's new season lineup, he added, is geared to exceed in point of big pictures any program since company's inception.

Situation currently on the Burbank lot, he said, is highly satisfactory, a total of 17 features already having been completed, and several nearing that stage, which means that supply at this time is sufficient until late December.


Warner's is considering, Einfeld disclosed, elaborate plans for the world premiere of "Elizabeth and Essex" in London. The film will be backed in the U. S. by a $250,000 national publicity-advertising campaign, as will "On Your Toes."

Jack L. Warner, vice-president in charge of production, is scheduled to arrive in New York from Burbank in about two weeks.

Picketing May Be Resumed At Springfield Paramount

Springfield, Mass.—The possibility that the Paramount Theater may be picketed again looms strong as two members of the TMAT refused to return employment offered them by the Western Massachusetts Theaters, Inc., which operates the Paramount and other theaters here.

The men who refused to return were Ralph Kranov, former assistant manager of the Springfield Colonial, and Myles Gibbons, former chief of staff at the Paramount, who were invited back by the management to settle a dispute between the TMAT and the theater company.

When offered to the two men, the conditions of their re-employment were far from satisfactory. Each was offered a position of $15 a week for management duties, and each was to be put back into uniform. While the hours and wages of their new jobs were not unsatisfactory, both men declared that they were being demoted.

Blue Law Enforcement Showdown in Delaware

Wilmington, Del.—Enforcement of Delaware's ancient Sunday "blue law" approached a show-down when Attorney-General James R. Morford served notice that if the General Assembly does not immediately bring the 144-year-old statute within the scope of modern life, enforcement of the law will proceed to enforce it as it stands.

Morford explained his position in a letter to Governor McMillen and the Legislature said:

"If the law were to be enforced it would result in arresting the driver of every truck using the highways on Sunday, the operator of every fruit and produce stand along our highways open on Sunday and interfere with the operation of every place where any merchandise is exposed for sale at retail on Sunday."

"Frankly, I can see no reason why the blue law (the blue law will not also apply to all of the restaurants, inns, and tea rooms along our highways, except the ones where food and cigarettes, cigars, soft drinks, and the like are for sale and dispensed."

Co-Op. Theaters of Ohio Now Buying for 80 Houses

Cleveland—Co-operative Theaters of Ohio, operated by Milton A. Moon- ey and the only co-op in the state, is now buying and booking for approximately 80 houses. Mooney reports, of which about half are ser- viced out of Cincinnati. Lates t information regarding the co- operaters' banner are L. B. Wilson's Liberty, Wilson and Broadway, Covington, Ky., Louis Wethey's Bend Theater, Cincinnati, and the Kentucky and Derby theaters, Latonia, Ky.; William Morrison's new Globe Theater, North College Hill, a Cincinnati sub urb; the New Holland Theater at Holland, O., operated by F. McQuay, and the Royal, Akron, owned by the late John G. Dietzen and now being operated by his son, Paul.

LETTERS

Mr. Chester B. Bahn, Editor, The Film Daily, Dear Chester:

Your editorial reiteration of a demand for the instituting of a Production Relations Board is timely and expresses an urgent need. Speaking not at all for the domestic field, with which I have nothing official to do, but for the foreign end of the business, I see such a Bureau filling an imperative need. Too many of our stars are permitted to make in-judicious statements on occasions of arriving and departing; too much prejudicial news is permitted to creep into press de spatches sent overseas; too many obviously propagandizing corres pondences are permitted to enter our country in the guise of friends and to send out stories insinuating America's interests and to the interests of the film business.

Even the best-intentioned of our executive sometimes get utter and harmful stories, unintentionally of course, but harmful in the long run. As witness the case of certain executives a few months ago who, because they felt that the European market was "shrinking to nothingness," boastfully gave forth the news that the difference would be made up by greater exploitation of the Latin American market— as though they were suddenly discovering a new field of activity for the first time. Latin America, which has always contributed magnificently to America's coffers, naturally resented this "exploitation," hurled into our laps a lot of new deals, a sheaf of new decrees, and bringing down on our heads the full force of a very justifiable wrath. The case was a costly mistake that the Press Relations Bureau would avoid. Please put down as one who not only applauds such a project, but who will throw in his "tuppence" to help it along in whatever fashion he can.

Sincerely yours,

Foreign Publicity Director of a Major Company.

Dunlap Leaves This Week For Mono. Board Meeting

Scott R. Dunlap, Monogram production head, will leave Hollywood for New York Thursday to attend the regular board of directors meeting.

Dunlap will remain in the east for some days in connection with the discussion of the new 1939-40 schedule with W. Ray Johnston, president, Imme diately after the "headquarters" at Headquarters" starring Boris Karloff will go into production.
Among prompted his marked
make place killed fugitive.
in garage crap P.
is out his in
break adequate pearl

George Mme. whereby Cavell, Jimmy ard, demnation in
onel splendid emies.
Neagle) Capt. Ignon,
forges whereby emi,
Martins Kosclee, Hallibell Hobbies, Fritz Leiber, Gui Ignon, Bert Roach, Gilbert Emery, Rex Downey, Brandon Foy, Spiffy and Jimmy Butler. Michael Hogan fashioned a strong screenplay, full of suspense, based on the story by Capt. Reginald Berkeley, F. A. Young and Joseph August supplied high-grade photography. At the outbreak of the World War, Edith Cavell (Anita NEAGLE) is in charge of a nursing home in Brussels. She and Mme. Rappard (May Robson) help Mme. Rappard's grandson Jimmy Butler escape from the invading Germans. He flees to the border and is taken to Holland on a large operated by Mme. Moulin (Zsa Pitters). Nurse Edith Cavell, Mme. Rappard, Mme. Moulin and their good friend, Countess de Maxon (Edna May Oliver), have perfected a system whereby they smuggle, help poor escaped prisoners into Holland. However, the Axis (Fritz Leiber, Henry Brandon) of the German forces poses as an escaped prisoner and gives the evidence which causes Edith Cavell's arrest and subsequent execution in Brussels, Belgium, by a military court. Despite pleas and warnings that her execution would bring world con-demnation of the German action, she is shot and her death penalty is carried out.


CREDITS: Producer, Herbert Wilcox; Director, Herbert Wilcox; Associate Producer, Thomas G. White; From story by Capt. Reginald Berkeley; Screenplay, Michael Hogan; Cameramen, F. A. Young, Joseph August; Special effects, Vernon L. Walker; Montage, Douglas Travers; Editor, Elon Williams; Musical director, Arthur Collins; Art director, L. P. Williams.

DIRECTION, Excellent. PHOTOGRAPHY, Very Good.

Hickey Joins Mednikov
Chicago — Duke Hickey, former Universal exploiter has joined John W. Mednikov, to do special exploitation work on "When Germany Surrenders."

Marlene Dietrich Arrives
Marlene Dietrich arrived on the Queen Mary yesterday on her way to Hollywood where she stars with George Stewart in a Universal picture, "Destry Rides Again."

"I Stole a Million"
with George Raft, Claire Trevor, Dick Foran

Universal

CRIME MELLER HAS PLENTY OF FAST ACTION AND A CAPABLE CAST.

Setting a fast pace at the opening gun, this picture will hold the attention of audi-
cences until it is over. It has action, melodrama, a human interest story and a good cast to put it over. George Raft and Claire Trevor handle the principal roles skillfully and Dick Foran is helpful. The rest of the cast is adequate and experienced. Raft, a taxi driver, gets in with the manager of a cab finance company over payments he has made on a new cab. He takes his own money, but faces arrest. He decides to make a break for it and escapes with a pair of handcuffs still dangling from one arm. He tries to get on a train tells him where he can get them taken off. However, he is made the stogie of a gang of crooks and starred at by bank clerk when he tries to escape. He meets Claire and falls in love with her, wins enough money in a crap game to buy a garage in a small town upstairs and their married life is happy for a year. The law finds out his whereabouts and he again becomes a fugitive. He misguided steals more and more money to protect his wife and baby. But Claire finally forces him to give himself up so that when he has served his sentence they can at least have some peace together.

CAST: George Raft, Claire Trevor, Dick Foran, Henry Armetta, Victor Jory, George Chandler, Irving Bacon, Tom Field, Robert Elliott, Joe Sawyer.

CREDITS: Associate Producer, Burt Kelly; Director, Frank Tashlin; Original Story, Lester Cole; Screenplay, Nathaniel West; Cameraman, M. Krasner; Editor, E. Curtis.

DIRECTION, Fast. PHOTOGRAPHY, Good.

"Port of Hate"
with Polly Ann Young, Kenneth Harlan, Carleton Young

Times Pictures

PROGRAM MELLER HAS ABLE CAST AND ACTION IN TROPICAL SETTING.

This picture will fill program needs nicely with a capable cast making the most of the action story in the tropics. Polly Ann Young, Kenneth Harlan and Carleton Young headline the cast. Miss Young, a pearl burler, runs afoul of the law when she is shot in the room where a murder is committed. Hunted by the police she is helped to escape by a Chinese friend. Later, living at a house belonging to Carleton Young, partner of the murdered man, she falls in love with him. However, he suspects her of the murder and it is not until the gang of poachers who hope to get her pearl beads are exposed that everything is straightened out.

CAST: Polly Ann Young, Kenneth Harlan, Carleton Young, Shia Jung, Monte Blue, Frank La Rue.

CREDITS: Director and Producer, Harry Street; Assistant Director, Donald Crammam, Edmund Kull; Editor, Bob Jahn.

DIRECTION, O. K. PHOTOGRAPHY, Fair.

REVIEWS OF THE NEW FILMS
Sorry...

Due to the unfortunate illness of CAROLE LOMBARD, we regret our inability to deliver "VIGIL IN THE NIGHT" to Exhibitors in October, as we had planned.

We are happy... however, to announce that MISS LOMBARD is recovering swiftly; that production will be resumed soon; and that "VIGIL IN THE NIGHT" will be delivered at the earliest possible date.

And to Carole... a speedy recovery... and hurry back HOME...

RKO RADIO
Prospects for Peace Brighter in Actors-IATSE Wrangle

COHEN CHARGES ALLIED TRIED TO WRECK N.Y. UNIT

Brighter Business Outlook in Michigan is Reported

New Theater Construction in Upstate Mich. Nearing All-Time High

By H. F. REYES

FILM DAILY Staff Correspondent

Detroit—Local outlook in the film business has been decidedly more optimistic within the past month than it has been in a long time. Michigan's summer resort trade appears to be up to nearly normal, and in any case, so far above winter and spring business that it looks like prosperity, and this is reflected in attitude of other exhibitors generally.

Larger city houses outside of Detroit are still not up to normal, (Continued on Page 9)

N. J. MEET TO DRAW NAT'L ALLIED HEADS

Annual Allied of New Jersey convention next month in Atlantic City is expected to take on the appearance of a national convention, it was reported yesterday. Because of the tense situation over the Government-rejected trade practice code, the pending trial of the equity suit and other important issues facing the industry. (Continued on Page 4)

Wall St. Circles Predict Pathé Laboratories Profit

A net operating profit for Pathé Laboratories during its first seven months of operation was forecast yesterday in Wall St. circles, and, in an analysis of the company offered by Josephthal & Co., a figure of $55 per share is set as the book value of the stock.

(Continued on Page 4)

Gloria Jean Party Leaves Tomorrow for Scranton

With several score newspaper film critics from all parts of the country, trade paper men, film magazine feature writers, New York news-

(Continued on Page 4)

2 CLAIMS MAY UPSET RECORDING COPYRIGHT

Monroe, La.—Two claims which, if they are upheld, may upset copyright privileges in connection with recording, motion pictures, and possibly broadcasting were made in Federal Judge Gaston Geltzer's Court here yesterday as C. P. Bulis, attorney for the Canadian Indies, was heard by a Newton, La. Federal Judge for a preliminary injunction in his suit against the company which claims the copyright of several motion pictures.

(Continued on Page 8)

Television Makes Its Bow Today N. Y. Dept. Store

Intra-store system of wired television will make its bow as a regularly-service at Bloomingdale's department store, New York, today, fol-

(Continued on Page 9)

4A-IATSE Jurisdictional Settlement Possible by Richman's Surprise Move

Wis. Exhibitors Fear Tax Proposal May Hit Theaters

Madison, Wis.—Latest proposal in the state tax muddle here is that of Sen. Bernard Gottlieber, Milwau-

kee, which calls for a plan to raise

(Continued on Page 9)

Chance for a peaceful settlement of the intra-union jurisdictional dispute that threatens to cripple the film industry and legit. field loomed brighter last night following a sur-

(Continued on Page 7)

ALLIED Trying to Create New State Unit, Cohen Tells His Members

Early national allied with attempts to "wreck" the New York unit and to establish another unit in the network which would bow to the wishes of the "inner circle," M. A. Cohen, president of New York Allied, in a 16-page statement to his members predicted that the continuance of national's tactics would "bring ruin to the cause of the independent exhibitor."

Supplementing his recent remarks at a trade press conference, Cohen took exception to Allied's reasons for expelling the New York unit, par-

(Continued on Page 4)

WAR THREAT HURTING ENGLISH BIZ--KANE

Stating that 20th-Fox will maintain its production schedule in England, calling for a minimum of eight for this season, with two in Technicolor, barring circumstances that may force a change in its program, Robert T. Kane, C. K. production head for the company, arrived in New York yes-

(Continued on Page 7)

N. S. Exhibs. Buying Pix In Face of Legislation

St. John, N. B.—Film contracts being sent out from exchanges here to exhibitors in Nova Scotia are coming back signed without ex-

ception. This, in spite of the protective clause embodied in such contract. By this clause, the exchanges

(Continued on Page 9)

FBI Detroit Probe May Be Preliminary to Film Suit

Washington—Chief G-Man J. Ed-

hoover admitted yesterday that FBI agents are conducting an in-

(Continued on Page 5)
For a Press Relations Bureau

...some concrete examples why

(Continued from Page 1)

board, not for constructive criticism but for attacks on the industry's integrity and good name.

For an illustration, there was one Shotwell Callert wrote under the intriguing title, "How to Stop 'The Dopey' Portland Oregonian not so long ago. Probably because Callert, spotlighting the Hays office, strayed so far from established fact, the MMPDA, through Kenneth Clark, called the Oregonian to account. It was a whole proper course of action.

But there are cases—many of them—where the newspaper attack centers upon the inarticulate industry rather than the MMPDA, and the latter, for understandable reasons, koops silent. Yet there is as much if not greater need for such attacks to be answered, and to establish that we suppose take up a recent syndicated newspaper column given over to the trend of patriotic themes.

Wrote the widely read columnist-radio commentator:

"Let's sell America to Americans! The chant is becoming deafening in Hollywood."

"In Hollywood—where an un-American caste system flourishes and workers are judged not by ability but by the size of their paychecks; where nepotism determines the bestowal of high-salaried jobs; where a man unaware enough to offend a studio czar is often blackballed in all studies for keeps; where the divorce rate is a national scandal; where gangster and sex pictures were the preferred crop until censor boards and an indignant Legion of Decency called a halt; where the final test of every idealistic theme is 'Will it make money?'—In Hollywood—where studios are being investigated—and prosecuted—for monopolistic practices and unfair trade; where many influential personalities are reaching policies that would entangle the U. S. in international quarrels are not the consequences of a people who have enough to do in caring properly for their unfortunate."

Is that 'Americanism'?

Of course, it is not . . . and neither is it the motion picture industry, any more than one or two vocal publishers are American newspapermen.

Unfortunately, that sort of verbal spree spreads across the pages of the daily press by one who has had some connection with the film industry, and permitted to go unchallenged and unanswered, is damming in the 9th degree.

And it explains why an infinite variety of propagandists shodden at this industry in legislative halls and elsewhere are so successful in their quest for public support. So, again: A press relations bureau, and the quicker the better.

"Beau Geste" Grosses High In 3 Metropolitan Houses

Paramount's "Beau Geste," starring Gary Cooper with Ray Milland and Robert Preston, continued its successful engagements in three metropolitan theaters in the New York territory, it was reported yesterday.

With a heavy gross for its third and final week at the Paramount, "Beau Geste," has rolled up a near-record in a three-week engagement, according to Robert M. Weitman, manager, announced.

At the Fox Theater in Brooklyn "Beau Geste" will complete its first week with a take $800 short of the house record.

In Newark at the Paramount Theater "Beau Geste" will finish its third week with a gross bettering the house average.

Yorke to Produce Short For U. S. Forest Service

Emerson Yorke, independent short producer, accompanied by Elmer McGovern, editor and director, left for Boston last night, bound for Washington, D. C. for conference with officials of the U. S. Forest Service relative to production on the forthcoming short, "Big Game in Alaska" which Yorke will produce for the Government Bureau.

Edward Levy is Sentenced In Conn. Conspiracy Case

New Haven—Edward Levy, secretary of the Connecticut MPTO and general counsel of the MPTOA, was sentenced to one year in State Prison, Waterbury, as a result of the conspiracy trial involving 18 others including high city officials.

"Oz" Exceeding Normal Biz In Key Spots, M-G-M Reports

"The Wizard of Oz" has exceeded normal business in every situation, ranging up to 167 percent over normal in the year 2000 normal record in New York, where attendance during the first five days at the Capitol ran ahead of every film in the 20 year history of the house, M-G-M reports.

In Indianapolis, "Wizard" did 88 percent over normal; Los Angeles, 85; Denver, 88; Norfolk, 73; Louisville, 70; Akron, 69; Toledo and Reading, 68; Rochester and Kansas City, 88; and Dayton, 86.
JUST ONE OF THE MANY RAVES!

Coast Guard Thrilling Film of U. S. Service

By THE CINEMAN

There's nothing like a pure adventure to make a movie enjoyable in superlative fashion. Men taking reckless chances against death, thrilling battles with high seas, chilling air feats, a film of life at its most quivering, romantic came to the Orpheum yesterday in "Coast Guard."

And there is one justification for enjoying this simple, newsreel-like picture - its suitability to the screen. Such exploits, that couldn't be reproduced in any other medium, are here shown in all their breath-taking detail.

- Action. Suspense, a satisfactory story of a uniformed Don Juan (Randolph Scott), and pleasant, easy going characters have been combined in the interest of gracious movie going.

The companion film, "Blonde Takes a Vacation," another in the series from the Hearst comic strip, is a round of homely amusement featuring Penny Singleton, Arthur Lake and Larry Simms.

Narrow squeaks are as meals to get to the coast guard. Their rescues are about the most romantic adventures still going on in the world and "Coast Guard" has focused on two prizes. A rescue in a terrific storm at sea and during another in the Arctic. The ease with which the pilot, Speed Bradshaw (Scott), and Lieutenant Dower (Ralph Bellamy) master the seething elements is part of the interest of their adventures. You feel you're getting a peek at one of science's most interesting discoveries as you watch the efficiency with which they unload passengers in towering seas and land on and take off from ice floes.

Frances Dee contributes the balancing charm to the picture which is convincingly played-by the two heroes. Walter Connolly is a grouchy grandfather.

Coast Guard

Randolph Scott • Frances Dee • Ralph Bellamy

Screen play by Richard Maibaum, Albert Dully, Harry Segall

A Columbia Picture
N. J. MEET TO DRAW NAT'L ALLIED HEADS

(Continued from Page 1)
dustry, most of national Allied directors are planning to attend the sessions, as well as rank-and-file members from other parts of the country.

E. Thornton Kelly, who is handling the details of the convention, said yesterday that 214 reservations had been made at the Ritz-Carlton Hotel in Atlantic City last week-end and that approximately 20 more had come in during the last two days. He advised those who expect to attend to make reservations immediately as the hotel expects an overflow crowd because of the Pugent of Beauty which is to be held at the resort city at the same time. The Allied sessions are slated for Sept. 6-8.

Forty-one booths have been booked by equipment houses which will have exhibits at the convention, Kelly said.

Despite the severance of New York Allied from the national body, a large delegation of upstate Allied members is expected.

The Eastern regional conference is slated for the opening day.

Wall St. Circles Predict Pathe Laboratories Profit

(Continued from Page 1)
the Pathe Laboratories stock based on current balance sheet figures.

Financial statement will be released the latter part of this week, it was stated yesterday at its office. In the Josephual analysis, credit for the upturn in the company's business is given to excellent sales on Pathy's "Movie Viewer" and a sharp reduction in laboratory overhead and other expenses.

It is further stated in the brokerage company's report that profits from the sale of Pathy's "Film Recorder," a check photographing machine assembled for the best on the market, and a promising outlook for increased sales of 16 and 8 mm, film, make the stock at its current levels an "interesting speculation" based on the improvement already shown in operations and possibilities of its products.

Meadows Dies

Cincinnati—D. C. Meadows, owner of the Lyric, Beckley, W. Va., died following a chronic stomach complaint.

WEDDING BELLS

Cincinnati—Irene Burke, 20th-Fox, will marry Arthur Hettesheimer, nephew of Andrew Hettesheimer, owner of the Norwood Theater, and former president of Cincinnati movies, on Saturday. Miss Burke was presented with a 46-piece set of flat silver by the Fox personnel.

ALONG THE LINE WITH PHIL M. DALY

• • • A VERY nice informal luncheon was given by United Artists to several of the trade press editors....who were invited to meet Clarence Erickson, the British representative of Walter Wanger. The luncheon was held in the refined and leisurely atmosphere of the Ritz Plaza dining room....here one finds no hectic hustle and bustle...no rauous ballyhoo atmosphere of those Broadway and Times Square joints.....Mr. Lynn Farnol went to some trouble to impress upon his guests in advance that NO PUBLICITY was being sought....it was lovely....and so Different.  

• • • LUNCHEON lasted for three hours.....it takes that long for the leisurely service of the Plaza to function....nice long breathing spells between the iced tomato juice, the capon kidneys, the Plaza bread pudding souffle, and the iced coffee.....what to do between the leisurely courses became a problem. Small Meas. Farnol, Greenthal, Margolies and Kosner as representatives of United Artists were loath to talk about pictures for fear their guests might suspect they were being promoted....and as they can talk about nothing but pictures, they were in a hell of a fix.....Meas. Ramuske, Kann, Shain, and your holyness as invited guests went no surprised at not being promoted at a luncheon given by a producer-director that they just couldn't say anything.....they were speechless.

• • • THEN Mr. Farnol was seated with an inspiration....."Let's kill time between courses by having us publicity fellows release stories about you trade press men ".....the idea was applauded by everybody present and the two waiters.....so assignments were given by Mr. Farnol to his staff.....the waiters took down the dictated stories over in a corner, rushed 'em to the chef who started knocking 'em off on his mimeograph machine.....the maitre d'hôtel in person waited on the table and served the various courses.....time passed.....but no sign of the releases.......

• • • YOU can well imagine that it got to be rather embarrassing.....here we were trade press men sitting waiting to read all the nice things those United Artists fellows had written about us.....a discreet inquiry was sent to the kitchen by Mr. Farnol, conveyed by the maitre d'hôtel, asking the chef when the releases might be expected.....the chef sent back word that he was trying to prepare the courses of the luncheon and knock the stories off on his mimeograph machine at one and the same time.....did we desire the dinner courses or the releases, or should we make it fifty-fifty?

• • • AS the iced coffee was being served, the maitre d'hôtel rushed up leisurely with the copies of the releases for each one of us four trade press men.....each one of those UA fellows had written blurbs about the current pictures of Meas. Seitznick, Goldwyn, Wanger, Small, Roosch, et al.....force of habit, no doubt.....then the waiter handed the bill to Mr. Farnol for the luncheon.....who passed out cold as he read the amount.....then the maitre issued a release as follows: "Mr. Farnol overwhelmed by luncheon given to him by trade press men".....those trade press men took the bows without batting an eye as the maitre read his release to them.....force of habit, no doubt.

FILM, TELE PROBLEMS FACE BRITISH GOV

(Continued from Page 1)
of television to the provinces. Questions to be put to Government officials on these three matters has been tabbed to be dealt with during Full session of Parliament.

On the quota angle the Board Trade president will be asked to give further consideration to the possibility of extending exclusive exhibition rights of independent exhibitors in getting British films to comply with the quota provisions of the Films Act.

Prime Minister Neville Chamberlain will be asked which Government departments have consulted with the Censor as to what film of a political nature, during the past three years, has been deemed advisable to screen for exhibition.

Question of extending television programs to the provinces, o which Mr. Neville in a recent letter to the Board Trade General has not yet made no statement, will be put to the PM who will be asked whether or not he is yet in position to make a statement to the House on the development of television program throughout the country including Wales, and as to the priority of each of the provincial centers for obtaining such service.

Television interests are unable to proceed with their program until the PM has made public his proposals as to extension of service and with being expedited by big screen television he intends to take.

Gloria Jean Party Leaves Tomorrow for Scranton

(Continued from Page 1)
paper men, two radio commentators and a newsreel crew, together with a Universal home office contingent, the Gloria Jean party leaves New York from the Pennsylvania Railway station at 10:30 tomorrow morning for Scranton where the premiere of Gloria Jean's picture, "The Under-Pup," will be held.

Luncheon will be served on the train. Scranton has completed arrangements for giving the young Universal starlet a rousing home-coming.

John Olinger Dies

Milwaukee—John B. Olinger, 65, retired Milwaukee exhibitor who operated one of the city's first nickelodeons, died here. Olinger was an exhibitor from 1906 until 1928, when he left the theater business to open a department store. He is survived by his wife and a sister.

Mono. Signs Coogan

Jackie Coogan has signed for an important role in MGM's "Sky Pilot." Tailing the multi-millionaire, part of the picture, he is said to be the most important in his grown-up career.
FIFTH AVENUE GIRL

turns the social whirl into a hurricane!
“Bachelor” Mother has a grown-up baby now! He’s Walter Connolly, millionaire workboy who never had a chance to play!...Ginger comes into life from a park bench...stages a one-girl raid on his stuffed-shirt family—AND YOU HAVE ALL THE FUN!...Gay, audacious complications, with producer-director La Cava at the helm, piloting his people through dangerous waters with the same sure hand that made “Stage Door” great!...

Yes, sir...another BIG ONE from RKO RADIO!

OPENS RADIO CITY MUSIC HALL THIS WEEK...

Ginger Rogers

IN “FIFTH AVENUE GIRL”

WITH
WALTER CONNOLLY • VERREE TEASDALE • JAMES ELLISON
TIM HOLT • KATHRYN ADAMS • FRANKLIN PANGBORN
PRODUCED AND DIRECTED BY GREGORY LA CAVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION

SCORE BY ALLAN SCOTT
SEE PEACE POSSIBLE IN AAA-AITSE ROW

(Continued from Page 1)

trial, which request was granted by the Council.

The move was interpreted by ob-
servers as possibly indicating that it is a split in the AFA ranks, since one of its major objectives is to bring about a peaceful settlement despite the opposition of the other group. The Court, however, contended that the first time that the AFA has voluntarily made any move to attempt to find an honorable settlement of the AFA jurisdictional controversy.

Richman stated that he appeared before the Court in response to a suit that he brought to the Court in an effort to find an honorable settlement of the AFA jurisdictional controversy.

Tomorrow afternoon at 2 o'clock was the date set by the Court for the Tucker hearing to be held before Richman's request. The trial was set for yesterday afternoon, but Miss Tucker refused to appear because the Court would not allow her to have her attorney present. Following an earlier file refusal to appear she made the offer to appear with her attorney, which was denied by Equity.

Freddy's Show Will Suffer

With the reopening of the Vinton Polydrome, which will be transferred to Labor Day, continued suspension of Miss Tucker or an oot of the Court to any other bar; as it is now considered that Miss Tucker will bring about a strike by the stagehands at the theatre. The AFA is expected to bring certain further reprisals against the AFA and they would be just as certainly answered by the IATSE, bringing about the open warfare which the studios and stage producers are facing.

Further support of the AFA cause was indicated yesterday in a statement by Marc Connelly, president of the Authors' League of America.

He stated that the League was heartily in accords with the established principle and policy of craft organization in the amusement industry, but believed that actors, authors and stagehands should remain within the confines of their own organizations. He amplified his statement by asserting that through years of experience each of these organizations has acquired the knowledge of the needs of its own members, and this experience obviously does not include the problems of other groups.

SAG Votes Full 4A Support

More concrete action was taken by the Screen Actors' Guild in Hollywood. They issued a statement that the board of directors had passed a resolution supporting the full four-year agreement of the Guild, economic and otherwise, for any action which may be necessary and for the co-operation of the Guild and with the AFA for the duration of a finish fight.

It was also resolved by the SAG directorate that the Guild co-operate with the Black Nova, and Canadian Indies Want Voice in Setting Up Ruling Body

(Continued from Page 1)

Oklahoma City's Variety Club May Lease Black Hotel Pent House for Headquarters

Oklahoma City—A committee has been appointed by the new Variety Club chapter here to secure the lease of the hotel penthouse as a meeting place. The committee is composed of E. Kossen, local Paramount manager, will check film exchange memberships. Recent meeting was called by Miss Loewenstein, manager of M-G-M, with Lella Eckelk, Dallas M-G-M manager, also present.

Canada's Nat, Film Board To Be Appointed Shortly

Montreal—Functioning as part of an Empire-wide campaign for increased film exports, the film board will be set up and will operate with a larger staff.

The duties of the board will be to supervise the preparation and distribution of "documentary" films, mainly of educational nature, and operate its one-theater circuit throughout Canada and the Empire. The work will be co-ordinated in the Empire to enable the films to appear in the Empire, and the other British Dominions.

The plan for the board was worked out chiefly by John Grierson, secretary of the Imperial Relations Trust. Grierson is on his way to Australia to work out a similar plan there.

The board will consist of seven members, all of whom will give their service gratis. There will be one administrative officer, who will be a full-time official on a salary. The members of the board itself will be appointed by the Imperial Government, the after consists of two Cabinet Ministers, two senior civil servants and three outstanding Canadians. The Minister of the Prime Minister will be given to him, W. H. D. Euler, Minister of Trade and Commerce, and who are the representatives of the press or public in the Canadian provinces. The first one, the second and possibly a third, will be arranged by the Minister of the Prime Minister.

"Bagdad" for Xmas Release

"Chief of Bagdad," being completed now by Alexander Korda in Technicolor, will be brought to this country for a Christmas release, it was learned yesterday. Korda and his wife, Merle Oberon, are expected to return here this fall from England.

with other AFA unions in developing a "one big union" plan, preserving group autonomy to the end. It is possible that this battle will hasten this plan, one which has long been sought by the majority of the AFA members union.

In a statement issued late last night, Ralph Whitehead, executive secretary of the AFA, announced that the appearance of Richman yesterday before the Court was purely an unofficial and individualistic act. Sophie Tucker, AFA proxy, appeared in court on Richman's behalf and asserted that Richman's action was unofficial.

The AFA Council will meet this afternoon to discuss the situation and to instruct its executive committee. It is believed that Richman will be asked to explain his actions and motives at this time.

Canadian Indies Want Voice in Setting Up Ruling Body

(Continued from Page 1)

committee of the Anti-Protection League, declares one of the chief purposes of the Dominion-wide convention of the independents, being held in Toronto, Sept. 7, is the endeavor to see that the independent interest of the film industry has "some voice in setting up its own governing body, if there is to be the opportunity of selecting its own representatives and some say as to a program to be pursued."

"The more we recognize clean

Canadian Indies Want Voice in Setting Up Ruling Body

(Continued from Page 1)

safety, the more will we recognize cleanliness. We do not recognize protection. The 45 or 50 days which must elapse according to the schedule is a condition that is intolerable to the subsequent-run houses," he asserts. "This fight for a new deal in clearance is a fight to regain some of the lost ground for independents. It will be a hard fight and possibly a long one. But our place in the industry and our livelihoods are at stake."

Six New Pictures Slated To Go In Work This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Six new pictures are scheduled to go into production this week. At Columbia, "The Incredible Mr. Williams," co-starring Joan Blondell and Melvyn Douglas. "Blonelle Brings Up Baby" with Penny Singleton and Arthur Lake.

At RKO: "Reno" starring Richard Dix with Barbara Read and Gail Patrick. Story is about the growth and development of Reno, Nevada.


M-G-M Close W. B. Chi. Deal

Chicago—Deal was closed here yesterday by W. P. Rodgers, Metro general manager of distribution, with James Coston, Warner zone manager, for the Metro new season territory. Rodgers is scheduled to meet John Friedly, Minnesota chain operator, here today on a product this weekend. The Metro exec. stated that he was optimistic about the business outlook in this territory.

WAR THREAT HURTING ENGLISH BIZ—KANE

(Continued from Page 1)

teday on the Isle of France for con- clusions, with studio execs. in Hol- lywood.

Kane reported that theater business in England currently was about 15 per cent off due to mobilization of troops and reserves. Drilling and other precautionary measures are being taken to keep the public away from the theaters.

Kane leaves today for the Thurs- day meetings to spend a week with Sidney R. Kent, 20th-Fox proxy, who is vacationing there, and then goes to the Coast for conferences with Darryl F. Zanuck and other studio executives. Kane said that he had several stories with him which he believed could be filmed in studio cach.

Kane predicted that eventually the film industry would have to go into the sports promotion field when television becomes established as a medium of entertainment. He foresees television in newstheater programs and supplemented by regular news programs, with special sports events also being televised widely in theaters.

The domestic sales department will distribute four of the English made films for the American market. Additional shows will be added to that figure before the end of the season, Kane said. He reported that the second Gracie Fields picture scheduled on the program had been cancelled because of her illness.

It was also learned that the budget increases announced for the company's domestic program would automatically affect the British picture, Kane expects to be here about five weeks.

Standard Theaters Launch A "Happy New Movie Year"

(Continued from Page 1)

Ohio—Standard Theaters group here launched the new movie season this year with an "unprecedented" campaign based on "Happy New Movie Year" as planned and executed by Pat Patchen, advertising manager.

Three color full page ads of new films, 12,000 mail folders, lobby boards and all usual forms of motion of the idea were used.

Screen trailers plugged the idea and pictures to sound track of New Year's celebrations and four days of spot announcement advertising on KOX with 15 plus a day read to background of "Auld Lang Syne" were also used.

Fair's "Golden Boy" Day

New York World's Fair, it was announced on the week-end, has designated today as "Golden Boy" Day. It is suggested that the 350th Instance of the Fair dedicating a day of its public events to a motion pic-
ticularly to the part which said that the national directors were “convinced that a relationship of co-operation that we very definitely would be to the bodies as long as Messrs. Cohen and Kosch (Harry Kosch, unit attorney) control the policies of the New York group.”

The policies of New York Allied, Cohen declared, were with the exception made of majority of board of directors and/or a majority of the state membership.

N. Y. Unit’s Actions Approved

In regard to national Allied’s assent that numerous members of New York Allied were out of sympathy with the efforts of the leaders, Cohen pointed out that Allied gave its unquestioned approval to the actions contemplated by the organization.

Cohen’s statement continues: “We now know who the backbiters were, and we also know that these self same backbiters, who constitute a definite small minority, were working in cahoots with and at the direction of Col. Cole and Commissioner Myers; and further that all this knifing in the back was being attempted without the knowledge of the membership at large, and certainly without the knowledge of the President of the organization. Therefore, it becomes obvious that the statement made in this particular paragraph is just another effort to draw a ‘red herring’ across the trail, on the part of the national Allied, so as to attempt to overshadow the important and constructive work being carried on by this unit.

Expelled, But Not a Member

“As I remember this statement,” he continued, “we are expelled from membership when we never were accepted into membership. Of course, Col. All- lied; and the flimsy excuses given by way of explanation to the press, are that due to the peculiar status of the New York organization, they ‘did not know what to do.’ Further, that we are expelled not by a motion of the Board of Directors, but by a polled vote by mail. And, let me tell you why there was a polled vote by mail at the last meeting of the Board of Directors requested by the backbiters hereinafter referred to, which meeting was called at their request through consultation with Col. Cole (which was admitted into the minutes of the meeting). Col. Cole was bluntly told that we were fully aware of the fact that we were not members of the national Allied.

“You can readily understand, therefore, that in such a situation, where we were all aware of our technical position—and further, in face of the fact that we were expelled, the statement that the only way Col. Cole and Commissioner Myers could save their faces, would be for us to sign the adjudication of the dismissal by the New York Allied, was to try and find some loophole or some peg upon which to hang either their faces or their hats.”

Allied gave as one of its reasons for expulsion of the various companies, which was towards the ‘dames,’ to which Cohen said that the schedule prescribed by the national organization was impossible to meet.

Regarding charges that New York Allied acted contrary to the national organization’s policies, Cohen quoted President H. A. Cole’s address to the New York convention in which the latter praised the unit for its work and in some instances endorsed its policies.

In answer to the various charges, Cohen summed up the situation as follows:

“We in New York Allied stand ready to defend our record. In assuming that there is one record we have the record of accomplishment, and we glory in our ability to achieve that record above and beyond which is impossible and unattainable. We have definitely proven that we are entitled to the respect and admiration of those with whom we deal in our daily business contacts; and what is more, we are receiving it.

“By conclusive proof offered to the entire industry, we have shown that we are able to cope with our own problems, and get relief if it is needed. And mind you, all of this has come about because at last in this industry there was such an organization that was not dominated by ‘leadership’ tactics; that was not dominated by ‘one-man’ policies — but an organization of men who are willing to shoulder the burden and not let George do it.”

To Call State Meeting

“In conclusion, let us offer this final bit of advice: We have an organization worthy of our support. National Allied tried to wreck it, but they failed; they are trying to wreck it now—they are trying to wreck it in this industry is negligible. Why they are trying to do this, God only knows, because by their tactics, and the complete disregard of those who are the cause of the independent exhibitors.

“In the immediate future, you will be called to State meeting. Make a firm resolution that this is one meeting and all that are present will be numbered because of the independent exhibitors.

“Before we have signed the)[pagebreak]

**Detroit Variety Club Is Seeking $5000 To Buy Lunches for Poor School Children**

Detroit—Detroit Variety Club is endeavoring to purchase lunches for indigent children in Detroit schools—a need indicated by the fact that 4,000 children daily go without breakfast. Edgar Kirchner, manager of the Family Theater, has been named general chairman. Kirchner and And Abooven, secretary of Variety, were on the committee, which has been checking the situation for several weeks.

**Griffiths Ask Government To Amplify Trust Charges**

Oklahoma City—The Griffith Circuits have filed a plea in Federal Court stating that if injunctions sought by the Government were granted “it will wreck our business.” The filing was in support of their motion to force the Government to detail and amplify its charge.

“Certainly when the very existence of these exhibitors is at stake, they should know with some reason- able certainty the thing with which they are charged,” the memorandum concludes.

The exhibitors are small corporations, organizing to operate in small theaters in small country towns. By efficiency and industry, three brothers and their associates have been able to operate these enterprises. Now along come those in high positions in our Gov- ernment and charge them with an oral and obscure language possible and ask the court to enjoin further business transactions and to de- crease dissolution of the organiza- tions.

The four Griffith companies are: Griffith Amusement, Consolidated Theaters, R. E. Griffith Theaters and Westex Theaters. Four circuits operate 290 theaters in three states.

**Two Yankees Theaters Pass to Interstate on Thursday**

Fall River, Mass.—Nathan Yamin’s Durfee and Empire Theaters will be taken over by Interstate Theaters Corp., next Thursday. Yamin, who has operated the houses for a number of years, will continue to operate the Park, Strand and Capitol here.

William J. Canning, manager of the Durfee until about a year ago, will return to manage the Empire with an ‘inner circle’ whose Durfee will be managed by Christopher Joy at Plymouth. Joseph Bean remains assistant manager. Vaudeville is not included in the Empire later in the season.

Intermediate, a New England chain, owns the theater and a contract was signed with the Colonial Organization to lease it to the Empire.

**Goldstein Wins N. J. Case**

Supreme Court of New Jersey handed down a decision in favor of Louis Goldstein, owner of New York and New Jersey rights to Bank Night, enforcing a Bank Night contract against Barclay Amusement Corp., operator of the Ramsey The- ater, Ramsey, N. J. Goldstein, as assignee of Affiliated Enterprises, sued Barclay Amusement Corp., for royalties due for use of Bank Night by the theater.

**Koerner Guest of Variety**

Vernon Koerner, who gave a full report of the annual meeting of the Chicago Variety Club last week, was a guest of the Variety Club.

**2 Claims May Upset Recording Copyright**

(Continued from Page 1)

torney for Charles Melts, asked for a retainer in a case he is going against his client. The claims in effect were:

1. That the motion pictures contained in the song "When Melts" were found guilty of infringing did not contain notices that the songs were copyrighted and hence Melts was an unintentional violator.

2. That the copyright on the songs was exhausted when copyright owners gave film producers authority to record the songs.

Melts, owner of the Arcade Thea- ter in Ferryland, had lost the suit when Asey’s Attorney, St. John’s, N. B., acting in behalf of Famous Music Corp., Ager, Yellen & Co., general manager, showed violations in connection with “Just One More Chance,” “Deep in the Heart of Texas” and the "Highest Mountain." The songs were used in an educational short entitled "The Magic Washing Machine" and in "Our Silly Valentine Melodies," a Betty Boop cartoon.

Lucas claimed that Judge Porterio had ruled earlier in effect:

1. That copyright notice does not have to appear on mechanical repro- duction.

2. That the right to produce does not include the right to exhibit.

3. That copyright holders can stipulate uses to which their works can be put as they assign their various rights.

**‘Nurse Edith Cavell’ Opens Tomorrow at Toronto Expo.**

RK0 announces that “Nurse Edith Cavell,” produced in this country by Balboa Theatres and starring Anna Neale, will have its premiere to- morrow on the grounds of the Can- dian National Exhibition, under the joint auspices of the British Empire Sec- tion of the Toronto Board of Trade and the motion picture industry.

Wileox and Miss Neele Neale will be present. A formal dinner for Miss Neale will be given at the Royal York Hotel, attended by Dominion dignitaries.

**Innocence Abroad**

Arriving yesterday on the Ile de France were Laurence Olivier and Vivian "Scarlet Off" Leigh. Columnists have reported a romantic attachment between the two, but Miss Leigh was not to be found and was not interviewed yesterday. Mr. Olivier told the press that it was a complete surprise to him that Miss Leigh was aboard the boat.

**Soviet After ‘Nazi Spy’**

Hollywood—Soviet government is negotiating with Warners for the Russian rights to "Confessions of a Nazi Spy."
**REPORT BRIGHTER BIZ OUTLOOK IN MICHIGAN**

(Continued from Page 1)

but the several towns depend directly upon the auto industry have prospects of usual fall revival, due to shipments from the new car plants as early production. Possible labor unrest could, however, seriously affect business, upstate as well as in Detroit.

Double features remain universal in Detroit. A new situation, notably the Krim Circuit, are experimenting with single bills for strong pictures and getting away with it. Public taste, as indicated by numerous reactions overhead by this correspondent, is for single bills strongly-attended, and patrons are very choosy when they have to “waste” time on a long double bill, demanding the best of both worlds. The usual strong and weak combo bill draws poor business generally.

Tastes in pictures in the territory are equally unorthodox. Star or name value appears of paramount importance, with the trend being one of special interest, rather than second. Typical is the “Union Pacific” type, now playing neighboring towns to good business. The typical film is doing less than average program business, unless backed by strong star value.

Overseas is worrying exhibitors in Detroit particularly, with several new houses under construction or planned, although sources of these are nearly a mile from existing theaters, in new territories just being built up in the present real estate boom. Upstate, theater construction is near an all-time high—eight houses under construction in August, three each being erected in Flint and Lansing.

Premiums appear to be gaining in popularity, particularly in Detroit where more exhibitors use them less frequently, especially in smaller non-competitive territory. Preferences are standard dishes, silverware, linens, etc. Occasional novelty premium has been introduced to good results, but they have been slow to spread to new houses.

Straight cash giveaways around Michigan are almost nil due to legal interpretations, and the various evasions of the law are all heavy duties. Detroit’s cash giveaway leaders write directly to law enforcement agencies.

Somewhat of a trend toward old-fashioned showmanship, in the form of movie give-aways and variations on ballyhoo, including street stunts, is apparent in recent weeks, extending from the dime houses right up to the first-runs.

III. Fair Bar Games

Springfield, Ill.—The Illinois State Fair will bar Bingo, corn games and numbered wheels this year.

**TELEVISION MAKES ITS BOW TODAY IN N. Y. DEPT. STORE**

(Continued from Page 1)

lousing a demonstration yesterday. Films and live models were televised from a central studio to a receiver on the third floor where a group of about 40 newspaper and advertising representatives were gathered.

Using an American Television Corp. receiver, pictures about seven-by-nine inches were seen, displaying models using various products. Films were made by Caravel Studios.

Observers reported that the pictures were reproduced on the television receiver only fairly clear. As the system is limited to the store and the pictures made up clearly, commercial films will be used and may be sponsored by manufacturers.

**Wis Exhibitors Fear Tax Proposal May Hit Theaters**

(Continued from Page 1)

$20,000,000 through a luxury tax. Sen. Gehelman has indicated his disapproval of a proposed compromise plan to raise $10,000,000 for the next two years by broadening the income surtax base to include more than 112,000 new taxpayers.

Under the compromise measure, the chain store tax would be deducted from a bill pending in the Assembly and redrafted into a separate bill. Sometime last week in August, three each being erected in Flint and Lansing.

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**FBI DETROIT PROBE MAY BE PRELIMINARY TO FILM SUIT**

(Continued from Page 1)

vestigation in Detroit, rumored to be the site of the next industry anti-trust suit. Hoover declined to say what his agents were working on, but it is known that FBI agents have done preliminary work on film cases in other cities.

**CRITIC UNDER THE KNIFE**

Indianapolis—Walter Whitworth, Indianapolis News disc jockey, is confided to the Methodist Hospital after an appendectomy.

**REVIEWS OF NEW FILMS**

**The Star Maker**

with Bing Crosby, Louise Campbell, Linda Ware, Ned Sparks, Laura Hope Crews, Janet Waldo, Walter Damrosch

Paramount

94 Mins.

BOX-OFFICE POWERHOUSE, HUGE AUDIENCE APPEAL, BRIGHT COMEDY AND GALAXY OF HIT TUNES.

Clearly, Paramount and film theaters have a mutual hit on their hands,—and audiences everywhere an entertainment as it comes from which springs a fountain of youthful talent, the lift of melodies both new and traditionally cherished, and Bing Crosby at his best. But most significant among the assets of “The Star Maker” is that it makes a really star of filmland’s future, in captivating person of youthful Linda Ware. In the Hollywood vocabulary, or any other, her voice is one of the most beautiful in the world. Involved is a story of brief, natural showmanship and versatility arebond to rocket her into popular favor.

To remark that her vocal gifts are singularly beautiful, is to make her sound just as thrillingly the institutional and trend “Darktown Strutters’ Ball” as she does Tchaikowsky’s “Waltz of the Flowers.” Melodically, the Charles C. Rogers-produced action is a cavalcade of songs, spliced together, three tunes radio, and made cohesive, logical and firm by the interlaced recapping of episodes based upon a study of life and times of Rogers. As Rogers takes to the fine array of new tunes, “A Man and His Dream,” “Go Fly a Kite,” “An Apple for Teacher” and “Still the Bluebird Sings” like the proverbial duck to water, and revel in the bosy of Gus Ed. wards hits of the long ago. Make bold notation that the footage is packed with human interest; grand comedy supplied by Ned Sparks, Laura Hooe Crews, the kid Cap Steward, the great Weldon, and supporting players. Crosby’s acting and resonant vocalizing, plus his title role characterization win him new laurels in the eyes of his already vast following. Louise Campbell is delightful and efficient as his devoted, inspiring spouse. Ann the Christmas mass appeal by virtue of Winter Damrosch’s presence with the Los Angeles Symphony Orchestra,—assure a class appeal of musical interest, Roy Del Ruth has turned in a masterful piece of direction, and photog alluring by Karl Susss is too, in the momentum of the screenplay by Frank Butler, Don Hartman and Arthur Caesar. The store recounts the flaming ambition, but within the “dreamed” impressionistic approach to success, of a song writer who becomes a renowned producer via pre- production of his creations. It is an immediate hit. His first big break comes through his devoted wife forcing an interview with the variety saloon Proctor. At the pinnacle of his success, his writer infidels and others of his man vaude vu units are squelched by the Gert’s Society’s forbidding child performers in line. At this moment, a wave of success has come to the Chicago Film Festival, and among the many renowned performers particularly a 14-year-old girl soprano. But when the skies are kept from his path comes radio, and he medium outs the star-maker back on the high road of fame and fortune. “The Star Maker” is gay, diverting, heart-string-tugging, and bountiful box office tally.

**SMUGGLED CARGO**

with Barry Mackay, Rochelle Hudson, George Barbier, Ralph Morgan, George Barbier

Republic

62 Mins.

WELL PACKED MELLER HAS ENOUGH ACTION TO MAKE IT O.K. FOR NABE HOUSES.

Although the title would never lead you to believe that the film centers around the life of a community of Southern California orange growers, action, a capable cast and well-paced story make it a O.K. entertainment for the nabe houses. Barry Mackay takes on the role of orange grower Ralph Mor- gan’s son. Morgan is good as the head of a citrus growers organization. George Barbier is amusing as the chain store orange drink mogul and Rochelle Hudson is attrac- tive and capable as his daughter. A reasoned group of troopers support the main action, and suddenly cold snap for smugging in the orange groves, and with a shortage of oil imminent, Mackay is forced to steal oil from their enemy, Arthur Loft, a grower who is not a member of the asso- ciation. He also takes Barbier’s car away from him in an effort to deliver the car and his rarer breaks down. Barbier is enraged when he discovers who Mackay is and is ready to unleash his hounds on the pro- fessional. As they talk to Loft and try to reach some agreement, they argue violently and Loft is murdered. Maker’s Wray incites a mob and it is not until Wray is disclosed to be the real murderer that the situation is straightened out. Barbier learns that Loft has been selling him smuggled oranges and reneges his contract with the association.

CAST: Barry Mackay, Rochelle Hudson, George Barbier, Ralph Morgan, John Wray, Cliff Edwards, Arthur Loft, Wallis Clark, Robert Homans.

CREDITS: Associate Producer and Directing, Reginald Barker, Associate Producers, James Jacoby and Earl Felton; Cameraman, Jack Marta; Editor, Ernest Nims.

DIRECTION: O.K. PHOTOGRAPHY. Good.


CREDITS: Producer, Louis F. Rogers; Director, Roy Del Ruth; Author, Arthur Caesar; Screenplay, Frank Butler, Don Hartman; Arthur Caesar; Editor, Alma Macrone; Cameraman, Karl Strauss.

DIRECTION. EXCELLENT. PHOTOGRAPHY.
A UNIVERSAL PICTURE
IRENE DUNNE AND CHARLES BOYER
IN "WHEN TOMORROW COMES" GAVE
THE RIVOLI THEATRE, NEW YORK,
The biggest opening it has had
in three years. Throughout the
country the story is the same.

A JOHN M. STAHL PRODUCTION
Now Located in 16 Spots; License Deals for 20 More Set

As a result of the success of drive-ins, a gain of more than 100 per cent is expected to be registered by this type of theater during the summer of 1940, checkup shows.

Currently, 10 U. S. communities have such "houses," whose establishment represents the direct opposite in principle of the itinerant exhibitor thorn in the side of the industry. The drive-in theater reverts the idea, by catering to the itinerant patron.

Communities with drive-in houses, together with their car capacities, are: Los Angeles, 500; Burbank, 480; (Continued on Page 6)

$5,000,000 PROGRAM AT EASTERN SERVICE

With contracts already signed involving approximately $2,500,000 for production at Eastern Service Studios, indications are that commitments calling for another $2,500,000 will be consummated before the end of the year. These figures are (Continued on Page 6)

Elect Sol Lesser President of Lubitsch Productions

West Coast Bureau of THE FILM DAILY

Hollywood—At a meeting yesterday of Ernst Lubitsch Productions, Inc., the following officers were elected:

(Continued on Page 8)

Proposed Ordinance to Limit Film Programs
In Minneapolis to Have Hearing on Aug. 29

Minneapolis—A proposed ordinance to limit film programs to two hours and 15 minutes will be aired at a public hearing to be held on Aug. 29. The proposed ordinance, which would not affect stage shows, would eliminate nearly all double-feature bills. Reports around the city indicate public sentiment growing in favor of the ordinance as patrons are apparently growing tired of lengthy bills and parents claim that long bills keep the children out too late this evening. A W. H. Walker, president of Northwest Allied, is reported to have started action looking to the adoption of the proposed ordinance. (Continued on Page 8)

Report Distribrs. Must Devise Plan
For Divorcement if Gov't Wins Suit

Washington Bureau of THE FILM DAILY

Washington—Reports, current here to the effect that the Government will limit its current New York equity action against the majors, the defendants would be given a period of some six months in which to devise a plan whereby theaters would be divorced, were neither confirmed or denied by Special Assistant Attorney General Paul Williams.

In any event, the Government, reports aver, will not be the one to offer, or arbitrarily impose the plan, but leave it to the companies themselves to be a satisfactory "way out" of the divorcement difficulty—"with the Government sitting in judgment up.

N. Y. Women's Clubs to Support Golden Jubilee

Co-operation of the New York State Federation of Women's Clubs on the observance of the industry's 50th anniversary was assured yesterday when Mrs. Malcolm Parker MacCoy, state motion picture chairman, announced plans for their participation in the Golden Jubilee.

Local chairmen were advised to call together their agencies in each community which has an active motion picture program such as a YMCA, YWCA, Boy Scouts, Girl Scouts, etc., and to launch an active drive.

Suggested activities include appropriate displays in schools, libraries (Continued on Page 6)

Foreign Departments of U. S. Majors
Take Steps to Meet War Threat

"U" Insures Delivery of Two Pix with Emergency Budget

Universal Pictures announced yesterday that an additional emergency budget in excess of $200,000 has been set aside to insure the timely delivery of "Destry Rides Again" (Continued on Page 8)

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AFA COUNCIL MEETS; NO ACTION IS TAKEN

Following a meeting of the full council of American Federation of Actors yesterday at its offices it was learned that no further action has been taken as to any future step (Continued on Page 8)

Cinecolor Prints on Single Coated Stock Ready Shortly

West Coast Bureau of THE FILM DAILY

Hollywood—Cinecolor will shortly deliver all color film prints on single coated stock with emulsion on one

No Merger

Printed reports to the effect that Allied of New York may merge with ITGA to form a third national exhibitors' association were denied yesterday by Max A. Cohen, president of the state group. Cohen said that no such plan had been discussed and no such enterprise was contemplated.
Report 365 Simultaneous for WB's "The Old Maid"

On the heels of record-breaking pre-release engagement, Pathe Bros., "The Old Maid," initial release on the company's 1939-40 schedule, goes into national distribution the week of Sept. 1, with 365 simultaneous engagements scheduled for the week. The studio is making a major organization a bang-up start on the new season with a strong push for the Old Maid, one of the biggest pictures of the year, with a solid production in rapid succession. These include "Dust Be My Destiny," "On Your Toes," "The Private Lives of Elizabeth and Essex," "Elinor Glyn Agents," and "We Are Not Alone."

In its several selected pre-release openings in key city situations to date, "The Old Maid" has rolled up sensational grosses, the company states, and bids fair to become one of the company's top money-makers of all time. Record business is reported to have stimulated titles such as the Strand, New York; Warner, Bridgeport; State, Waterbury; Warner, Atlanta; City, Earle, Washington; Roger Sherman, New Haven and the Capitol, Springfield.

Every available print on "The Old Maid" is expected to be in use during the first week of September.

Told Funeral Service... Tomorrow for Mark Vance

Funeral services will be held tomorrow for Mark Vance, theatrical newspaper man, who died Tuesday at Saranac after a long illness. Burial will take place at the Maple Grove Cemetery in Long Island, N.Y., and the B.P.O.E. services will be held today at the Riverside Memorial Hospital, various funeral home's. An informal service of show world, in charge of NY A News and a member of the Variety staff for 28 years. He is survived by his widow, Mrs. Edna Vance, and a son, Alfred.

Studio Workers to Decide... Bargaining Group by Vote

West Coast Bureau of THE FILM DAILY

Hollywood—At a conference attended by representatives of NLRB, producers, IATSE and United Studio Technicians Guild, it was decided that an election be held within 30 days to decide whether IA or USTG will be sole bargaining agent for studio workers. Studio workers employed for 60 days during period from Jan. 1, 1939, to July 15, 1939, will be eligible to vote and producers have stipulated that they would deal with winning organizations.

Monogram Moving Its Minn. Exchange to New Quarters

Minneapolis — The Minneapolis branch of Monogram Pictures Corp., will move on Sept. 1 from its present location at 627 Bloomington Ave. into new and larger quarters at 1111 Currie Ave. The branch will do its first film shipping effective that date.

Gov't Complaint Delivered To Crescent Amusement Co.

Nashville, Tenn.—Notices of the complaint, with antitrust charges, in the government anti-trust suit were delivered yesterday to the Crescent Amusement Co. (of Sudekum), Nashville, and affiliates: Cumberland Amusement Co., Strand Enterprise Corp., Lyric Amusement Co., and Anheuser-Busch. Charles W. Baulch, Kermit C. Stengel, Louis Rosenthal, and all of the major distributors except Columbia.

The complaint is answerable in the United States District Court here on or before Sept. 13 and there is no indication locally of any extension or delay in a hearing.

Second Swing of Kent Drive... Gets Under Way on Coast

Second swing of the annual 20th-Fox Kent Drive gets under way today in Los Angeles with a meeting at the branch there. It is the second agreement, general manager of distribution, and M. A. Levy, driver leader, will make their appearance in Los Angeles, San Francisco, Portland, Salt Lake City and Denver, with Wolfner, Bridgesport. State, Waterbury, Warner, Allen, City, Earle, Washington, Roger Sherman, New Haven and the Capitol, Springfield.

Every available print on “The Old Maid” is expected to be in use during the first week of September.
Front page flash from N.Y. World-Telegram (typical of news coverage) as New York went wild!

10,000 Wait in Line To See Wizard of Oz

Fans Circle Block Standing Four Abreast

Thousands of women and children, with a few men sprinkled among them today surrounded the block in which the Capitol Theater is located, waiting in line to see the Wizard of Oz on its opening day.

The line began to form before 8 A.M. and when 6,000 marched into the theater, when the doors opened at 8:45, there still remained a line in which there were 4,000 movie fans, police estimated, and 20,000 by the estimate of the theater's press agent.

The line, which 100 police controlled, began at the box office; extended north to 81st St., east to Eighth Ave., south to 50th St. and west to Broadway.

For most of its length people were standing four abreast. Broadway showmen who happened by stared in amazement. They commented that the Wizard was the biggest hit since Snow White and might turn out to be even a greater draw.
1. We announced on March 14, 1939 that we would release 48 feature pictures, 104 short subjects and 48 trailers. We also stated that “Quality is not a Passing Fashion”. Our production performance since this date and the pictures finished and available for release justify that statement and announcement.

2. An exhibitor who licenses all feature motion pictures offered shall have the right, if he be not in default, to eliminate proportionately among the several price brackets, 20% of the total number of features licensed, if the average of the license fees for all features shall not exceed $100., and 10% if such average is in excess of $100.

3. We confirm our policy of long standing of allowing an exhibitor to eliminate any feature which may be locally offensive on moral, religious or racial grounds.

4. We expect all top bracket pictures to be played on preferred playing time.

5. We will license a run designated by us of our features in any situation to any exhibitor of good reputation as a theatre operator and customer, whose theatre is in good condition and who operates under a policy which will not substantially reduce our revenue from any other run, provided such exhibitor and we can agree upon the number of features to be licensed, and other terms and conditions.

6. We confirm our policy of long standing and our intent to continue to license our pictures to our regular customers who prove to be satisfactory.

7. No exhibitor will be required to license short subjects, trailers or re-issues as a condition of licensing features.

8. No recording charge will be made in connection with the licensing of any of our feature pictures.
9. To assist in the booking problems of our customers, and for the mutual benefit of our customers and ourselves, it is our intention to hold a number of test exhibitions of pictures in order fairly to establish their proper price bracket allocation, and we will allocate features to particular price brackets not later than 14 days after the national release date thereof, to first run exhibitors in those cities which we may use as “Test Cities” and to all others, on giving notice of the availability of each feature.

10. We have never at any time coerced or intimidated any exhibitor to license our pictures by threatening to build or otherwise acquire a competing theatre, and we will never do so. It is our belief that the quality of our pictures and the high standard of our production create a demand for our pictures.

11. For over five years it has been our policy to arbitrate with any customer desiring so to do, all claims and controversies which may arise under our license agreements, and our form of license agreement contained an optional arbitration provision. We will continue to give to each of our customers the option to arbitrate all such claims and controversies.

12. Clearance is an absolute necessity in the conduct of our business and we therefore intend to continue our policy to negotiate with each of our customers for clearance reasonable as to time and area.

This policy will apply for the motion picture season 1939-40 and to all license agreements covering the 1939-40 products made after Jan. 1, 1939.

President, VITAGRAPH, INC.

Distributor of Warner Bros. and First National Feature Pictures and Vitaphone Short Subjects
DAILY

THREE

(Continued from Page 1)

UNG closely as immediate revision of budgets will be necessary if European distribution is closed down. A survey of the foreign departments yesterday revealed that they were all "to meet the inroads when it comes and take whatever steps necessary." In the case of Metro they are now completing a new exchange in London with a bomb-proof shelter and all companies have arranged for storage space in bomb-proof vaults outside of London for their films following an edict of the British government some time ago that they must be moved from Wardour Street in the event of war. Bombproof shelters have also been installed by other London exchanges and in the case of several majors a thorough evacuation plan, including all their employees, has been worked out. Despite the threatening aspects of the latest of the European "crises" shipping is being continued on regular schedules and no company has held back any prints slated for European countries.

Declaration of Australia yesterday that if England fights she will have Australia at her side presented a further problem in addition to the European countries that may be involved. However, several late reports in foreign offices last night contained some degree of optimism regarding the situation.

N. Y. Women's Clubs to Join Industry's Birthday Drive

(Continued from Page 1)

and community centers, newspaper publicity, incorporation of historical material into programs of motion picture presentations, essay contests, use of radio, dinners and public mass meetings. In her letter to the chairman, Mrs. MacCoy said the 50th anniversary celebration offered an opportunity for her organizations to celebrate what has been accomplished by motion pictures and to actually show what has been done by women to raise the standard of pictures.

WEDDING BELLS

Indianapolis—Andrew F. Ross, son of Mrs. David Ross, president of the Indiana Indorsers of Photoplays, was married recently to Rebecca Elizabeth Collignon of Danville, Ill.

Minneapolis—Donald Nathanon, the son of B. L. Nathanon, president of the Minneapolis branch of Monogram, will be married Sunday to Miss Evelyn Hoberman.

Manchester, N. H.—Fenton D. Scribner, manager of the Crown and Strand theaters here, was married to Miss Eleanor Jones, a Manchester girl, at St. Joseph's rectory.

ALONG THE DIATO

with PHIL M. DALY

- A LITTLE bit of fairy-tale whinny is about to gladden the hearts of the kids of the land...coming right to their doorsteps is it unique in the annals of showmanship stunts...in that it allows the youngsters to actually participate...and play the roles of the characters in the fairy tale...

- IT IS known as the Wizard Of Oz Tour...a creation of the fertile imagination of Billy Ferguson...which Captain Volney Phifer will handle on the road in the next two months starting Monday...routed via Boston, the New England States, Albany, Buffalo, Cleveland, Cincinnati, Indianapolis, Chicago, Milwaukee, St. Louis, Omaha and Des Moines...the Tour will cover all theaters booking "Wizard of Oz" in those territories...

- A SPECIAL motor van has been constructed which also serves the purpose of an exhibition float...within the van is the original two black ponies in the production, along with the phaeton that carried Dorothy and her pals...arrived at a theater situation hooked in on the Tour, the ponies and phaeton are used to transport local youngsters lucky enough to be chosen to impersonate the Wizard, Scarecrow, Tin Woodman, Cowardly Lion and Dorothy...the costumes of these characters are donned by the kids selected...and then they are all on a gay party starting from the theaters, visiting children convalescing in hospitals...bringing the shut-ins a little of the joy that they would experience if they could see the film production.

- THIS box office stunt has a score of intriguing angles...tie-up with stores in gift for the hospital kids, civic affairs and celebrations, newspapers, street parades...it is a cinch that it will have all the kids fighting for a chance to play the roles of the Oz characters...and for word-of-mouth advertising of a screen attraction we can't conceive of anything more overwhelming than all the youngsters in a town talking about it in their homes...which is what is bound to happen on this clever stunt.

- TODAY is the Big Day for Scranton, Pa...with the arrival of the Gloria Jean Special from New York carrying over 100 newspaper men and women...covering the Universal premiere of "The Under-Pup" this evening at the Strand theater in Scranton...the press delegates are from all the key spots from Boston to Atlanta along the Atlantic coast...today and tomorrow will be gala days for this city...2,000 miners have gone on "strike" in this anthracite community as a welcome stunt to Gloria Jean, the 11-year-old youngster who left Scranton a short eight months ago to soon to stardom overnight...they will be on hand with the rest of the city to greet her at the station...26 major coal companies are giving the miners the day off.

- TIP to Showmen...M & P theaters execs. up in the New England sector are pulling a neat stunt with the showing of Paramount's current Bing Crosby film, "The Star Maker"...in the sequences where Crosby invites the audience to join in on the singing of "School Days" they found that by running the fader down the entire audience could be heard singing...sorta reminds one of the days when the organist suddenly stopped in the midst of a songfest and caught the audience singing out loud...they are going strong for the stunt in the M & P houses...

EXPECT 100% GAIN

IN DRIVE-INS IN '40

(Detroit, 450; Cleveland, 450; Miami 400; Union, N. J., 400; Weymouth Mass., 500; Long Island, 500; Baltimore, 450; Washington, 450; Austin, Mass., 400; Shrewsbury, Mass., 350; MILFord, Mass., 350; Providence 350; Atlanta, two with 75 each; and Savannah, 250. Some 20 additions to theaters in various parts of the country have been assured by building plan licenses.

Total car capacity is 6,250, and total parking capacity, figured on the basis of five persons per car, is 31,250, which means that with only two cars per screen, the "drive-in" is exclusive. Even patrons not attending in automobiles, more than 60,000 entertainments are calculated, or more, or 400,000 per week on a schedule of seven nights of operation.

W. W. Smith, president of Park-In Theaters, Inc., headquartered in Camden, N. J., which company is leading exponent of the drive-in "house," points out that the screen size for a drive-in theater depends upon the capacity of the theater, and that a screen screen of 25 ft. by 35 ft. maximum use is at 60 ft.

The original Park-In Theater Smith adds, starts with a bulkhead, whereas the latest theaters have drive-over ramps, permitting cars to drive over from one ramp to another. An additional improvement just perfected provides for one drive-way in two ramps. The original drive-in called for approximately 10 acres of land and provided a 400-car capacity, but with new methods of designing, the same number of cars can be placed in five or six acres.

$5,000,000 Program is Set

At Eastern Service Studio

(Continued from Page 1)

reported to be exclusive of story properties.

The first important contract between Broadway theater sources and the local film industry was announced last week by Frank Speidel, president of Eastern Service, who reported the signing of the Wheeling-Sidhar deal for three pictures. Three others are to be made by Lee Garmes. Other deals involving Broadway interests are reported to be in the making.

Financing of these Eastern productions has been arranged through Speidel.

Steffes in Radio

Minneapolis—W. A. Steffes, president of Northwest Allied, is vice-president of a new organization that has filed application with the Federal Communications Commission for permission to operate a local 1,000-watt day and night radio station in Minneapolis.
To important people—
About important people—
By important people—

Yesterday
Today
Tomorrow

of the motion picture industry

THE
FILm
DAILy
CAVALCADE

"A Permanent Edition Commemorating the Golden Jubilee of the Motion Picture Industry"
now in preparation and soon ready for distribution to all
FILM DAILY SUBSCRIBERS
WB "STREAMLINES" ITS SELLING PLANS

(Continued from Page 1)

p.e. if such average is in excess of $100." Sears, at a press conference last night, asserted that the 90 p.e. and cancellation provision would apply to approximately 89 p.e. of its accounts.

The statement was issued in an endeavor to clarify the company's position and dispel, as far as Vitagrate is concerned, any confusion and divergency of opinion now existing in the motion picture industry. Sears further set forth in a declaration of the company's intent in 12 enumerated points. It covers the 1939-40 product made after Jan. 1, 1939.

The 12 points embodying the company's policy were outlined as follows:

1. We announced on March 14, 1939 that we would release 48 feature pictures, 104 shorts subjects and 50 trailers. We also stated that "Quality is not a Passing Fashion." Our production performance since this date and the pictures finished and available for release justify that statement.

2. An exhibitor who licenses all feature motion pictures offered shall have the right, if he so desires, to eliminate proportionately among the several price brackets, 20 per cent of the total number of first run licenses, if the average of the license fees for all features shall not exceed $100, or polper cent if such average is in excess of $100.

3. We confirm our policy of long standing of allowing an exhibitor to eliminate any feature which may be locally offensive on grounds of religious or racial grounds.

4. We expect all top bracket pictures to be played on preferred playing time.

5. We will license a run designated by us of our pictures in any situation to any exhibitor of good reputation as a theater operator and customer, whose theater is in good condition and who operates under a policy which will not substantially reduce our revenue from any other run, provided such exhibitor and we can agree upon the number of features to be licensed, and other terms and conditions.

6. We confirm our policy of long standing and our intent to continue to license our pictures to our regular customers who prove to be satisfactory.

7. No exhibitor will be required to license short subjects, trailers or re-issues as a condition of licensing feature films.

8. No recording charge will be made in connection with the licensing of any of our feature pictures.

9. To assist in the booking problems of our customers, and for the mutual benefit of our customers and ourselves, it is our intention to hold a number of our test exhibitions of pictures in order fairly to establish their proper price bracket allocation, and we will allocate features to particular price brackets not later than 14 days after the national release date thereof, to first-run exhibitors in these cities which we may use as "Test Cities" and all others, on giving notice of the availability of each feature.

10. We have never at any time consented or indicated that any exhibitor to license our pictures by threatening to build or otherwise acquire a competing circuit, and we will never do so. It is our belief that the quality of our pictures and the high standard of our production create a demand for our pictures.

11. For over five years it has been our policy to arbitrate with any customer desiring so to do, all claims and controversies which may arise under our license agreements, and our form of license agreement contains an arbitration provision. We will continue to give to each of our customers the option to arbitrate all such claims and controversies.

12. Clearance is an absolute necessity in the conduct of our business and we therefore intend to continue our policy to negotiate with each of our customers for clearance reasonable as to time and area.

This policy will apply for the motion picture films described in this report and to all license agreements covering the 1939-40 product made after January 1, 1939.

Divorcement Plan Up to Distribs. if Gov't Wins Suit

(Continued from Page 1)

and "Green Hell," the two last pictures scheduled for release during the current Exhibitor-Sponsored Testimonial drive. These pictures are scheduled for October 27 and October 20 respectively, and the production department will permit no exigencies to upset this schedule. The exhibitor will be left with a single day stopover in New York upon return from Europe, and will start to work in the Destiny picture immediately. James Stewart is co-starred with her. "Green Hell" is the first of the series, which it is believed will make for Universal, with Douglas Fairbanks, Jr. and Joan Bennett starred.

SEC Reports Light Trading

(Continued from Page 1)

Washington Review of THE FILM DAILY SEC reports light trading in film securities was extremely light from July 11 to July 31, according to the report of the SEC yesterday. Lone company to file in the Commission's semi-monthly summary of security transactions and holdings was Universal Corporation. Nathan J. Bumberg was reported as adding 300 common voting trust certificates to his holdings, bringing his total certificate holdings to 500.

Elect Sol Lesser President of Lubitsch Productions

(Continued from Page 1)

Lubitsch productions, according to Lubitsch, vice-president and secretary; Louis Lurie, treasurer, Dr. A. H. Giannini has been added to the board of directors. Lubitsch will produce and direct his own pictures under the new setup. He joins Sol Lesser early in January after he completes "Shot Around the Corner" for M-G-M.

United Artists will release the company's productions.

Sidney Howard Killed

Tryingham, Mass.—Sidney Howard, playwright, 48, was killed at his summer home here yesterday when a motor car in which he was started up and crushed him under the wheels. Howard wrote many successful plays and short stories, including the 1925 Pulitzer prize play, "They Know What They Wanted."

Metro-Minn. Amuse. Deal

Chicago—William F. Rodgers has closed a deal with the Minnesota Amusement Co. for M-G-M product for next season. Rodgers leaves today for Hollywood. He expects to return here next week.

"U" Insures Delivery of Two Pix with Emergency Budget

(Continued from Page 1)

and "Green Hell," the two last pictures scheduled for release during the current Exhibitor-Sponsored Testimonial drive. These pictures are scheduled for October 27 and October 20 respectively, and the production department will permit no exigencies to upset this schedule. The exhibitor will be left with a single day stopover in New York upon return from Europe, and will start to work in the Destiny picture immediately. James Stewart is co-starred with her. "Green Hell" is the first of the series, which it is believed will make for Universal, with Douglas Fairbanks, Jr. and Joan Bennett starred.

At the AFRA annual convention which opens today in Chicago, a vote is to be held on a resolution which would put it on record as favoring one big actors' union instead of 11 separate unions into which amusement employees are now divided. I will also study reports on the action of the A.F. of L. Executive Council in Atlantic City last week.

Last night Richman issued a statement explaining his appeal to Equity Council to make over its present policies to induce the AAAA to reconsider its uncompromising position. I had no time to offer but I was more than willing to act as one performer who does not want to see the little people of show business get in the real trouble they will find if some kind of peaceful agreement is not reached.

Cinecolor Prints on Single Coated Stock Ready Shortly

(Continued from Page 1)

side of the film only, it was announced yesterday by A. L. McConnell, president of Cinecolor, Inc. Prints on single coated stock can be made from color negative exposed by any method through Cinecolor's exclusive new patented process, he said.

With the new type prints, McConnell said, refocusing of the projector will be unnecessary and sharper images will result. Possibility of scratches is reduced 50 per cent with one side of the film only, he said, adding that Cinecolor has also found great reduction of grain with the single coated stock. Splicing of color film single coated stock is done the same way as black and white splicing, one side only is scraped.

Thursday, August 24, 19
Film Stocks Holding Firm in Face of European Crisis

MAJOR EXEC. SILENT ON WARNER SALES POLICY

Oklahoma Exhibs. Getting Ready for Good Fall Biz

Trend to Single Features in Oklahoma is Indicated by Fall Bookings

BY ERNEST W. FAIR
FILM DAILY Staff Correspondent

Oklahoma City—Top-notch pictures continue to draw the heavy box-office grosses in this state while run-of-the-mill product suffers in most situations. Oklahoma has gone strong and is still hitting highs on the big outdoor films such as "Union Pacific," "Dodge City," etc., and is still one of the best markets in the nation for romantic action dramas.

In very few spots are smart drama and musicals finding anything at all and in some situations this type of picture is setting new b. o. lows.

(Continued on Page 6)

TELEVISION'S PUSH WAITS TILL AUTUMN

Second big push of the television industry in this country will start this fall with a concentrated drive being instigated by manufacturers of equipment for programs in quantity with entertainment that can be sold to television audiences, particularly.

Del. House Acts to Bring Blue Law Up to Date

Wilmington, Del.—The House of Representatives at Dover yesterday passed a concurrent resolution calling for the appointment of a three-member commission to report to the 1941 legislative session of the General Assembly on the proposal to do (Continued on Page 6)

Judell Opening Branches Oct. 6 In Eight Centers

West Coast Bureau of THE FILM DAILY

Hollywood—Franchises for eight additional territories have been awarded to B. N. Judell, Inc., by Pro-

(Continued on Page 7)

RCA Sound Sales 10-15% Ahead of Last Year; Business Good in the South, Snook Reports

Sales on RCA sound equipment are running 10-15 p.c. ahead of the corresponding period last year, with the increase coming mainly from Southern theaters, according to Homer E. Snook, in charge of reproducer sales.

Following a tour of the Southern states, Snook reported that there appeared to be an "epidemic" of new theater construction, renovations and replacements of equipment.

Exhibitors, he found, were optimistic over fall business, despite war scores.

DISMISSAL OF TRUST CASE SOUGHT BY RKO

James Roosevelt to Survey Producer Problems for MPPA

West Coast Bureau of THE FILM DAILY

Hollywood—Joseph M. Schenek, president of the MPPA, late yesterday announced that in accordance with the expressed will of the association that he has invited James Roosevelt to make a special study of the problems concerning producers in their Hollywood studios, in

(Continued on Page 6)

INDUSTRY SEES HOPE IN ARGENTINE PACT

Announcement by the State Department that a U. S.-Argentina trade pact is due for negotiation shortly was received yesterday by major and indie film companies with satisfaction and the expressed hope that the commercial rapprochement between the two countries would mean an improved economic status for features and shorts of Hollywood making.

It is pointed out that under the

(Continued on Page 3)

Walkout of Boston Ushers Goes into its Third Week

Boston—State Labor Board met yesterday afternoon to consider again the pros and cons of the IATSE-M. & P. Theaters Corp. controversy. Affiliated theater ushers want five-day, forty-hour week. Picketing continued

(Continued on Page 3)

SUSPEND MISS TUCKER; INTRA-UNION WAR ON

Hopes of a peaceful settlement of the intra-union jurisdictional battle between the AAAA and the IATSE-AFA coalition went glimmering last night when Sophie Tucker was indefinitely suspended by Equity and IA. proxey George E. Brown sent wires to all of the international’s locals throughout the

(Continued on Page 6)

IA Said to be Rejoining Studios’ Basic Contract

With the signatories of the studios’ basic pact set to huddle in New-ark today at the Robert Treat Hotel, it was reported late last night that

(Continued on Page 3)

Max Fleischer to Produce Another Feature Cartoon

Highly satisfied with the color results on Paramount’s “Gulliver’s Travels,” Max Fleischer yesterday laid plans for a second full length

(Continued on Page 3)
Zanuck Ordered to Testify in Robert Sherwood’s Suit

Darryl F. Zanuck was ordered to testify before a trial in Los Angeles on application of Robert E. Sherwood and the Playwrights’ Coordinating Committee to the Superior Court of Los Angeles for an order to compel the Paramount Film Co. to appear at a trial as the defendant in a suit filed by the plaintiff seeking recovery of libel damages.

Examining Zanuck is a judge in the trial of a Los Angeles suit charged with failing to appear at a previous hearing as ordered.

Tell NLRB Two Producers Fought Screen Writers’ Guild

West Coast Bureau of THE FILM DAILY

Los Angeles—NLRB hearing at which producers are charged with refusing to recognize the Writers’ Guild was held yesterday.

Paramount announced that it would not appear at the hearing as ordered.

Paramount and United Artists were named as respondents in the charge.

Wolfson Wins Election

Miami Beach—Mitchell Wolfson, of the Wolfson produce company, has been re-elected mayor of Miami Beach.

His opponent was John A. Boles, a former city councilman.

SAFETY

FILM STORAGE CORP.

Storage by Reel or Vault

279 Section 200
New York City

BAY-9300

**SECURITY**
FILM STOCKS FIRM
IN FACE OF CRISIS

(Continued from Page 1)

he changes being of such modest proportions that declines could hardly be differentiated from a day of fluctuation.

Opinion in Wall Street circles was generally that, while the European situation was acute, it was not critical. Confidence was expressed that unity and a solution would prevail.

Discussing film aspects of the financial picture, Wall Street observers saw only a contingent barrier to his issuance by the new RKO Corp., if its proposed common stock. According to the Atlas-RKO arrangement evidenced by a letter approved by RKO, Atlas may, in its discretion, by notice to RKO, terminate the agreement prior to the date of making the offer to creditors and Rockefelder. A war in Europe would be evidenced from the fact that there shall have occurred a general severe depression in the market value of the securities.

Financial circles contend that until hope for peace is abandoned, fluctuation should go ahead by Atlas immediately upon SEC's suggestion as to price together with termination of hearings before Special Master George W. Alger. Hearings are expected to commence next week, pursuant to the SEC report.

Film Industry Sees Hope
in Pact with Argentina

(Continued from Page 1)

system of exchange control which was prevailent for some time in Argentina, European films have been imported generally at the favorable "official" exchange rate, whereas, S. films must be paid for at the "free market" rate which has averaged 20 per cent higher. The better situation of countries competitively with the U. S. has been due to bilateral trade agreements effectuated between such countries and Argentina.

However, there has been no outright legislation which has discriminated against U. S. product. Now that a full-blown trade treaty is in the offing between Argentina's officials and the State Department in Washington, it is anticipated that conclusion of the pact will insure Hollywood pictures not only a more favorable exchange position, but will guard against the effects of potential restrictions should they arise.

B & K to Triple Premiere
Fox's "Frontier Marshal"

Chicago—B & K will stage a triple premiere for 20th Century-Fox's "Frontier Marshal" at the Tivoli, Marbro and Uptown Theaters next week.

B & K is trying out first - run for de luxe neighborhood houses.

MAJOR EXECS. SILENT
ON WB SALES POLICY

(Continued from Page 1)

stated in a newspaper ad in the FILM DAILY, that the Warner plan was "probably commendable," modifying his statement with certain reservations.

Max A. Cohen, president of New York Allied, said that the Warner plan was the best proof that there was definite sincerity on the part of the distributors.

Warner Bros. field forces have been instructed to sell all product under the "streamlined" selling plan.

IA Said to be Rejoining
Studio's Basic Contract

(Continued from Page 1)

cartoon feature to be made as a successor to the screen version of the Jonathan Swift satire.

Fleischer's corps of readers was directed to comb the field of fantasy for a suitable story. Some of the script writers were put at work making rough outlines of adaptations of stories listed by Fleischer.

Walkout of Boston Ushers
Goes into its Third Week

(Continued from Page 1)
at the involved theaters as the strike went into its third week.

The trouble started August 10 when a group of union ushers walked out of the Metropolitan Theater.

Sept. 7 Projectionists' Day at the World's Fair

September 7 has been designated as Projectionists' Day at the World's Fair and special tickets are being sold which will admit the bearer to the Little Theater in the Special Events Building where the meeting will be held. P. W. Hare, head of Local 306, is chairman of the ticket committee. Tickets are sold at the same admission price as the regular Fair tickets.
Paramount's "THE STAR MAKER"

a host of All-Star Raves

"In 'The Star Maker,' Bing Crosby, ably assisted by a crew of talented youngsters, turns in his best since 'Waikiki Wedding.'"
—Jimmie Fidler

"Splendid, colorful and melodic piece of entertainment . . . headed for important coin. The picture is a natural for Bing Crosby!"
—Daily Variety

"Bing Crosby at his best. This Ware girl will crowd Deanna Durbin for single honors in films!"
—Erskine Johnston, L. A. Herald

"Paramount has a box office Big Bertha in the Charles R. Rogers produced attraction, 'The Star Maker.' For and away the best picture Bing Crosby has made to date. Makes a new star, youthful Linda Ware. Audience meat from first to last!"
—Film Daily

"You can't beat 99 kids and Bing plus our favorite old tunes plus a string of new hits plus a swell story for the entire family. I wouldn't miss it!"
—Thornton Delehanty, N. Y. Herald Tribune

"Never has Bing Crosby sung so well or played a role suitimg him so perfectly. Bing's best picture!"
—Hedda Hopper

Syndicate Columnist
"STAR MAKER" Receives from Coast to Coast!

"Money class-rich in novelty and musically appealing... holds a strong promise of doing big business."
—Hollywood Reporter

"Gus Edwards never made a discovery as great as the picture depicting his own career. Crosby never sang better. Picture jammed with entertainment!"
—Ed Sullivan, Daily News Syndicate

Cavalcade of show business. Linda Ware is definitely a top-notch screen find. Bing Crosby is in top form. Novel angle should insure popular appeal... top grosses!"
—Jay Emanuel Publications

Paramount presents

"THE STAR MAKER"

with

BING CROSBY • LOUISE CAMPBELL
LINDA WARE • NED SPARKS
LAURA HOPE CREWS • JANET WALDO
WALTER DAMROSCHE with the Philharmonic Orchestra of Los Angeles

Directed by Roy Del Ruth
Produced by CHARLES R. ROGERS

Screen Play by Frank Butler, Don Hartman and Arthur Caesar
Based on a Story by Arthur Caesar and William A. Pierce
Suggested by the Career of Gus Edwards.
SUSPEND MISS TUCKER; INTRA-UNION WAR ON

(Continued from Page 1)

country instructing them to support the AFA in every instance.

Browne’s action was interpreted as being a definite indication that the IA had no intention of revoking the charter that it has given the AFA, come what may, and will support AFA solidarity throughout the duration of this fight.

Suspension of Miss Tucker automatically bars her from appearing in an Equity film, and yesterday that Vinton Freedly, producer of the show, Leave It To Me, in which Miss Tuck was appearing, was seeking another actress to fill her role for his scheduled reopening in September.

The IA has already announced through an executive that it will take whatever action it deems necessary to protect its charter, and has been largely from the stage, and it is expected that it will strike the show in a rebuttal move. When the Equity Council meeting broke up and it announced its decision no IA exec could be reached for a statement.

Reported by Equity, Miss Tucker was said to have presented no defense in reply to the Equity charges and had shown resignation to the AAAAA and Equity by accusing them of conspiracy and other charges which she knew to be untrue.

Miss Tucker last night stated that she expected this action by Equity, that she would continue her work, and would consider her next step after talking to her attorney to whom she had been referred.

In addition to stating that the IA would support the AFA to the hilt, it was believed that Browne had indicated in his wire that all IA locals regardless of their classification will be urged to help the AFA organize throughout the country.

Following the Equity meeting, it was learned that the Equity Council had granted Harry Richman a postponement of four weeks on his trial date in order to now him to leave England in favor of an IATSE affiliate.

Further action was also taken on the Theatrical Managers, Agents and Reassurers Union Front, when it was reported that at a meeting last night the treasurers’ group a large delegation was in favor of an IATSE affiliate as part of the members of the Oklahoma Exhibits Preparing For Good Autumn Business (Continued from Page 1)

Best drawn in all since are the action dramas with some star value.

While business has been somewhat slow during the past few months it nevertheless has not shown as low marks as had been expected. The outlook for Fall is particularly bright with most operators predicting a good season ahead. More extensive hallow of the new season product is being used this year than ever before. With showmen pointing “with pride” to the new movie year there are always attractive.

Double features have hit a high spot during the summer months but according to present indications are to remain high. Fall is expected to be a slow season for the Fall.

Some houses operating on a Summer double bill first-run schedule are already beginning to see the fall features for Fall months. Others are testing single bills and some are substituting extra billing of the second feature in experiments. The Griffith Amusement Co. is doing this in a number of Oklahoma spots.

Giveaways and premiums are at an all-time low in Oklahoma with only a few spots featuring them. Locally, there are none, with the State Theater having abandoned a test on a song-winning giveaway stunt. Only a few scattered houses over the state are featuring giveaways and in the majority of cases these operators are getting set to scheve them.

Most showmen in Oklahoma are getting set for a return of good business conditions and are getting their houses in order for an anticipated bumper fall and Winter box-office crop. Hence farsaking of double-bills and giveaways all ready.

While Oklahoma may not be the big market that other outlets in the picture industry during Fall and Winter it will in all probability be up among the top rating white areas.

Louise Farnsworth Dead West Coast Bureau OF THE DAILY

Hollywood—Louise M. Farnsworth, 49, former stage and silent film actress professionally known as Margaret Whistler, is dead here. For the past two years she had been a studio costume designer.

Motion picture division who have already gone on record for an IA affiliation.

It was decided that a complete examination of the TMAT jurisdiction under their A F of L charter should be made before any further action is taken. The IA states that it received jurisdiction over theater operators in all states and that the TMAT has never received title to the field.

Dismissal of Trust Case in Ky. Sought by RKO Radio

As the Newcomn Theater, the suit, which was filed on July 26, seeks $75,000 triple damages against 20th-Fox Distributing Corp., Loew’s, Inc., M-G-M Distributing Corp., of Texas, Keith-Orpheum Corp., Paramount Pictures Distributing Co., Inc., United Artists Corp., and RKO Corp., claiming the illegal monopoly of the industry in Kentucky.

RKO will ask a dismissal on the ground that the District Court has no jurisdiction since RKO has no office or agent in that territory.

Zorina Steals Paper's War News

Correspondence—Speaking of good publicity breaks, Warner Bros. got a “honey” Wednesday when the Herald Tribune displayed monograms devoted to the European crisis. The other three columns of the tabloid showed a picture of Vera Zorina being carried off a Pullman car by a policeman.

(Continued from Page 1)

LA stress being laid on sports events it was learned this week from a survey of producers and equipment dealers that program deficiencies handicapped a small promotion of set sales, the manufacturers realized that further experimentation and extensive search during the balance of 1938 would be necessary, an executive of a large manufacturing concern told THE FILM DAILY.

It was pointed out that a strong and well-balanced supply of the equipment was necessary to promote set sales to the general public, with the high cost of sets another factor that hindered progress of the industry.

He stated that entertainment manufacturers had been and are now being thoroughly tested for audience appeal and every effort was being made by manufacturers of television sets to cut the cost of sets so that they will be within the budget of the average buying public’s pocketbook.

Another deterrent to any real forward movement of the industry, this year has been the fact that the manufacturers have had no assurance that any order would agreed upon and there still is not a clear picture of the future. Still on the horizon, the industry has been and is a close-watched by the manufacturers as a whole are closely watching the European situation and the way their plans as a war may curtail financing of the industry as profits are non-existent at this time.

Product Deals with Three Circuits Closed by Mono.

George W. Weeks, general sales manager of Monogram Pictures, announces that Paul Amusement, Georgia Interstate Circuit, New England Circuit, and Dallas, which are served by the Atlanta, Boston and Dallas exchanges, respectively, have closed commitments covering the 1938-40 program.

Granger in GS Product Deal

Chicago—James R. Granger, Republic proxy, is here negotiating with Granger, Inc., for his third new season product. He says Republic sales nationally at this time are 30 per cent ahead of same period last year. He leaves today for airplane for Los Angeles.
**Reason for Alarm!**

Glamour—The Dodge Theater at Dodge, Neb., was struck by lightning and was practically burned down before anyone knew it. A wrinkly man who owned the theater is the fact that the theater was operated by the town's volunteer firemen!

**Juddell Opening Branches Oct. 1 in Eight Centers**

Juddell, a distributing Corp., for the distribution of the 1939-40 product of Producers Pictures Corp.

Operating film exchanges for many years in Chicago, Milwaukee and St. Louis, B. N. Judell, Inc., will open exchange offices Oct. 1 in Atlanta, Charlotte, Memphis, New Orleans, Dallas, Oklahoma City, Kansas City and Los Angeles.

**Juvenile Books for "Oz," "Gulliver" and "Pinocchio"**

Chicago—Several million juvenile and color books will be turned out by Whitman Publishing Co. of Racine, Wis., and the Saalfeld Publishing Co. of Akron, O., for tieups with the feature films, "Wizard of Oz" and "Gulliver's Travels.

Whitman Co. will have ready next week, according to J. A. Riley of that company, "Wizard of Oz", picture, paint and story books. The company will, later in the fall, publish a special line of books for Disney's "Pinocchio."

The Saalfeld Company is printing "Gulliver" coloring and story books, also a picture puzzle box, as well as a Gulliver paper doll box. For exhibitor use.

**Stage Shows at Cleveland RKO House Return Sept. 8**

Cleveland—Nat Holt, RKO Great Lakes division manager, has just returned from New York where it was determined that the RKO Palace Theater here will resume its stage show policy starting September 8 with Artie Shaw as the first attraction.

Last season's admission scale of 55c top for week-ends and 50c top during the week, will be resumed. Following the usual policy, stage shows were dropped at the Palace during the Summer.

**Ready Reference Directory**
now... CINECOLOR on SINGLE COATED STOCK

Beginning immediately all CINECOLOR prints will be delivered on single coated stock (emulsion on one side only) produced by an exclusive new patented method.

Continuing its policy of giving the industry better color today instead of promises for the future, CINECOLOR announces a revolutionary new process which creates these advantages for buyers of color film processing right now:

1. Makes refocussing unnecessary.
2. Sharper images.
3. Lowest price in CINECOLOR history—reduction effective immediately.
4. Possibility of scratches reduced 50% with emulsion on one side of film only.
5. Grain greatly reduced.
6. Splicing same as black and white—no longer necessary to scrape both sides.

More than ever now
CINECOLOR IS THE BEST BUY IN COLOR
2800 SOUTH OLIVE AVENUE, BURBANK, CALIFORNIA
Production Plans Are at a Standstill in English Studios

GOVT. ATTITUDE UNCHANGED BY WB MOVE--ARNOLD

Extended Runs Hit New High in Pittsburgh Theaters

THE WEEK IN REVIEW

Code Into WB Contract

By GEORGE H. MORRIS

DOMESTIC

CODE STATUS: While some industry sources expressed concern that the new practice Code as codified would have an adverse effect on the movie business, there was a general opinion that it was well received by the public.

ALLIED TIFF: National Allied and the National Cable and Broadcast Association have agreed to joint activities in the maintenance of labor peace and to work together on matters of common interest.

LABOR FRONT: The Screen Actors Guild and the Motion Picture Studio Officers Association have signed a memorandum of agreement that provides for a joint approach to labor relations.

NAME COMMITTEES FOR SMPE CONCLAVE

Committees for the SMPE fall convention, to be held at the Hotel Pennsylvania, Oct. 16 to 19, have been announced by E. A. Willford, president of the organization. Committees, chairmen, and members, are:

Reception and Local Arrangement: (Continued on Page 3)

Projection Goods Exports Showed a Decline in July

Washington — Exports of photographic and projection goods in July dropped $210,000 from the same month last year.

English Theater Business Dead; Film Transportation a Problem

All Forms of Chance Games Banned in Sussex Co., N. J.

Sussex, N. J.—All drawings in theaters, games of chance, including Bingo, and other forms of gambling were ordered banned last week by the Sussex County Prosecutor Downing State Police closed Bingo games and gaming activities in the county.

London (By Cable)—While studios were busy as usual over the weekend, future production plans were at a standstill as the possibilities of a war continued. Curtailment of work loomed as mobilization caused depletion of staffs.

THEATERS BUSINESS

Ed Kuykendall, MPTOA president, regards the Warner Bros. trade practice announcement as “encouraging” even if it doesn’t cover all the angles that MPTOA believes should prevail. In a formal statement issued on Friday, Kuykendall said the Warner plan was a “definite step forward in bringing about a happier relationship between exhibition and distribution.”

“Mr. Sears shows the courage of his convictions in making this announcement without the entanglements of the Code,” Kuykendall said, adding that “MPTOA has insisted from the beginning that distributors could and should promulgate fair trade practices by putting them into effect. . . . I hope other distributors will follow Warner’s leader. My congratulations to Grad Sears.”

Weeks Reports Exhibitors Not Alarmed by War Scare

George W. Weeks, Monogram general sales manager, who returned recently from a swing across the country, reported on Friday that the shooting of the war scare picture “Gentleman Jim” was not affected by the decision to void the Code.

WBT O CONCILIATE CLEARANCE PROBLEMS

Conciliation of problems where Warner Bros. pictures are concerned will be available to Warner customers. This assurance was given by Grad Sears, general sales manager, to Max A. Cohen, president of New York Allied. In a statement issued by Cohen, it was said that Sears would “step out of the way” where necessary.

Sophie Tucker is Dropped From Show: “War” Looming

Vinton Freedley, producer of the show “Life to Me,” announced Friday that Sophie Tucker would be dropped from the cast.

Three Provisos to Govern James Roosevelt’s Survey

West Coast Bureau of THE FILM DAILY

Hollywood—James Roosevelt, who will make a survey of problems confronting Hollywood producers, will do so with the following provisos: That the study will not involve a

(Continued on Page 8)
“5th Ave. Girl” in 2 Days Tops 3-Yr. Music Hall Record

“Fifth Avenue Girl” on Friday, its second day at the Radio City Music Hall, topped the intake of the opening day for any RKO-Radio Picture in the big house in the last three years, the company states.

In mid-afternoon of Thursday, a hot and sultry day, the queue extended from the Music Hall Box Office to Fifth Avenue, a distance of 1,000 feet. The record hung up by “In Name Only” as its opening day had been bettered when the theater closed Thursday evening. The new Barrows’ production was in the same time also outgrew her “Bachelor Mother,” which played the house a few weeks ago.

Well into the driving rain on Friday, “Fifth Avenue Girl” topped the gross for the premiere day, Thursday.

RKO-Radio’s three productions to play the Music Hall in mid-summer have all scored hold-overs, doing exceptionally well during the busy season. Opening days have set records for the past two and three years and business has been sustained during the long runs. “Bachelor Mother” played the Hall for two weeks, “In Name Only” for three weeks, and the gross to Friday for “Fifth Avenue Girl” indicates a holdover for the heavy Labor Day weekend.

931 Houses in Chi Territory

Chicago—Miss Emma Abplanalp, former secretary of the Chicago Film Exchange Trade, has completed a directory of theaters of the Chicago trade territory. She lists 931 houses in this area, of which 808 are in this state and the balance in northern Indiana and two in southern Michigan.

S. Skouras Reports Theater Biz on Up-Grade Nationally

Theater business is on the up-grade with an improvement noticeable now throughout the country, it was reported at the National Theaters office at the week-end following the return of Sypros Skouras, N.T. chieftain, from a flying trip which covered 10,000 miles through territory where the company has theater interests.

Skouras conducted five meetings in the different divisions of the theater chain’s far-flung web of operations, and stressed theater management in his talks. He is also said to believe that new product coming from the studios now and in the future be released will help theater biz uptrend tremendously.

M-G-M Purchases Cantor’s Next Story from Fadiman

Completion of the purchase by M-G-M, of the new vehicle for Eddie Cantor, “40 Little Mothers” from Edwin Fadiman of National Picture Corp., owners of the basic French scenario and film, was confirmed yesterday.

The deal, reported “hot and cold” several times during the last six months, was signed only yesterday and it is the necessity of ironing out complicated foreign clearance situations. Picture goes into production immediately.

Freeman in Today

Y. Frank Freeman, in charge of Paramount Studio operations in Hollywood, accompanied by Mrs. Freeman, will arrive in New York this week to confer with the National-United Cirtin Limited.
NAME COMMITTEES FOR SMPE CONCLAVE

(Continued from Page 1)
ments: D. E. Hydman, Chairman; M. C. Batsel, R. O. Stock, G. Friedi, Jnr., H. Rubin, O. F. Neu, L. W. Davee, A. N. Goldsmith, H. Grif-


Publicity: J. Haber, Chairman; S. Harris, H. F. Richardson, J. J. Finn, G. E. Mathews, P. A. Mclure, J. R. Cameran.


Ladies' Reception: Mrs. O. S. Neu, Hostess; Mrs. D. E. Hydman, Mrs. H. Griffin, Mrs. J. Frank, Jnr., Mrs. H. J. Spomable, Mrs. R. O. Stock, Mrs. A. S. Dickinson, Mrs. G. Friedi, Jnr., Mrs. E. A. Williford, Mrs. P. J. Larsen, Mrs. L. W. Davee.

Roof Garden of the Pennsylvania will be the site of the usual informal get-together luncheon, Monday, Oct. 16, and the semi-annual banquet, Wednesday evening, Oct. 18. Features of the banquet will be presentation of the SMP Progres Medal and the Journal Award.

ALONG THE RIALTO

WITH PHIL M. DALY

• • • WHAT IS your I.Q. (intelligence quotient) when it comes to answering questions about this bit in which you kid yourself you are hard at work? ... try these over on your memory-box when you find a spare half hour....

• • • WHO was the national sportsman who started the entire movie picture biz when he attempted to win a bet by proving that a horse's four hooves are all off the ground at once when in motion?

• • • WHAT was the name of the gent who first took motion pictures on celluloid? ... where was the first peepshow parlour (forerunner of the nickelodeon which was forerunner of the movie palace) located?

• • • NAME the first motion picture banned by the censors, and in what city? (ah, we've got you there, eh, what?) ... bet the boys in the Hays office can't answer that one.

• • • DID you know that the first picture to run over 10,000 feet was a light film ... and what was the light, where photographed?

• • • FIRST sex picture cost less than six grand and grossed a half million, and betcha you can't name it ... (ask Jack Cohn ... he can ... he helped make it in 1913)

• • • NAME the first sex reel comedy? ... what two great stars were in it? ... who produced it? ... what was the first theater on Broadway used as a "show window" by a producer? ... and who was the producer?

• • • WHO was the first film actor to receive a term contract that carried a bonus as well as a salary? ... WHO was the first film player to receive a guarantee on a year's work?

• • • WHAT producing outfit started the first acquisition of theaters to insure outlets for its product, thus starting the theater chain system?

• • • CAN you name the film that was the forerunner of the modern newreel? ... What was the first animated cartoon produced, and by whom?

• • • WHO was the gent who built the first million-dollar Hollywood studio? ... what was the first big merger in circuits, and name the two chains involved?

• • • NO, girls and boys ... we couldn't answer most of these either ... till we read the answers in galley proofs for that intriguing FILM DAILY CAVALCADE of important events of the motion picture industry ... a book written by important people ... about important people ... for important people ... the Yesterday ... Today ... Tomorrow ... of this great business.

THE WEEK IN REVIEW

Code Into WB Contract

(Continued from Page 1)
good and new theater construction in Upstate areas nearing all-time high... Oklahoma dispatches told of heavy draw by top-notch pix, and continued success of outdoor sagas such as "Union Pacific" and "Dodge City" ... Survey of the Drive-in the ater situation disclosed a probable 100 per cent increase in such "houses" during 1940.

FOREIGN

WAR CRISIS: As Europe stood tense on the brink of possible hostilities, Wall Street showed film stocks holding firm. London faced situation calmly, with Wardour Street reporting provisions for removal of film prints and negatives to underground storage vaults. Crisis, observers cited, has arisen at a time when U. S. companies are planning increased activity in British studios under French and U. S. features were asserted to be gaining in Spain... GFD announced it has contracted to release output of the new British producing outfit, Legeran Films, Ltd.

All Forms of Chance Games Banned in Sussex Co., N. J.

(Continued from Page 1) a number of stands where gambling devices were said to be in operation. No arrests were made. Similar bans were put into effect in recent months by the prosecutors in Passaic, Bergen and Morris counties, all situated in the northern section of the state.

WEDDING BELLS

Fort Worth, Tex.—Jack Daniel, assistant manager of the Palace Theater in Fort Worth, and Anna Catharine Brown, of the staff of the Hollywood Theater here, are to be married today.

Albuquerque, N. M.—James G. Harris, utility and maintenance manager of Albuquerque Theaters, Inc., and Miss Leta Monroe of Roswell, N. M., were married in Roswell at the Methodist-Episcopal Church.

Richmond, Va.—David Kamsky, advertising manager for Neighborhood Theaters, and Miss Margaret Rosenberg have announced their engagement, with the marriage taking place in the near future.

Richmond, Va.—Miss Virginia Sned, secretary to Sam Bendheim, Jr., general manager, Neighborhood Theaters, will marry Julian Checkley of the United States Navy here on Sept. 6. They will motor to California where they will make their home.
"IN NAME ONLY" now opening to the same kind of business in pre-release key runs Coast to Coast! THAT'S THE KIND WE MEAN WHEN WE SAY BIG ONES FROM RKO RADIO!
OPENING DAY AT RADIO CITY MUSIC HALL $1,000 BETTER THAN FIRST DAY OF "IN NAME ONLY"... WHICH HIT THE THREE-YEAR TOP FOR ANY RKO RADIO PICTURE!

SECOND DAY AND WEEKEND POINT TO ANOTHER RKO RADIO ATTRACTION IN THAT SENSATIONAL $100,000-A-WEEK CLASS!

Ginger Rogers

"FIFTH AVENUE GIRL"

WALTER CONNOLLY • VERREE TEASDALE • JAMES ELLISON
TIM HOLT • KATHRYN ADAMS • FRANKLIN PANGBORN • PRODUCED AND DIRECTED BY
PANDRO S. BERMAN IN CHARGE OF PRODUCTION • SCREEN PLAY BY ALLAN SCOTT • GREGORY LA CAVA
BRIT. PRODUCTION PLANS ARE HALTED

(Continued from Page 1) pean countries during the last week.

Offices on Wardour Street remain open, but in many cases part of the personnel has already been estab-
lished in county headquarters pre-
viously arranged for. Films have also been moved from the city in many instances to vaults in the
country, following an order of the gov-
ernment that films be removed from the
city.

Only real activity during the past week has been on the part of news-
reel organizations, with these outlets making feverish preparations to cov-
er all fronts. Staffs were being aug-
mented and emergency laboratories were being established in Baltic
countries that are expected to be
next in line.

M-G-M and 20th-Fox branches, and also offices of other film com-
panies here have had bombproof and gas- holders installed, and staffs have had instructions as to what they shall do in case of emer-
gencies. The film stocks will be drilled in units so that they are pre-
pared for any eventuality.

In France and Germany the gov-
ernments have requisitioned trucks, busses and other transportation units, making delivery on schedule difficult for all companies, it was re-
ported. It has been learned that production and personnel staffs in other European countries have also been seriously affected by mobiliza-
tion plans and women have been re-
cruited in many cases.

Offices of American companies here have been keeping in constant touch with their New York headquarters regarding advice as to what the next steps may have to be for protection of property and personnel.

H. M. Warner and other executives of American companies here have plans to leave this week on the Queen Mary. The number of Clipper reserva-
tions have been made by members of the film industry.

Principal concern of home offices here at the week-end regarding the European crisis was caused by un-
scheduled stops of boats and other transportation units carrying films in Europe. One instance was report-
ed where a ship with a consigna-
tion of prints from American companies unloaded its whole cargo at Havre and immediately left that port for New York without making any of its other scheduled stops.

All European offices of the majors were being asked for advice by the home offices on the maintenance of shipments. Orders were reiterated at all offices that plans have been ready for some time to meet any emergency that might arise and that these orders will immediately be taken when an emergency arises.

Newwave companies here reported that European staffs were being aug-
mented and emergency laboratories in expectation of war may have been established for printing pur-
poses. Executives of several of the

Weeks Reports Exhibitors Not Alarmed by War Scare

(Continued from Page 1) prospect of war abroad doesn't alarm exhibitors with whom he came in contact.

Weeks pointed out that in times of stress people need the "escape" provided by motion pictures. Con-

Two Tele Visions Come True

Columbia Pictures announced Friday that a trailer film of its new attraction, "Golden Boy," would be telecast by RCA-NBC tomorrow and again on Friday. This is in response to a request of advance sales agents for a trailer to be set "screens." Additionally, RCA-NBC went into metropolitan newspapers with advertising in which the trailer will be shown at the double header played at Ebbets Field between the Cincinnati Reds and Brooklyn Dodgers on Saturday, late.

"Edith Cavell" Premiere Thrills Toronto Audience

Toronto—This city is still talking about its most colorful opening when on Thursday, 20,000 citizens attended the premiere of "Nurse Edith Ca-
vell" at the Canadian National Ex-
position.

The huge gathering stood for one minute as a tribute when the picture ended. One woman fainted from emotion. Anna Neagle, star of the picture, introduced the film and was presented with a membership in the Canadian Red Cross.

Distinguished people present in-
cluded Sir Gerald Campbell, high commissioner for Great Britain and Northern Ireland, who introduced Miss Neagle; Herbert Wilcox, direc-
tor of the Canadian National Exposi-
tion, Mayor R. C. Day; Lads Campbell; N. L. Nathanson, president, Famous Players-the Canadian Corp; George Brigden, president of Canadian Na-
tional Exhibition; Leo Devanev, Canadian manager of RKO Radio; E. E. Onions, chairman, who read the message of congratulations from Hon. MacKenzie King, prime min-
ister of Canada and S. E. Malik, Indiagovernment trade commissioner;
D. H. Gibson, president of the Toronto Board of Trade; L. B. Mac-
gregor, Australian trade commis-
ioner, who read a message from Premier of Australia R. M. Firth, representing New Zealand, and D. W. Meyer, representing South Africa.

Para., Springfield, Mass., Resumes Stage Show Policy

Springfield, Mass.—Bob Crosby brought his entertainers and orches-
to the Paramount Theater Wed-
nesday to inaugurate the new stage show at that the-
ater.

The Paramount this year has in-
stalled an alternate stage and screen policy to make it possible to bring practically all of the big bands and stage attractions at some period during the 1939 season.

Included in the show, in addition to the musical organization, were three other Broadway acts.

Tom Maloney Dead

New Bedford, Mass.—Thomas J. Maloney, 59, died recently at his home here. Known as the dean of motion picture projectionists in New Bedford, he had 30 years' experience, first at the old Halley's Theater and later at the Olympia Theater.

Meet on Chi. Operator Pact

Chicago—Officials of the local opera business, with theater owners regarding a new contract.

GOVT.'S ATTITUDE IS UNCHANGED—ARNO

(Continued from Page 1) make no difference in the Govern-
ment's attitude.

However, distribution executives appear to be of a different opinion,
planning that making certain con-
cessions to its customers would be
law.

It was understood over the week-
end that the other majors were pre-
paring policies of their own and that announcements may be forthcoming during the week. At least one com-
pany is reported to have a definite plan under consideration.

Sophie Tucker Is Dropped From Show; "War" Looming

(Continued from Page 1) when the 4A's meet Oct. 9. This
decision marked another episode in the union jurisdictional controversy
and created a situation whereby Per idea faced a stagehands' strike if Miss Tucker were dropped and a
strike by the performers if she re-
mained.

Meanwhile, the 4A's plan a mem-
bership drive for the AGVA and at the same time will launch the pub-
lication of a weekly newspaper.

Projection Goods Exports Showed a Decline in July

(Continued from Page 1) month of last year, it was reported
Friday by the Department of Com-
merce. July, 1939, figure was $1,-
412,000 compared to $1,692,000 in
July, 1938. Seven month period end-
ing in July also showed decline. The 1939 period figure was $11,211,000
compared to $12,930,000 for the same period of 1938, representing decrease of $819,000.

It's Now "Die Kliatsche"

"The Light Ahead," Jewish movie, which was just completed by Carmel Productions, has just had its Jewish title, "Fischel Ker Krummer" changed to "Die Kliatsche."

Sparks House for Dania

Dania, Fla.—E. J. Sparks, presi-
dent of the Sparks Circuit, has an-
nounced that work will begin imme-
diately on the new theater building to be erected on the Federal High-
way, Jacksonville, is the architect. The theater will seat approximately 600 persons and will cost about $75,000.

Defer Bingo Case Hearing

Milwaukee—Hearing on petition of the Allied Monogram Exchange, the head, to restrain Balm Freil Hall from holding Bingo games under the laws of Michigan and Wisconsin, has been continued by Judge Daniel W. Sullivan until Sept. 11.

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**REVIEWS OF THE NEW FILMS**

"Southward Ho" with Roy Rogers, Mary Hart, George Hayes Republic 57 Mins.  
FAST-MOVING WESTERN Has PLENTY OF VUNCH AND A WELL WORKED OUT STORY.  
Better than the average run of westerns which serve as a background for the crooning cowboys, this one will please the action fans. Roy Rogers sings pleasingly and is convincing in his role. Attractive Mary Hart fills the feminine spot neatly and the rest of the cast is comprised of seasoned troopers. Picture opens at the end of the Civil War, Rogers and his pal, George Hayes, head for Texas where Hayes has inherited a half interest in a ranch. A Yankee officer turns up as the other half owner. He is made military commander of the district, but is deceived by a troop of renegade soldiers who represent themselves as a regular army unit sent out to police the district for him. Ranchers are murdered and robbed and order is not restored until Rogers and his allies clean up the soldiers.  
CAST: Roy Rogers, Mary Hart, George Hayes, Wade Boteler, Arthur Loft, L. Chandler.  
CREDITS: Director, Joseph Kane; Screenplay, Gerald Geraghty; Original Story, Jack Defford and Rathbone Geraghty; Art Director, Jack Marta; Editor, Lester Orlebeck.  
DIRECTION, Fast, PHOTOGRAPHY, Good.

"Man From Sundown" with Charles Starrett, Iris Meredith, Richard Fiske Columbia 58 Mins.  
WELL-PACED WESTERN Has PLENTY OF ACTION TO PLEASE THE SIX-GUN FANS.  
There's no letup in the action in this one from the time the first shot is fired until Starrett gets his girl in the windup sequence. The cast is capable and the plot keeps them moving at a fast pace. Iris Meredith is attractive as the female interest and Charles Starrett looks and acts the part of a ranger. Starrett rides into town and prevents a hanging. However, this is just the beginning of his troubles as Miss Meredith's brother, Richard Fiske, is the only eye witness to the holdup of a bank. He comes to court to testify against the bank robber who was captured, but is murdered at the trial. Starrett and his partner disguise themselves and ride into the bandit country in search of the gang's leader. They trick him into riding across the line where a posse traps the entire bandit gang. Exit the disturbing influences and the peaceful days go on of the town, outer law and order.  
CREDITS: Produced by Columbia; Director, Sam Nelson; Original Screenplay, Paul Franklin; Cameraman, Benjamin Kleie; Editor, William Lyon.  
DIRECTION, Fast, PHOTOGRAPHY, Good.

"Flight At Midnight" with Jean Parker, Phil Regan, Robert Armstrong Republic 56 Mins.  
"STORY HAS PUNCH TO ACTION AND AN ENTERTAINING BAN.  
With a sufficiency of action, a capable and pleasing cast, and a briskly paced story, this new Republic release will nearly fill exhibitors' needs. Phil Regan, a pilot, Jean Parker, an airline hostess, Robert Armstrong, a government inspector, and Noah Berry, Jr., mechanic for Regan, fill the principal roles neatly. Roscoe Turner and the rest of the cast are capable. Norwalk Airport is the setting for this efficient, well-planned and filled with suspenseful action sequences. The characters are well drawn and the dramatic situations are excellently handled. The acting throughout is excellent and the photography is good.  
CAST: Jean Parker, Phil Regan, Robert Armstrong, Noah Berry, Jr., Roscoe Turner, Harlan Briggs, Helen Lynd, Barbara Pepper, Harry Hayden, Raymond Bailey.  
CREDITS: Associate Producer, Armand Schaefer; Director, Sidney Salkow; Original Story, Daniel Moore and Hugh King; Screenplay, Eliot Gibbons; Cameraman, Ernest Miller; Editor, William Morgan.  
DIRECTION, O. K. PHOTOGRAPHY, Good.

"Bad Lands" with Robert Barrat, Addison Richards RKO-Radio 70 Mins.  
STRONG DRAMATIC STORY IS SUSPENSEFUL AND FILLED WITH ACTION.  
Possibly similar to other stories of a fast stand of tough men, this picture has all the action, suspense and thrills that any audience could ask for. The cast is comprised of expert actors, with each one making the utmost of his opportunities. Robert Barrat and Addison Richards have the choicest roles and they turn in swell performances. Story concerns the hunt of an Arizona posse for an Apache half breed who has turned murderer. The posse is comprised of men who don't care for their lives, or are escaping from their pasts. Sheriff Barrat and his posse of nine men trail the half breed to the mountous fair of the Apache tribe. They are ambushed and surrounded. The suspense in the story from the time of the mount until the end, while finds Barrat the only man alive, with some dead bravely and some dead foolishly, while one man is dead because he was a coward. Barrat is rescued by a detachment of soldiers who hear the shooting.  
CAST: Robert Barrat, Addison Richards, Andy Clyde, Robert Coote, Guinn Williams, Francis Ford, Noah Berry, Jr., Paul Hurst, Francis McDonald, Jack Payne.  
CREDITS: Producer, Robert Sick; Director, Lew Landers; Story and Screenplay, Clair Lockey; Cameraman, Frank Redman; Editor, George Hively.  
DIRECTION, Good, PHOTOGRAPHY, Good.

"Wometco Manager Changes Mind" with John Carradine, bottles, Phillips, Rogers, "Midnight" and "Brewster's Millions" Acquires a "Midnight" and "Brewster's Millions"  
Williams Schedules Two  
T. R. Williams, who recently became associated with Monogram Productions as a producer, has scheduled two features of the group which he will make for the 1939-40 season. The titles are "Heroes in Blue" and "Night Edition." Shooting is slated to start on the first production early in September.  
Fabian Theater Darkens  
Albany—Harmanus Bleecker Hall, has been closed indefinitely.  
Defer Drive-In Writ Hearing  
Milford, Conn.—Hearing on the temporary injunction sought by 12 Milford Citizens against the Milford Drive-In Theater on the grounds that it is a public nuisance, has been postponed until Aug. 29. Judge P. B. O'Sullivan of the Superior Court will hear the case. Meantime, remodeling and lowering of speakers is in progress. Residents in the vicinity complain the noise can be heard for a radius of two miles.  
Leroux-CM Films Deal  
Leroux Film & Trading Corp., of 1775 Broadway, has closed a deal with OM Films, of Paris, for exclusive distribution of French producte, now in production. "La Route Heroique."  
Pickwick Acquires Annex  
New Haven—Albert Pickwick, operator of the Stratford Theater, has purchased the 480-seat Annex Theater, built and operated by Joseph De Francesco.
downtown theaters in this city and other key and important situations than a year ago, during the same period of time, among them being "Juarez," "Goodbye, Mr. Chips," "Man About Town," and "The Long Gray Line." There is nothing new to the average picturegoer, but the talent involved in each of these pictures is capable of being heard again for as long as they have been for many months.

There does not seem to be any particular choice as to the type of picture that the patrons in this territory prefer at present, as the above mentioned holdovers indicate, and what is added to that is the fact that there is quite a variety in screen entertainment. Pictures with snappy dialogue and story content are the favorites, such as "Love Affair," "Bachelors Mother," "Maisy" and "Hotel for Women," have been very successful at the box office. Also the spectacular, outdoor and western pictures, and biographical, productions, providing they carry an amount of realistic interest may move at a brisk pace. Musicals, if there is enough story along with the music, will be the next venture. The apartment, such as "Hotel Sherrington," "Hotel for Women," has led the race for pictures to date, but her last picture, "who are all dogs," takes her out and gets her a job as a model. Linda is a success over night and has a long stag line showing attention on her, with Halliday, Ellison's, boss, head man in the race. Lynn Bari, Halli- day's cast-off love, confronts Linda and Halliday in his apartment at a tete-a-tete dinner and shoots him. Ellison, who is waiting outside for Linda to leave in order to explain that he really loves her and has been a fool, arrives on the scene. Halliday explains the whole thing as an accident to the police. The police find in the room a model and she and Ellison flee the big and wicked city to get married.

Crites Asks New Trial, of His WB Patent Suit

Application was filed on Friday in the U. S. District Court by Virgil C. Crites for a new trial before a different judge of his suit against Warner Bros. Pictures, United Research Corp. Radtke Patents Corp. and Albert A. Radtke. On July 7 Federal Judge Mortimer W. Byers dismissed Crites' suit, which charged infringement of the method patent as it appeared only to a certain type and the majority of motion pictures do not go for it. Another thing which has happened is that the evidentiary material in the long drawnout program, extending over two-and-a-half hours.

Oldfield Returns

Lincoln, Neb. — Barney Oldfield, KFRC radio announcer, and Lincoln Theater Corp. program, returned to the air after two weeks' soldiering at Nebraska national guard camp.

REVIEWS OF NEW FILMS

Hotel For Women

with Linda Darnell, James Ellison, Ann Sotherton

20th-Fox 83 Mins.

Bright and witty dramatic story is a natural for audiences and exhibitors.

A melange of good looking girls, witty and bright dialogue, a well paced story and luxurious settings make this picture real entertainment for all and a natale for exhibitors. Introduction of Linda Darnell as a star under the Zanuck banner is eminently satisfactory, with the young lady extremely attractive and capable in her lead role. She is expertly supported by a cast of talented performers including Ann Sotherton, John Halliday and Alan Darnell. James Ellison handles the male role opposite Linda efficiently and satisfactorily. Elsa Maxwell, Bari, Wallis and Mary Hayly are all good in their roles. The idea, appears in the picture with a flourish here and there and has some good lines of dialogue which she makes the most out of. Gregory Ratoff directs the picture deftly never letting a scene fall off and keeping his characters in line throughout with an excellent pacing of the story. Linda arrives in New York to marry Ellison, her first and only love from Syracuse, who left for the big city a year ago and is making good as an architect. However, he is also making good with the boss's daughter and Linda's best friend. She realizes what has happened and plans to go back home, but Ann Sotherton, her next door neighbor in the Hotel Sherrington, "Hotel for Women," feels her the right way and "who are all dogs," takes her out and gets her a job as a model. Linda is a success over night and has a long stag line showing attention on her, with Halliday, Ellison's, boss, head man in the race. Lynn Bari, Halliday's cast-off love, confronts Linda and Halliday in his apartment at a tete-a-tete dinner and shoots him. Ellison, who is waiting outside for Linda to leave in order to explain that he really loves her and has been a fool, arrives on the scene. Halliday explains the whole thing as an accident to the police. The police find in the room a model and she and Ellison flee the big and wicked city to get married.

The Adventures of Sherlock Holmes

(Hollywood Preview)

20th Century-Fox 83 Mins.

Fine suspense in Conan Doyle classic with Rathbone scoring as famous sleuth.

Has been deftly directed by Alfred Werk- er, with Gene Markey as associate produc- er. The action moves with a brisk tempo, and the suspense is maintained to the very end when Sherlock Holmes, splendidly port- rayed by Basil Rathbone, finally traps the Master Criminal Moriarty (George Zucco). Ida Lupino is very convincing as the girl who finds herself marked as a victim of mad murderers already responsible for the death of her father. Nigel Bruce is likeable as Holmes' confidant. Others in the cast, who do capable work are George Zucco, Alan Marshall, Terry Kilburn, George Story, Arthur Hohl and Peter Wiles. The story opens in a court room where Moriarty, guilty of a murder, has been ac- quitted because of lack of evidence. Sher- lock Holmes, convinced that Moriarty is guilty, rushes to New York to solve the case. Moriarty is proved guilty of the crimes he has committed. Ida Lupino comes to Holmes' aid and he rushes off to New York to save her. He finds that her brother, Peter Wiles, will be killed on the 11th of May. The same type of note was sent to her when her father was killed. A collection of young girls are killed on that day by one of Moriarty's henchmen, and on May 13th Ida receives an- other warning that she will be the next victim. Moriarty, who seeks to secure the crown jewels sends these notes to distract Holm's attention from his plans. Through a ruse, Moriarty gains access to the Tower of London where the jewels are kept, and it is there that Holmes traps Moriarty, and in a scuffle, Moriarty falls from the building and is killed. Holmes has also saved the life of Ida, and in the end he is reconciled to his fiancée Alan Marshall.


CREDITS: Associate Producer, Raymond Griffith; Director, Gregory Ratoff; Screen- play by Katherine Scala and Darrelle Warren; Editor, Mrs. Byrnes; Cinematography by Linda Darnell and Katherine Scala; Camera man, Revelmar Mclay; Editor, Louis Loeffer.

DIRECTION: Fine. PHOTOGRAPHY: Ex- celsior.

New Organization to Start

Louisville—The new Theater Business Association of Kentucky, organized by indie exhibitors. The new organization is known as the Louisville Independent Theater Corp. program, returned to the air after two weeks' soldiering at Nebraska national guard camp.

WB to Conclude Problem Clearances

in actively to iron out problems relating to clearance in this terri- tory. The first phase now offers the exhib- itor of this state a marvelous opportunity to accomplish pre- viously evasive clearance problems, the matter of the code is delayed. While Cohen was speaking specifi- cally for his own territory, Sears told THE FILM DAILY that the same practice would be open to all terri- tories. He explained that he did not want to get involved in a politi- cal scheme of cancellation but that where he believed an exhibitor had a just complaint regarding unfair clearance, he would not refuse to attempt to make adjustments, if the problem concerned Warner Bros. pictures.

Cohen, in commenting further on the proposal, stated: "Under the foregoing proposed method of operation, there is no doubt but that many of the other distributors will fall in line and try and make it a point to rest the weight of the country of New York State can and do settle their prob- lems without the necessity of forced regulation."

Three Provisos to Govern James Roosevelt's Survey

(Continued from Page 1)

Commitment to make specific recom- mendations unless such recommenda- tions seem advisable to Roosevelt;

That it is understood by the producers' association that Roosevelt is free to contact any and all members of the industry during the course of the survey.

That no stipulations of secrecy shall be attached to the investigation or its results.

Goldwyn Modifies "Glory" Scenes to Suit P. I. Prexy

Samuel Goldwyn has informed President Manuel Quezon of the Philippines that scenes in "The Real Glory" to which the Philippine gov- ernment had protested had been changed so that no slur would be cast on the Filipino as a soldier. Action was taken following a confer- ence with Resident Commissioner J. M. Elizalde by Goldwyn and James Roosevelt, studio vice-president.

The alleged objectionable scenes were modified so that all parties were satisfied.

Sells "Sudan" Rights

West Coast Bureau of THE FILM DAILY

Hollywood—Mitch Leichter has sold the rights to "Sudan" to the J. F. Sells Co., Inc., through Curtis in Chicago, St. Louis and Milwaukee. Jack Adams Exchange of Dallas, Tex., has sold the rights for Texas and Oklahoma. Leichter is now in New Orleans and is headed for New York to close other deals.
Movietone Has Crew of 200 Men for War Coverage

UA ASKS DISMISSAL OF GOVERNMENT EQUITY SUIT

Nebraska’s Autumn Film Business Depends on Crops

Pix on Their Own in Neb.;
Gaveaw.y Given the Axe;
Exhib. Hopeful
By BARNEY OLDFIELD
Motion Picture Editor
Lincoln Sunday Journal and Star
Lincoln, Neb.—Films are strictly on their own in Nebraska, with giveaways being cracked down as fast as they show head up in the state. It has been a bad three-quarters of a year.
Autumn picture is hazy, although all indications are that there will be a slight upswing. The farmer got a little money for his wheat, but his corn is none too good. (Continued on Page 12)

SEPT. 20 DATE SET
FOR RKO HEARINGS

Federal Judge Samuel Mandelbaum yesterday adjourned hearings in the RKO proceedings to Sept. 20 at 10:30 a.m. to await the return of Federal Judge William Bondy from his vacation.
The adjournment was granted on the request of Hamilton C. Rickaby. (Continued on Page 3)

Newspaper Critics Launch Own National Organization

An association of motion picture editors and critics has been formed under the name of Newspaper Film Critics of America. Group was launched over the last week-end; (Continued on Page 12)

Hays, F.D.R. Confer
Washington Bar, THE FILM DAILY
Washington—A 10-minute conference took place at the White House yesterday between President Roosevelt and Will H. Hays, president of the MPPDA. Following his short conference, Hays departed directly from the White House without disclosing the nature of his conversation with the chief executive. He was not accompanied by any film exec.

All Right, All Right—We Believe It!

Richmond, Va.—While “Hotel for Women” was showing at the Capitol, which is across the street from the Broad Street Station, a couple, just arrived in town, walked up to the box-office and asked for the manager. When he appeared the woman asked the price of the rooms and wanted to know if he would allow her husband to stay at the “hotel” with her for the night. Alex Ravlin, manager, vouchers for this true story.

To Demand Revoking of AFA Charter,
Ousting of Whitehead by IA Prexy

Revocation of the IATSE-AFA charter and the ousting of Ralph Whitehead, executive secretary of AFA, are reliably reported scheduled to be demanded today by Kenneth Thomson and Paul Duhzell when they meet with George E. Browne, president of IATSE.
Thomson, executive secretary of SAG, and Duhzell, executive secretary of Actors’ Equity, were designated yesterday by the International Board of AAAA to confer with Browne, following a report from Ralph Morgan, SAG president, Thomson, and Laurence Beilenson, SAG counsel, on the progress of negotiations with IATSE which were initiated in Hollywood last Thursday by representatives of the A.F. of L.
A statement from AAAA said, “The International Board reviewed...” (Continued on Page 7)

Petijohn Says He Did Not Talk Pix With Duce

With the European political situation on the verge of an explosion, the Normandie arrived yesterday with a near-record list of film industry luminaries, including C. C. Petijohn, general counsel for MPPDA, Harry Cohn, Columbia premier, and others, as the exodus of American nationals abroad both for business reasons and vacations was intensified.
Petijohn reported that he had conferred with Mussolini while in Italy, but stated that they did not discuss films. Petijohn’s son had an audience with the Pope while they were in Rome. Josef Von Sternberg disclosed (Continued on Page 6)

Newsreel Men Standing Ready
For Emergency; Europe Zoned

New Newsreel Chain Opens
First Unit in S. F. Sept. 2

San Francisco — The Telenews Theater, first unit of the new Pacific Newsreel Theaters, Inc., opens here Sept. 2 after $100,000 spent in alterations and equipment (Continued on Page 12)

Fox Movietone News now has a staff of 200 men split up in a war zone basis in Europe with all crews standing by for emergency orders at the present time, it was learned yesterday with the arrival of Russell Muth, European director for Movietone. Unprecedented coverage results (Continued on Page 7)

UA Denies Major Portions of Equity Charges In
13-Page Answer

In a 13-page answer filed yesterday in the Federal Court, United Artists Corp. requested the dismissal of the Government’s N.Y. equity suit against the company, and denied the major portions of the Government’s charges.
The answer was filed for Harry D. Buckley, Arthur W. Kelly, Harry J. Muller, Dennis F. O’Brien, Edward C. Rafferty, Emanuel Silverstone, Theodore Caruso, James Roosevelt, in addition to UA.
UA denied all charges of coercive practices and specifically refuted any implications that it worked in collusion with other majors in putting down conditions for the sale... (Continued on Page 6)

COL. AWARDBING NEW CONTRACT TO ASHER

A new contract with Irving Asher to produce in England for Columbia is being worked on now. The contract calling for an increase in the number of pictures, Harry Cohn, president, revealed yesterday when he returned from Europe on the Normandie.
Cohn said that Asher is starting (Continued on Page 3)

Oklahoma Allied to Launch First Conclave Sept. 26-27

Oklahoma City — September 26 and 27 have been set as definite dates for the first annual convention of the Allied Theater Owners of Oklahoma with the Biltmore Hotel (Continued on Page 12)

Mich. Bows Games

Detroit—All types of Bingo or Keno games, even when operated by veterans’ organizations or similar groups, are illegal, Michigan’s Attorney-General Thomas Reid has ruled.
Tues., Chicago — From the —

Hollywood—Producers and screen publicists guild have adjusted their previous differences and Guild mem-

bership has instructed its negoti-

ating committee to proceed with sign-

ing a new contract. Their offer made to

the Guild by producers was a minimum of $100 a week to pub-

lishers with five or more years

experience and motions to receive $50

the first year, $55 the second year and

$60 thereafter.

The producers refused to grant any

severance pay, contending that they did not wish to establish a precedent for other employees. Pro-

ducers will be required to give five

weeks dismissal notice. Guild and producers have agreed in principle

with slight modifications, on the de-

mands for one hundred per cent Guild

A stock agreement is expected to be for five years.

Ousted Manager Testifies

On Charges Before NLRB

Springfield, Mass.—Harry Storin

former manager of the Paramount

Theater, testified last week in the

preliminary hearing before Exam-

iner Andrew C. Collins of the State Labor Relations Board

here, on the charge that Storin

was discharged from his employment

at the Western Massachusetts Theaters

Inc., for union activities.

Storin said that Harry Smith, di-

vision manager for the corporation

called him to the latter's office last

Spring and warned him that any

breach of union rules would

mean his discharge.

Smith is a member of the United

of America, AFL, which

is organizing the Western Massachu-

setts Theaters Inc.

Paramount was opposed to any

changes in the collective bargaining

agreement and said that it

would give him a choice between

remaining with the company and

lost his job.

Meeting between producers and

an A F of L unions on renewal of the

basic pact held last week in

Newark, N. J., was adjourned until

some time late in October, it was

learned.

Producers were stated to be

strongly opposed to any changes in

the existing working conditions and

that after the war threat in Europe is

cleared, or its effect upon production

deteriorates, to a meeting.

Next meeting on the basic pact

will follow the week-end A F of L

convention which opens Oct 1.

Among those who attended last

week's conferences were Nicholas M.

Scheneck, Barney Balaban, George J.

Schaefer, W. C. Michel, Joseph Ha-

zen and Pat Casey.

Paramount Newsreel Issues

Special European Release

Graphic pictorial highlights of the

ever-changing scenes of the

war-scared capitals of Europe were

received here Sunday and were

made ready for a special issue of the

Paramount Newsreel within 48

hours after actual happening.

This special war will sup-

plement the regular mid-week issue

of the Paramount News and is said to

be the longest newsreel program

ever released by any company. The

average newreel runs between 900

and 1,000 feet while this special

tends to exhibitors more than

1,300 feet, according to A. J. Rich-

ard, editor of the Paramount News-

reel.

Goldstone With Times

Harry Goldstone is now associated

with the New York exchange of

Times Pictures, Inc.
counsel for the Atlas Corp. Group. It was also learned yesterday that the question of the fairness of $48 per 1000 shares, opposed by Special Counsel W. Alger, at a hearing to be held immediately after Labor Day.

Alger stated that the SEC, whose presence is required, would be unable to appear before that time.

Upon being questioned as to whether the present situation in Europe would necessitate a delay in the hearings, Alger asserted that he did not know.

India Trade Paper Editor
Here for Technical Data

Arriving here yesterday on the Normandie for a two-months' stay, Bariburao Patel, editor of Filmindia, stated that he hoped to interest American producers in the Indian industry with a view to improving its technique, and also that he hoped to be able to meet the leading Hollywood producers in order to get a more sympathetic understanding of Indian subjects produced in that country.

Patel, who is also president of the Film Journalists' Association of India and a member of the Central Board of Governors of the Motion Picture Congress of India, spent several months in Europe making a survey of the film industry there before embarking for America. This is his first trip here.

He reported that a building program of theaters in India for 1939-40 will add between 300 and 400 new houses to the 1,200 now in use. In addition to these theaters there are also between five and six hundred traveling theaters. Indian studios, which are being modernized rapidly, will turn out about 50 features this year, he said. No restrictions of any kind beyond the customary duties exist in India, it was learned.

Patel will spend several weeks here before going to Hollywood.

York Forms Televise; Talks Deal With Major

With a planned schedule covering production of a series of "shorts," York feels entirely new in theme and development for a prominent merchandising combine, Emerson York, independent shorts producer, announces the formation of Televise Productions which he will head and direct as a separate venture from his regular production activities.

It is said a major film company is negotiating with York regarding production and distribution of certain product which will have prior film release via the major with non-theatrical distribution vested in Televise Productions.

SEPT. 20 DATE SET FOR RKO HEARINGS

(Continued from Page 1)

along the
RITAL

with PHIL M. DALY

Col. awarding new contract to Asher

(Continued from Page 1)

on his second picture on the current contract next week. Pact now is for four.

He confirmed plans of the company which were printed in The Film Daily last week, that a Gable-Cary picture to be made in England.

He stated that renewal of the Columbia deal with Frank Capra is still in the air, but that if the deal is consummated Capra will in all probability make “Chopin,” a Columbia property. Cohn said that offers had been made for the “Chopin,” but that other studios, but it was not for sale.

Asher’s first picture under the current contract has been completed, and the first French picture the company has made has also been completed, it was learned. French film, which was directed by Julien Duvivier, is slated for distribution here.

J. A. McConville, foreign sales head of Columbia, also returned from the Normandie. He reported the company’s general European business as being ahead of last year, that all plans had been completed for opening of new offices in France and Northern Africa.

McConville was enthusiastic about the French government’s action in abrogating the visa system, and expressed the opinion that it would not only help the American distributors but would also benefit the French producers. He also said that careful plans had been laid to protect the company’s property and personnel in the event of war.

D. W. Griffith Will Produce “1,000,000 B. C.” for Roach

D. W. Griffith is returning to active duty, after an absence of eight years, it was announced yesterday. He will be the producer of the forthcoming Hal Roach spectacle, “1,000,000 B. C.,” the saga of a prehistoric man and woman in their struggle for existence against the monsters that surround them. UA will release it.

“1,000,000 B. C.,” upon which Griffith is now doing preparatory work, is调度ed to go before the cameras immediately following the completion of John Steinbeck’s “Of Mice and Men.”

“Golden Boy” on the Air

A radio dramatization of “Golden Boy,” Col. Pictures’ recent Mamoulian production, will be presented on the Magic Key Hour on Monday, Sept. 4, from 9 to 10 p.m., EDT over the WLZ Blue Network of the National Broadcasting Company. Barbara Stanwyck, Adele Menjou and William Holden, stars of the film and Lee J. Cobb, featured player will appear in the roles they portrayed in the picture. Lowell Thomas will introduce the players.
Quality is not...

Every window now selling tickets for "On Your Toes—and keep right on watching!" Once again how Warners keep pitching, is raking in the same screaming grosses. Jack L. Warner, In Charge of Production.
"Passing Fashion"

'Maid' is sensationaly demonstrating everday everywhere our first show for '39-40 so put Warners in front in '38-39! So stay how Warners keep right on walloping!

MIRIAM PKINS

RENT

MUSE FAZENDA • JAMES LUNDIGAN • CECILIA LOFTUS GOULDING
Winner Prize Play by Zoe Akins and Winner • A First National Picture

VILLIS • HENRY BLANKE

Associate Producer
Pettijohn Did Not Talk Pix With Duce

(Continued from Page 1)

that he had been in Europe for the purpose of producing a picture, but that the political situation had caused a cancellation of all plans. He leaves for Hollywood in a few days. He said that he had no immediate plans for Coast production.

"Jake" Milstein returned after arranging to present Edward Small's "The Man In The Iron Mask" at the Odgen Theater, London, on Sept. 4. He went to England to set the advance campaign on the film. He expressed some concern as to whether or not the picture would open, due to the current situation. He also arranged some booking deals. Lee Shuburt, theatrical producer, stated that Constance Bennett, also a passenger on the liner, was both reading plays he plans to produce here this Fall.

Sonja Henie flies to the Coast tomorrow night to start work at 20th-Fox in "Everything Happens At Night," and George Raft, both of whom were also arrivals on the French liner, leaves for Hollywood tomorrow night to start work at Warners in "Invincible Stripes."

Several Managerial Shifts

To Be Made in Newark, N. J.

Newark, N. J.—Several managerial shifts are being made this week in local houses and the suburbs. Richard C. Carton, former manager at the Plaza is taking over similar duties at the Mayfair. Anthony R. Ferrari has been made assistant. The Plaza will be managed by Madeleine Kridel, both houses are owned by Harry A. Kridel. Jack Hagerly is the new boss at Warner's Union Theater, and has been appointed manager of that name. He was formerly relief manager at the Embassy and at the Palace, both in Orange.

May Form New Independent Circuit in the Gulf States

New Orleans—Formation of a new independent theater circuit in the Gulf States loomed possible here yesterday when it became known that Jeff Rehbein, exhibitor of Golden Meadows, La., and Bill Cas-tay, head of the Louisiana Motion Picture Supply Corp, were planning to open jointly at Nacoo, La., and to construct a Negro house at St. Martinville. The plan was aptly captioned as saying they have other locations in mind.

STORKS!

Pittsburgh—Mr. and Mrs. Anthony Munghello, of the Mary-Ann Theater, Beetdertown, and Penny Theater, Pa., are the proud parents of a 7½ pound boy.

Col. Short Subject Dept.

Is Starting Busy Season

The last week of August and the first in September will be a crucial period for Columbia's short subject department. In addition to two Clyde comedies, the first of which is now in work, the department will launch two Community Sings, one dedicated to the memory of Stephen Collins Foster, and the other presenting a medley of college songs.

Hugh McCallum, who has produced most of the Columbia Community Sings since their inception three years ago, completed all assignments for these films this week. Sam Nelson, who has been exceptionally successful with this type of material, should have been assigned to direct both Sings. The same period of activity will see Charley Chase, star of the Columbia lot for his first two-reel comedy of the new season.

"U" to Release ABC Pictures in Australia

London (By Cable) — Associated British announces that a deal was recently concluded with Dan Casey, general sales manager of ABC in Australia, whereby Universal will distribute the entire ABC lineup in Australia.

While in London, Casey stated that Universal had closed with the Charles Chauvel company, Australian producers, for two super-features to be handled by his organization in the Commonwealth. He added that "U" would distribute ABC pictures in Australia this year plus the Associated British output and the two Chauvel productions.

Denied Preliminary Exam., of WB, Vita, Before Trial

New York Supreme Court Justice Thomas Noonan denied the application of Leo Manton and Eleanor Ninor, known as Ninor & Manton, for an order directing Warner Bros., Pictures, Inc., and the Vitaphone Corp., to appear for examination before trial.

Ninor & Manton are plaintiffs in a suit for $25,000 damages, injunc-

tion and accounting against Warners and Vitaphone which charges illegal use of the title "Sí, Sí, Senorita" in a film short.

Plaintiffs claim prior ownership and use in a vaudeville sketch.

4th Week for "Maid"

Setting new house records, "The Old Maid," Warner Bros.' new screen drama co-starring Bette Davis and Miriam Hopkins, will be held over at the Strand Theater for a fourth week, starting Friday, it was announced yesterday.

Ed Levy Resigns MPTOA Post

President Ed Kaycindall of the MPTOA yesterday announced the resignation of Ed Levy of New Haven as general counsel of the MPTOA. Levy has not been active in MPTOA affairs for more than a year, the MPTOA president stated.

Wis. Theaters May Escape Threat of Amusement Tax

Madison, Wis.—Threats of post-renovation work, which appeared somewhat as what might be taken as the result of some-what action indicating it favored diversion of $7,500,000 of highway funds for the next biennium in order to balance the state budget.

Diversion of highway funds was recommended by exhibitor leaders at past hearings as a means of forestalling admission and occupancy theater taxes.

The Senate is expected to con-

consider action on the diversion pro-

posal when it reconvenes today.

Auten to Ask Examination of Societe Pathé's Execs.

Harold Auten has filed notice that he will apply to the Supreme Court here for an order directing Bernard Natan, president, Emil Hagerty, vice-president, Marcel Hellman, sales representative; and O. Jacquinien, employee, of Societe Pathé Cinema S.A. to appear for examination before trial.

Suit was brought by trustees of a $350,000 against Auten and claimed that this sum was due from distribution in the U. S. of plaintiff's pictures.

Auten is counter-claiming for $17,500.

New Biz Drive Prizes for B-T's Tarzan Film

Burroughs - Tarzan Enterprises, Inc., has inaugurated a special drive for business on the latest Tarzan pic-
ture, "Tarzan and the Green Goddess" extending from Aug. 15 to Sept. 20. Prizes awarded to inde-

pendent exchanges attaining first, second and third place in gross new business. New pix and additional advertising accessories are being sent to exchanges.

"Tarzan and the Green Goddess" is the last of the independently pro-
duced Tarzan pictures, M-G-M hav-

ing acquired exclusive rights to all Tarzan stories.

Notables See "Harvest," Protest Its Ban in N. Y.

Among the notable people in the world of the films, theater, literature and education who have seen "Har-

vest" during the past week at pri-

date showings protesting the bann-

ing of the picture by the New York censors have been Henry B. Walthall, Alexander Woolcott, Moss Hart, Robert Flaherty, Bruce Bliven, Andre Maurois, Arthur Garfield Hayes, Iris Barry, Professor Frederic Thrasher, Anita Block, Dr. Worth M. Figgis, Hal Wallis, Robert W. Deutch, George W. Kirchey and Mary Wayne Bennett.

UA Asks Dismissal of Government Suit

UA claimed that it knew nothing about the production methods em-

ployed or the alleged monopolistic practices in that field, or of alleged coercive methods employed against exhibitors or the acquisition of theater properties.

The answer in denying harsh sell-

ing of UA to السوق from time to time, from independently from other companies, signed contracts with producers in which UA agreed to the right to des-

ignate play dates, prohibited on some occasions the exhibition of certain pictures, the feature program or the imposed score charges, provided for clearance, and required a minimum admission charge.

In another part of the answer, UA stated that from time to time when it was to its monetary advant-

age, it made advertising allowances, reduced film rentals and made agree-

ments for move-overs.

The answer was signed by Edward C. Raftery as secretary of the company.

Mono. To Release Six Pix on "Renfrew" Novels

Monogram has closed a contract with the Film Policy Committee, pictures proxy, to release six productions which criterion will make available Tom Eriksine's "Renfrew" novels.

Two of the features have been named "Two, There's Them," an-

other still untitled, both of which are available for immediate release.

Two others go into production after Labor Day. Phil Krasne is produc-

ing the series, and Jimmy Newell will emcee the title role.

Quits Show Biz

New Orleans—Joe Bodion, who for years has operated the People's Theater here turned his leash to the Acuin interests and will de-

vote himself entirely to the opera-

tion of a huge sugar and syrup mill he is constructing here.

Boon Times

Cleveland—Local downtown first-run theaters last week enjoyed the best busi-

ness in 13 weeks.

The take went up almost forty per cent over the previous week's figures. Were: "The Wizard of Oz," "Stanley and Livingstone," and "Clouds Over Europe." "Backward Mother" held up strong in its fifth week. "Four Feathers" did well on a hold-over.

Tuesday, August 29, 1939
MOVIETONE HAS 200 MEN IN WAR AREAS

(Continued From Page 1)
from the recent trip of Movietone Chieftain Thomas Talley with Talley making all his plans at 2 p.m. time. Company now has productions going in London, Paris, Berlin and Madrid, but additional production centers have been arranged for in Baltic countries which are expected to be neutral in the event they are forced to move their headquarters.

Talley also re-equipped his organization completely with new cameras and other necessary equipment when he went abroad and is spending approximately $150,000 on his equipment program. Most likely city where Movietone will produce is Stockholm in the event of war.

Zone 1 under the new Movietone setup, comprises the British Isles with a staff of 60 under Sir Gordon Craig and Gerald Sanger, editor. Zone 2 is comprised of Poland, Denmark, Norway, Sweden, Lithuania, Estonia, Finland and Latvia with a staff of 6 cameramen spotted in strategic points under supervision of William Murray. Zone 3 is made up of Germany, Hungary, Rumania, Bulgaria and Greece with 70 men under supervisor Robert Hartmann.

Zone 4 is comprised of France, Belgium, Holland and Switzerland with a staff of 50 men under supervisor Frederick Fesneau. Zone 5 is made up of Spain and Spanish Morocco and Morocco with a staff of 10 men under supervisor Louis Dias Amado, and Zone 6 is comprised of Italy, Yugoslavia, Albania, Lusitania, Egypt and Turkey with a staff of 8 men under supervisor Ettore Pillani.

In countries with production centers the staffs include about 121 men, editors, and others, but diplomatic and staff spots crews are almost entirely cameramen, Arthur de Titta, assistant to Talley in Europe, is now in charge of the European offices.

Invocation Refused Dance Team vs. Actors' Federation

New York Supreme Court Justice Ferdinand Preora has denied the application of Edwin W. Kay, Kaya Komar and Byron Kay, ballroom dancing trio known as Kay, Kaya & Kay for an injunction against the AFA to restrain it from picketing places of performance of the plaintiffs.

The Court ruled that the plaintiffs have an adequate remedy at law and damages, and they were not entitled to an injunction since they were not presently being picketed.

Plaintiffs recently filed suit claiming that they were members of AGVA and that while dancing at La Conga nightclub were picketed by the AFA.

WB Given More Time to Answer Kuhn Suit

Federal Judge Samuel Mendelbaum yesterday signed an order extending the time of Warner Bros. to file its answer to the $15,000 suit filed by the late Robert Kuhn for one week. Warner Bros. had stated that its answer was almost completed and that it required a short additional period of time.

Paramount Reports Heavy Business on "Star Maker"

Following its world press premiere in Hollywood, Paramount's latest Bing Crosby starring vehicle "The Star Maker" continues its successful showings in ten additional key city engagements, reports to Paramount home office indicated yesterday.

On opening day at the Pulsaski Theater in Little Rock, "The Star Maker" ran more than 80 per cent ahead of "Union Pacific." In San Francisco, at the Paramount Theater, it outgrossed any recent Paramount picture and topped the receipts on "Man About Town," "Midnight," and was neck and neck with "Union Pacific."

In its first three days at the Buffalo Theater, Buffalo, "The Star Maker" was running 30 per cent ahead of "Union Pacific" and topped the gross of any Paramount picture for the year. "The Star Maker" in its first four days at the Metropolitan Theater in Boston is running 20 per cent ahead of "Union Pacific" and doing similar business as the Chicago Theater in Chicago.

Myers' Clearance Deposition in Frank Ford Trust Suit

Chicago — In his deposition in Frank Ford's Evanston Theater trust action against B & K and the majors, Sam Myers states that prior to 1933, the Teatro Dellafo, which he owned from 1929, showed films one week ahead of the Evanston Varsity Theater, but that after B & K took over the "night" in 1933 the best he could get was one week after the Varsity showing.

Hearings will be resumed this week. Myers' attorney was attorney for the majors, with Aaron Stein representing Myers.

Counsel for both the Ford trust suit and the Adelphi Theater denied that the two actions would be merged.

Dorothy Day to American

Chicago — The Chicago Herald Examiner, Hearst morning paper, ceased publication yesterday, and Dorothy Day, its film critic, will join the Evening American. Dorothy Deere. Herald Examiner's Sunday edition will continue as the Herald American.

"Song" Opens Sept. 1

"Song of the Streets" the first of eight films to be released by Arthur Maywalker, Joseph Burskey, four of the Big Five film distributors, has its American premiere at the Fifty-Fifth St. Playhouse on Friday, Sept. 1.

WILL DEMAND BROWNE REVOKE AFL CHARTER

(Continued from Page 1)
the future steps of AAAA on matters involving the IATSE dispute and unanimously agreed on a program.

Morgan, Thomson and Bellerose will return to the Coast tomorrow night via plane.

Warners to Start 25 Fix During Next Six Months

Warner Bros. is rushing preparation on nearly 25 top-budget picture which will go into work during the next six months. A new schedule has just been completed following conferences between Jack Warner, head of the studio.

Productions and leading players are as follows: "The Sea Hawk," starring Errol Flynn with Dennis Morgan; "La Cucaracha" starring Betty Davis and Miriam Hopkins; "Invisible Stripes," co-starring James Cagney and Greta Garbo; "The Life of Alfred Bernhard Nobel" with an all-star cast; "The Patent Leather Kid," starring George Raft and Priscilla Lane.


TMAT-Helgus Case Delayed

Hearing of the TMAT-Helgus Theater case before the State Labor Relations Board was continued. The hearing will be started immediately following the Raybond The- aters case. The hearing in the "American" comes to a close. Both cases are petitions in the TMAT for recognition as a bargaining agent in the theaters involved.
Newsreels Arrive to Show War Tension in Europe

By HETTIE CATTELL.

The first European newsreel to reach here since the war crisis developed arrived at Paramount yesterday, 32½ hours after having left Southampton, Eng., in the British flying boat Cabot. It will be displayed in all theatres beginning at noon today.

The pictures show scenes in Danzig, Berlin, London and Paris. The first two groups meager in footage with long footage depict stirring red crowds, gathering crowds, German columns of soldiers, war tanks, and the departure of German warships. Two scenes of Poland's evacuation of the city of Cracow by the Germans were also shown. The second scenes depict stirring crowds, generals and other military figures.

A clean beat on the European crisis was scored by Paramount News, whose films were being distributed today. The films were shot aboard an Imperial Airways flying boat for Montreal, transferred to American Airlines and unloaded thirty-two hours after ship's leave.

Although his first job was watch Stage appearance.

First Crisis Newsreels Reach Here in 31 ½ Hrs.

Paramount Films, Flown, Show London, Berlin, Paris Scenes

Part of a golf course in London being transformed into an anti-aircraft artillery base, and scenes of soldiers and street scenes were shown in London. The pictures were shot by the Imperial Airways flying boats for Montreal, Paris and London. The film was reviewed yesterday at 344 West Forty-third Street.

The films, more than 2,000 feet, covering London, Berlin, Paris and New York, were shown yesterday afternoon and were rushed to the theaters from Newark Airport to the theaters.

One of the film sequences, showing the conveyance of the British troops, was 100 feet long and was shot in air attacks.

CRISIS NEWS FILMS HERE IN 32 HOURS

A clean beat on the European crisis was scored by Paramount News, whose films were being distributed today. The films were shot aboard an Imperial Airways flying boat for Montreal, transferred to American Airlines, and unloaded thirty-two hours after ship's leave.
Paramount News scoops the world—flashing the earth-shaking events of the European crisis on the screens of the nation’s theatres 48 hours after they have happened.

Hundreds of thousands of people yesterday flocked to the nation’s theatres to see the Paramount Newsreel that hours ahead of its competitors had these exciting events:

1. Emergency defense preparations of Britain, France and Poland.
2. The arrival of Foreign Minister Joachim von Ribbentrop in Berlin after the signing of the Russo-German pact.
3. The first pictures of Chancellor Hitler’s private plane—a German version of the new Douglas DC-4.
4. The epochal emergency session of Parliament.
5. The hurried mobilization of French reservists.
6. The fortification of the suburbs of London.
7. The itinerary of emergency evacuation of children.
8. The Nazis taking over the free city of Danzig.
10. The exciting events from the world’s great capitals.

...It is coverage and service like this that make **PARAMOUNT** the No. 1 NEWSREEL and the **EYES AND EARS OF THE WORLD**. Play the Paramount News and be days and hours ahead of your competitor.
Stalked by terror...gripped by fear...goaded by love!—this killer who was brute enough to commit murder, human enough to seek a woman’s arms, but not brave enough to take his rap!... POWER-HOUSE DRAMA machine-gunned with hot emotional conflict and pulse-pounding suspense!... A standout picture for thrill-satisfaction and box-office pull!

"FULL CONFESS!

VICTOR McLAGLENS • SALLY EILERS
JOSEPH CALLEIA-BARRY FITZGERALD

Produced by Robert Sisk • Directed by John Farrow • Screen play by Jerry Cady
WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 214


Newspaper Critics Launch Own National Organization

(Continued from Page 1)

nearly 100 critics who had attended the world premiere of Universal's "The Under-Pup." Purpose of the organization, according to a prepared announcement, is "to elevate standards of criticism and composition on movies, co-operate toward the advancement of the film department as an important factor in the American press, co-operate in every way for the betterment of the film industry."

Harry Martin of the Memphis Commercial Appeal, was named temporary chairman and Buck Herberg of the Milwaukee Sentinel, temporary secretary-treasurer. Keith Wilson of the World's Newspaper and Merle Potter of the Minneapolis Tribune were elected to serve with Martin and Herberg as the planning committee.

A national convention will be held, probably in February of each year, when the editors and critics will distribute their own awards for the best acting performances, best pictures, etc.

New Newsreel Chain Opens First Unit in S. F. Sept. 2

(Continued from Page 1)

to the building at 928 Market St. Local and world events, edited from the five international newsreel companies, M-G-M, 20th Century-Fox, RKO-Pathé, Universal and Paramount, will be featured in nine daily shows of a little over an hour in length. Arrangements have been made to fly latest newsreels here by plane.

The Telenews is small (400 seating capacity), but luxurious with streamlined orchestra chairs; a downstairs lounge and restaurant equipped with music, newspapers and easy chairs.

Ellis Levy is the manager, and Albert S. Roller architect of the new theater.

The Telenews is the first unit in a chain, capitalized in the millions, planned to expand all over the west. Herbert Schufler is president of the company; Edward Reeves, vice-president; Alfred Burger, secretary; and Paul Warburg, W. French Githens, and Angier Biddle Duke, are directors.

OKLAHOMA ALLIED TO LAUNCH FIRST CONVOLVE SEPTEMBER 26-27

(Continued from Page 1)

In Oklahoma City named as convention headquarters. The building plan which received much discussion here a few months ago will be brought before the convention. Orville Von Gukler chairman of the organizing com- mittee of Allied has announced. A constitution for the organization will be presented and adopted, Von Gukler also stated.

A number of national speakers are being sought to address the convention on legislation, monopolistic practices and similar subjects, Von Gukler also stated. Following are the names of the organization committees which will be formed at this preliminary meeting:

NEW NEBRASKA’S FALL BIZ DEPENDS ON ITS CROPS

(Continued from Page 1)

good generally. And the film prospects, after being held last year and twice as sensitively, depend upon a happy agricultural situation.

Nebraska’s major keys have been there. An export in their producing business bloodstream via the rip-roaring histories, the family pictures, and the best comedies during 1939. The small priced, and low budgeted pictures, be they westerns or otherwise, have been a tough year, probably because their clientele has been hardest hit financially. In this bracket, Gene Autry’s ‘the sole exception.

In the past, Nebraska’s legal battery in the attorney general’s office has popped Bank Night, Bingo, Job Night, and more importantly rejected rulings on the state’s stringent lottery law. Giveaways of all kinds are not on the wish list. Frowned upon. The state seems determined, whether the film business has for some reason decided to do so or not, to make it stand on its own feet. Currently, a new stunt is being tried, called “Check Night,” but it’s being watched and may be in the news soon.

Legislatively, 1939 was a good year for the state. A measure destroying a business vein at the industry was passed, but one which would have prohibited making it illegal for operation of free shows a merchant come-on in small towns, was killed, which was a blow to the small showmen.

In Nebraska, this has been a great year for the family films of the better type, especially the series kind. Mickey Rooney came around just often enough for the exhibit, to lift off the ledged red, and use it for some other purpose. Had it not been that this area was four times in a year the target of junked movies, "Circus Town," Omaha; "Dodge City," Dodge City, Kans.; "Union Pacific," Omaha; and "Ca- reen," Des Moines, Ia.—it might have been worse. Nebraska has been made keenly aware of the movie business again.

ROBINSON BROS. TO REOPEN MADISON THEATER, DETROIT

Detroit—Arthur Robinson, of the Robinson Brothers Circuit, will re- open the Madison Theater, downtown house, on September 15, after re-modeling, including reseating, and installation of new booth equipment. House has been closed a year. It was formerly a first-run, and head- quarters for the Detroit Theaters until a year ago.

-Balcony will not be used, reducing seating to 1,000. Policy for the house has not been determined, but it will be booked independently of any existing combination, Robinson said.
NLRB Orders Coast Studio Jurisdiction Vote by Sept. 21

WAR APPEARS CERTAIN AMONG INDUSTRY UNIONS

Warner Circuit Sales at 78 P. C. of Possibilities

Deals Closed Up 15 Per Cent Over the Same Time Last Year

Warner Bros. has closed product deals for the 1939-40 season totaling 78 per cent of circuit possibilities, an increase of 15 per cent over the same time last year, despite the fact that the company has completely revised its contract terms with its players and is selling all or part of its properties to higher film rentals than ever before, Gradwell L. Sears, general manager of distribution, announced yesterday.

Sears expects the company to

(Continued on Page 6)

MONOGRAM WILL SHOW SIX-MONTHS PROFIT

Monogram will show a profit of approximately $45,000 for the first six months of this year in the financial statement which will be released the latter part of this week, it was reported yesterday. This will be the first profit that the two-year-old company has shown.

W. Ray Johnston, prexy, and

(Continued on Page 6)

Delaware Senate Approves Plan to Study “Blue” Laws

Wilmingon—The State Senate in Dover has approved the concurrent resolution, previously adopted by the House, providing for appointment of a nine-member commission to study the need for revising Delaware’s 144 year-old “Blue” laws.

Each house will name four mem-

(Continued on Page 6)

World’s Fair to Schedule “Movie Week” on Program

Plans to hold a Movie Week which will pay tribute to the film industry and its players are being discussed by World’s Fair executives, it was reported last night. Negotiations

(Continued on Page 6)

FILE COPY
DO NOT REMOVE

The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old

Intimate in Character
International in Scope
Independent in Thought

VOL. 76, NO. 42
NEW YORK, WEDNESDAY, AUGUST 30, 1939
TEN CENTS

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Film Stocks Up Despite Crisis

While Europe yesterday was admittedlly “up in the air,” as was the plane carrying Sir Neville Henderson, British ambassador to London with his Nazi reply, motion picture stock on Wall Street’s big board paradoxically did some soaring of their own.

At closing, fractional gains were recorded in all film issues from the previous day’s final quotes, the one exception being Eastman Kodak’s preferred. However the company’s common was up a point and a half.

Bond market, as far as pip securities were concerned, was relatively quiet, with the

(Continued on Page 7)

KING WANTS FURTHER COL., EXHIBS, HUDDLE

PATENT LAW STUDIES ON PRODUCT POLICIES

Washington Bureau of THE FILM DAILY

Washington—Opposition to revision of the patent laws as suggested by the TNEC has been voiced by Sen. William H. King (D-Utah) who declared in a statement that the patent situation had not yet been studied fully enough by the committee.

While he is not opposed to all the recommendations, King declared,

(Continued on Page 7)

Hearing on Mpls. Program Length Regulation Heated

Minneapolis — Charges that the sole purpose of a proposed ordinance to limit movie programs in Minneapolis to two hours and 15 minutes is an attempt to regulate the industry, was hurled by opponents of the ordinance at a heated public hearing held yesterday at the City Hall under

(Continued on Page 7)

Paramount Lays Plans for Speedy War News Coverage

With a European crisis in distribution, Paramount News yesterday laid plans to ship its films from Europe with all expediency, even to the extent of chartering its own planes if it was deemed necessary, it was learned last night.

Paramount reel now in the the-

(Continued on Page 7)

Major Coast Studio Employes to Vote on IATSE or Guild in Secret Ballot

Eight New Kentucky Houses Opened; Three Being Built

Louisville—Within the last few weeks, eight new theaters have opened in Kentucky and construction work has been started on three others, two of them here.

New openings have included the Kentucky at Latonia, the Gray at

(Continued on Page 6)

IATSE Prexy Browne Flatly Rejects Three-Point Proposal of 4A’s

With the AAA three-point peace proposal filed yesterday by IATSE president George E. Browne at a three-hour huddle between representatives of the two organizations, the jurisdictional dispute between the two unions flared into an open warfare last night that may embroil the entire film industry in the middle of a paralyzing strike situation.

The AAA had previously threatened a general strike of its actors, and there is no indication that it does not intend to follow through with this plan if necessary, as ratifies

(Continued on Page 7)

DEADLINE ON MOMAND ANSWERS THIS WEEK

Okahoma City—Deadline for filing by defendant in the AAA, B. Mo-

mand anti-trust suits asking $4,500,000 damages will arrive this week with defendants’ answers to Momand’s petitions due to be filed, following which filing the issues are to be joined and trial of the case

(Continued on Page 7)

Westway Trust Defendants Given More Time to Answer

Baltimore — Counsel for the de-

(Continued on Page 7)

Expect RKO Hearing to be Postponed if Bondy Absent

Sources close to the impending RKO hearing, set for Sept. 20, asserted yesterday that should Federal Judge William Bondy still be absent from New York on that date,
Einfeld Returning to Coast After Eastern Conferences

Following a visit of some two weeks to the home office for the purpose of setting campaigns for a number of Warners' new season features, Charles Einfeld, comptroller, directs advertising and publicity, left last night aboard the 20th Century Limited for Burbank.


Einfeld expects to be back in New York in about six weeks to co-ordinate campaigns for other company attractions whose release dates follow the group of pictures already having received planned promotion.

Chicago Warner Club Names New Board and Officers

Chicago—Board of Governors of the Chicago Warner Club, Inc., which includes James E. Coston, Charley Ryan, Alex Halperin, Larry Stein, Tom Gilliam, Henry Herbel, H. W. Wheeler, and H. A. Turley, has chosen H. Barron. Steve Fitzgerald was named entertainment chairman; I. H. Barron and Tom Gilliam welfare directors; James Summers and Deborah Finnian, will have charge of outdoor activities; and Alice Nortman will continue as treasurer. Al Blasko will have charge of publicity and Florence Latch will continue as clubroom hostess. Charley Ryan was elected president.

Producers Pictures Planning Studio at Prescott, Ariz.

West Coast Bureau of THE FILM DAILY

Hollywood—Producers Pictures has purchased a site adjacent to the Prescott, Ariz., where radio and outdoor picture stages, western street and permanent sets are being erected for filming of outdoor action pictures. Location is considered ideal for the production of westerns. In addition to facilities for shooting, an administration building and suitable living quarters for production personnel, executives, actors and technicians are being built under supervision of Robert Stenbach, from plans by Art Director Fred Preble.

Dinner in Honor of Star, Producer of "Nurse Cavell"

RKO Radio will give an informal dinner for the press at the Empire Room of the Waldorf-Astoria at 7:45 tomorrow evening in honor of Herbert Marshall and the star of "Nurse Edith Cavell," following a private preview of the picture at the Lexington Ave. Trans-Lux Theater at 5:45.

Picture is the first one produced and written by Warners under his RKO releasing arrangement.

ITOA Continues Squawk; Threatens to "Name Names"

Sounding a warning that the ITOA is going to press its campaign to keep films stars off the air with every means at its disposal, the association yesterday informed a New York newspaper that trade paper ad, route that unless the companies which have not forbidden their players to appear on radio do so they will face reprisals by the ITOA.

A statement asserts that theater business is "terrible," due to a great degree, to the fact that many stars now appearing in pictures have killed their value by convincing the public through the radio that they do not have the glamour the screen has built up for them. It further states that names are not being mentioned at this time, but that unless the warning is heeded these people will be blasted in the near future, and the ITOA will produce figures to prove its contentions.

"U" Quotas Being Attained in Exhib.-Sponsored Drive

With the first month of exhibitor-sponsored drive for New Universal nearing completion last night, reports from the home office indicated that quota marks allocated to exchanges throughout the country are on the verge of being attained in a number of situations.

Company has received particular impetus from the fine reception of "When Tomorrow Comes" and the impression made on exhibitors by unanimously enthusiastic reviews on their release, "The Under-Pup."

Philly Allied Leaves Buying Up to Individual Members

Philadelphia—Meeting of Eastern Pennsylvania Allied unit here yesterday was a three-hour session with more or less all discussion of such trade problems as high film rentals, interchange of allocations, censorship matters, etc.

Handling of 1939-1940 buying was left up to individual members, but some exhibitors intend to close their theaters rather than pay the new season prices.

Buffalo to Bar Children in Fight on Polio Spread

Buffalo—Infantile Paralysis situation today in the Buffalo area caused the Board of Health to request all theater managers to prohibit admission of children 14 years or under. Managers indicated they would comply with request.

2d Week for "Fifth Ave. Girl"

"Fifth Avenue Girl," having out-grossed in four days all RKO Radio productions to play the Music Hall in the past year, will be held over for a second week, giving it playing time over the Labor Day week-end.

Yesterday's business at the Music Hall was the best any RKO picture has rung up in three years for a week with $16,000 taken in at the box office.
OZIFIED!
For generations we have laughed and wept over the warmly human pages of Margaret Sidney’s celebrated novel. As a motion picture it will appeal to a pre-sold audience of literally millions of readers.

A BELOVED BOOK COMES JOYOUSLY TO THE SCREEN!
CI—
and how they grew
MARGARET SIDNEY

FIVE LITTLE PEPPERS
AND HOW THEY GREW

EDITH FELLows

Clarence Kolb • Dorothy Peterson • Ronald Sinclair
and the Little Peppers • Screen play by Nathalie Buck
noll and Jefferson Parker • Based upon the book
by Margaret Sidney • Directed by Charles
Barlow • A COLUMBIA PICTURE
WB CIRCUIT SALES
UP 15% TO 78%

(Continued from Page 1)

hit an all time high on contracts this year, 17,000,000, the company has the finest product lineup in its history. He also points to the fact that the company started its selling season this year earlier than ever before, in addition to the strength of the product, as being responsible for the increase in the number of contracts closed. At this time last year the company had closed 9.9% of its circuit possibilities.

Maximum of sales possibilities is expected to be attained by the company on exhibition accounts in the near future as a large number of deals are in the home office now for approval, and was strong.

Circuit deals closed include the following: Mullins & Pinanski Circuit; Connors Theaters Inc.; RKO Theaters in New York and out of town; Schine Theaters; Shea-Publix Theaters in Buffalo; Famous Players Canadian Corp.; Maine and New Hampshire Circuit; Loew's Theaters, New York City; Wilmer & Vincent Circuit; Gfullarton Enterprises, Inc., in Colorado; Interstate Theater Circuit, Texas; Balaban & Katz Theaters, Chicago; Fox-West Coast Theaters, Red Wood Theaters, Inc., California.

Also, Consolidated Amusement Co., Honolulu; Warner Bros. Theaters, Inc.; Frisina Amusement Co.; Thalheimer Theaters, Richmond, Va.; Mans Theaters, Western Penn.; Robb & Rowley, Texas; Blumenfeld Circuit, California; Sterling Chain Theaters, Seattle, Wash.; Fourth Ave. Amusement Co., Louisville, Ky.; and the Libson Theaters, Cincinnati and Louisville.

Delaware Senate Approves Plan to Study "Blue" Laws

(Continued from Page 1)

bers. The Senate chose the Rev. Ralph M. Miniker as the ninth member. The House ratified this selection, as provided in the resolution.

The Senate defeated a judiciary committee amendment for the nine member commission to report to the "next session of the General Assembly" instead of to the "session of the next General Assembly" (in 1941), as provided in the original resolution. Alterpey said this meant that if the legislature should recess for 90 days, the report would be returned at the end of that time.

Monogram to Show Profit of $45,000 for Half Year

(Continued from Page 1)

Scott R. Doner, production chief, leave for the Coast tonight following a board meeting and executive conferences in New York which Doner came on from Hollywood to attend.

COAST STUDIO VOTE ORDERED BY SEPT. 21

(Continued from Page 1)
or by neither, with all employees voting as a single unit.

Action follows a bitterly waged court fight on the Coast between the IATSE and the USTG, who, in a petition claiming its right to organizing agents by virtue of its membership, substantiation of the numerical membership claims of the USTG has never been had. Jurisdiction of the IATSE has been recognized for years in all studios with 1A sole bargaining agent for its members.

Action of the NLRB follows a hearing which was held on August 21 at Los Angeles before a trial examiner of the Board. The following day all parties entered into an agreement not to object to approval of the Board, providing for election by secret ballot among employees who have been employed 60 working days from Labor Day, 1939, to July 15, 1939, and who are within the stipulated categories of employment.

The following studios are involved in the vote: Columbia, Metro-Goldwyn-Mayer, Paramount, RKO, Loew's, and Warner Brothers.

M&P, IATSE Representatives Meet on Boston Ushers Strike

Boston—The Theaters Corp. and the IATSE met yesterday in an effort to settle the present ushers' strike which began 20 days ago at the Metropolitan, in the heart of the local theater district and spread to 30 other Boston and suburban circuit houses, all affiliated with Paramount. Union ushers have ceased picketing and have returned to work on the understanding that the bargaining unit will be made against them.

Richard Walsh is in town for the IATSE and is sitting in on the conference. It is understood that there will be no closed shop at the M & P houses as is the case at the local RKO and Loew theaters where the Local B.4 was earlier recognized.

The union is expected to settle for working conditions and small salary increases.

World's Fair to Schedule "Movie Week" on Program

(Continued from Page 1)

were conducted prior to the Fair's opening for a period determined by the industry, but they fell through. Personal appearances of stars and special events would be part of the Movie Week celebration if plans go through, it was said.

"Sherlock Holmes" at Roxy

"The Adventures of Sherlock Holmes," with Basil Rathbone, and Myrna Loy's "Brace opens Friday at the Roxy.
Mayer Heads Charity Ball Game
San Francisco—Louis B. Mayer, head of M-G-M, has accepted honorary chairmanship of annual Variety Club Hollywood gala at the Shrine Auditorium Sept. 17 in San Francisco. Mayer said the event will be a major part of Hollywood film colony to San Francisco. Before the game a pageant will present a spectacular array of Hollywood beauties, and the winner will be crowned.

It is the first time this annual game has been played outside Los Angeles, and will be for benefit of Christmas funds of San Francisco newspapers.

Senator King Wants Further Studies of Patent Law Issue
(Continued from Page 1)
"Not only is it premature, but it seems improper for the committee to recommend substantive changes in the patent law, as suggested by the Department of Justice, when the subject matter of the recommendations has not been fully studied by the committee."

Recommendation which I.S.C. had King's heaviest fire was the committee's suggestion that restrictive licenses should be outlawed. The Utah Senator quoted the Supreme Court decision of last term on General Electric Co. vs. Western Electric upholding restrictive licenses involving use of amplifier tubes in telephones, and recommended in the license granted to GTPC.

"Under the decision the patentee can lawfully prohibit others from utilizing the device in some fields and prohibiting it in other fields," he said. "But to the high court disregarded the plea of the Justice Department in that case to rule such practice illegal. King said the effect of the committee recommendation would be to adopt the Justice Department view and declare these restrictive licenses are not reasonably within the reward which the patentee is entitled to secure."

Paramount Lays Plans for Speedy War News Coverage
(Continued from Page 1)
"Unload" the news of war to the nation. This is Paramount's policy of the moment. It is the leading policy in Hollywood now and will be followed by more companies. The Paramount plan is to remove the difficulties which have delayed a satisfactory delivery system for news coverage, either through radio or wireline.

The basic idea is to send news films to the radio stations and wire the news to newspapers, so they will have a more comprehensive story. This will be done without the use of script. A few of the important points are:

1. The Paramount News Bureau will send a special edition of the Paramount News Film each day to every United States station that can receive it.
2. The Bureau will provide news films for publication in newspapers and magazines.
3. The Bureau will provide news films for broadcast on radio stations.
4. The Bureau will provide news films for transmission to foreign countries.
5. The Bureau will provide news films for transmission to United States territories.

Expect RKO Hearing to be Postponed if Bondy Absent
(Continued from Page 1)
Proceedings will probably be adjourned to a later date.

Another development yesterday pointed to the prospective issuance of the new RKO Corp. common stock. It was reported that the SEC does not feel that the issue will have any adverse effect on the market and the amount of price, but specifically with the economic background at the present time, although this could not be confirmed.

Because of the continued interna-
tional crisis, without much diminu-
tion of the threat of war, Wall Street channels were reluctant to give its views as to the effect hostilities, or the threat of them, would have on the underwriting of the new issue.

Westway Trust Defendants Given More Time to Answer
(Continued from Page 1)

Westway Trust, a property company, filed suit against the Federal Trust Co. and the directors of the trust, seeking to have the court order the defendants to produce certain documents and papers pertinent to the trust's financial condition. The defendants have until October 1 to answer the suit.

It is understood that the trial may be postponed until February 1940, when the case will be heard again in the Federal District Court here.

HEADLINE ON MOMAND ANSWERS THIS WEEK

(D of J Oklahoma Brief May Be Filed This Week)

Oklahoma City—Though not due until Sept. 5, it is understood that the Dept. of Justice memorandum in its anti-trust dissolution suit against the Griffith companies, may be filed in U. S. District court here this week.

Briefs of defendants in substanti-
ation of their motion asking that the government be forced to give more details, and a bill of particulars has already been filed. Following filing of the Government briefs, defense attorneys will then have another five days in which to file their answers.

It is understood then that Judge Edgar S. Vaught, in whose court the trial is to be conducted, will then rule on the motions and order a pre-trial conference in order to get the actual trial itself under way during October.

DEADLINE ON MOMAND ANSWERS THIS WEEK (Continued from Page 1)

started in Federal District Court here.

It is understood that the trial may be started late in September if Judge A. M. Murrin's docket will allow it or cleared to permit this procedure.

Momand is seeking damages for alleged monopolistic practices against him by the Griffith Amuse-

ment Company and affiliated or-

izations as well as major pro-

ducers and distributors.

ACTORS-STAGEHANDS UNION WAR THREATENS

(Continued from Page 1)

ration of the action has already been made by the membership.

Showdown will probably come on July 4, when all non-striking employees, including supervisory employees, are expected to walk out. This would leave the remaining employees on the Coast to retake the stagehands, and all organizations within the territory to fight the threat to the theater business.

4A's Three Rejected Points

Proposed resolution of 4A's, rejected by Browne embraced the following points: 1. That the IATSE withdraw from the pending strike when it expired.

2. That the variance field be administered by a non-partisan committee of 10 for 90 days.

3. That a fair, impartial, and reasonable settlement be made by a neutral arbitration body.

It was also stated that Browne had made clear his intention of bringing joining interest in the field at the meeting, and that the International Board of the 4A's and the entire membership was unanimously united in their determination to fight the threat to a finish.

Possibility of a descent of the A F of L by the AAAA also persisted last night, although it was not expected it would make this move, if it does, until it presents its case before the A F of L convention this fall. Rumors that it might join the AFL have been going around since the dispute started, but executives of the AAAA organization hotly deny this, stating that they would rather function as an autonomous and independent union without affiliation than be a part of the Federation.

It's Meditation or War

Following yesterday's meeting there seemed to be no further possible change of scene. If anything else cannot be mediated by some third party, and both organizations indicated an intention to settle the present conflict, but nothing could be had as to what the initial action of either side would be.

Ralph Morgan, Ken Thomson and Laurence Belkisson, who came here following preliminary negotiations for arbitration, are expected to leave New York tonight for Hollywood, apparently convinced that they can do nothing more to settle the row. It is understood that a short meeting of Ac-

ators' Equity, represented the AAAA at yesterday's meeting, with Browne and the other side present for the stagehands. No execu-

tive of the IA or AFA could be reached last night for any comment.
The 9th
ANNIVERSARY EDITION
OF
THE
Hollywood
REPORTER

Will be combined with
one honoring the first Fifty
Years of Motion Pictures...

The Dual Edition
will be published late in
September.
ITOA Asks Majors to Adopt Arbitration for 1939-40

D OF J FILES COAST CRIMINAL CONTEMPT ACTION

N. J. Allied Confab to Attempt Duals Elimination

Leaders Will Press Ending of Two Features; To Ask Majors’ Help

“Death to duals” will be one of the principal battle cries of Allied of New Jersey’s 20th annual convention next Wednesday, Thursday and Friday, in the Ritz Carlton Hotel, Atlantic City. It was asserted yesterday by organization leaders who will press for the “reform,” with the hope that the convention will vote the move and adopt a program whereby duals-elimination can be effected.

While this is not the first in—(Continued on Page 8)

FILMS CREATE NEW PROBLEMS IN FRANCE

Quebec—Development of the moving picture industry has created new and complicated problems for courts and lawyers, Jacques Charpentier, Bonnatiere of the Paris bar, told the annual meeting of the Canadian Bar Association here.

As the representative of the French legal profession at the meeting of Canadian lawyers, M. Charpentier (Continued on Page 8)

Key “Hollywood Cavalcade” Showings Set for Sept. 29

Trade showings of the 20th-Fox production, “Hollywood Cavalcade,” will be held at key city exchanges throughout the country on September 29, according to Herman Webb—(Continued on Page 7)

Possible GB Dividend

London (By Cable)—In view of the improved finances of the company, Sir David Ormer, chairman, Gaumont British, believes that payment of dividends might be possible when the results for the current year are shown.

ITOA, a meeting of that exhibitor body in the Hotel Astor yesterday, passed two important resolutions, the first of which empowered the organization to ask Columbia, RKO, Uni—(Continued on Page 8)

Government Charges Consent Decree Entered in 1930 Has Been Violated

Washington Bureau of THE FILM DAILY

Washington — Criminal contempt proceedings were brought yesterday by the Department of Justice against the majors on the West Coast, for alleged violation of a consent decree, entered in 1930 between the majors and the government.

The criminal charges were brought—(Continued on Page 7)

STRIKE CALL SET ON IATSE WALKOUT

Strike of all actors throughout the country may be called Monday night if the stagehands’ union refuses to allow its members to work at the reopening of the Vinton Freedly show Monday, because of Sophy Tucker’s suspension by Equity, it was reliably reported last night. This course of—(Continued on Page 7)

Wilmington Police to Check on “Blue” Activities Sunday

Wilmington — In connection with the campaign to enforce Delaware “blue” laws, Attorney General James—(Continued on Page 8)

“Star Maker” Big

Paramount’s “The Star Maker,” latest Bing Crosby starrer, got off to an exceptional start at the Paramount yesterday. A five p.m. admission were $300 better than the opening day’s receipts on “Bess Bother.” Robert M. Weisman, manager of the house, estimated the picture would exceed $10,000 for the day.
Rose Arriving to Set Para.

Production program of Paramount in England for the coming season will be set at huddles starting next week. When the home office on East 52nd Street, New York, New York, Paramount and the studio in England, will be made to work. Rose is scheduled to sail next week on the Normandie. His sailing, however, is contingent on the war situation. If war develops he will remain in England. Program outlined by Rose for the coming year is reported to be the most ambitious the company has ever planned. It is expected that Rose will service some valuable story properties while here to meet his production needs, and will also make arrangements to borrow some of Paramount's top-flight stars for his productions. Rose is bringing with him a print of the recently completed "French Without Tears." 

M-G-M Arranges "Women" Tieup with American Gas Co.

M-G-M and the American Gas Co. have arranged a series of ten on "The Women." Under the plan, American Gas offices around the country will exhibit an elaborate kitchen setup, with credits to the picture, and feature displays of Server refrigerators and Tappan stoves. National advertising space is to be taken by the gas company with tieups on credits and stills from the picture, to break locally in connection with the premiere at Grauman's Chinese, Los Angeles, next Thursday.

Ross Federal Dist. Managers Meeting in H. O. Conferences

District managers of Ross Federal Research Corp. are meeting at the home office for a series of confabs to outline Fall and Winter plans and to confer with home office executives. In for the meetings are Harold Lund, Eastern Division manager; Walter Anderson, head of the Southern district; Ruel Williams, from the West Coast; and J. A. Kraker, from the Mid-Atlantic district. President Harry A. Ross is presiding.

WB Managers in Town

Robert Smelser, Warner central district manager with headquarters in Washington; F. W. Bendersdorf, Warner Washington branch manager; and Harry Seed, Warner Pittsburgh branch manager, were in New York yesterday for conferences with Roy Haines, Eastern and Canadian sales manager.

Quimby Takes Over FW Paris

Fort Worth, Tex.—Quimby Theaters, Inc., has taken a lease on the Paramount and will reopen the house with a first-run policy without stage shows. M. Marcus will continue as manager.

WARNERS "BILL OF RIGHTS" PREMIERES AT WILLIAMSTOWN

Williamstown, Mass.—Warner's historical Technicolor short "The Bill of Rights"—had its world premiere last night at the National Conference of Christians and Jews, before 2,000 delegates.

Climax of the evening was a Coast-to-Coast radio symposium over the NBC Blue network, on which 15 distinguished guests of the Conference and Warner players taking part. From Hollywood Paul Muni, Jane Bryan, John Litil, James Stephenson and Henry O'Neill spoke. They were accompanied by the NBC Symphony orchestra.

Frank Kingdon, of the University of Newark as master of ceremonies at Williamstown, with Frank Porter Graham, George N. Schuster, Carlton J. Hayes and Fannie Hurst as speakers.

WAS Title: "M-G-M ARRANGES "WOMEN" TIEUP WITH AMERICAN GAS CO."
THERE'S A FORTUNE IN YOUR PALM!

The Previews of M-G-M's "The Women" and "Babes in Arms" have been held!

When you see them for yourself you will understand the furore they have created.

No season has ever, thus early, yielded two such sensational attractions.

Previews of other early releases from M-G-M will be held shortly. What you have heard is true. M-G-M is racing far ahead of the entire field. The wise money is on Leo!

-NORMA SHEARER - JOAN CRAWFORD
Rosalind Russell in "THE WOMEN" with Mary Boland - Paulette Goddard
Phyllis Pepeh - Joan Fontaine - Virginia Weidler - Lucile Watson - From the Play by Clare Boothe - By Arrangement With Max Gordon Plays and Pictures Corporation - Screen Play by Anita Loos and Jane Murfin - Directed by George Cukor - Produced by Hunt Stromberg

-MICKEY ROONEY and JUDY GARLAND
in "BABES IN ARMS" with Charles Winninger - Guy Kibbee - June Preisser
Grace Hayes - Betty Jaynes - Douglas McPhail - Rand Brooks - Leni Lynn
John Sheffield - Screen Play by Jack McGowan and Kay Van Riper - Based on the Play by Richard Rodgers and Lorenz Hart - Directed by Busby Berkeley - Produced by Arthur Freed
for six weeks this summer

RADIO CITY MUSIC HALL

MORE THAN HALF ARE ON THREE RKO RUNS

TWO WEEKS OF

BACHELOR MOTHER  (June 29 - July 12) ... the picture that's now sweeping the subsequent runs to unprecedented business!

THREE WEEKS OF

IN NAME ONLY  (August 3-23) ... The attraction that's opening to such terrific business everywhere!

HOLDOVER WEEK OF

FIFTH AVENUE GIRL Just beginning ... and it's all set for the pre-release key run smash in September!
C HALL GROSSED MILLION DOLLARS*
ADIO SHOWS!

*A HOT-WEATHER AVERAGE OF ALMOST $90,000 A WEEK!....THAT’S

what we mean when we say BIG ONES from RKO RADIO!
UA PLANS AMBITIOUS PROGRAM FOR 1940-41

(Continued from Page 1)

ing out that in the event of war, pictures for domestic distribution would have to be big attractions to interest the public and in any scene of war, exhibition of pictures would have to provide the public with entertainment or it would not be worthwhile trying to show them at all.

Only Big Pix Will Succeed

Silverstone said that he had discussed the world-wide situation with David O. Selznick, UA producer, and that Selznick also had stated he was firmly convinced that only big pictures will make a dent in any market in the future and particularly so at this time.

He revealed that the Selznick production of Daphne du Maurier's novel, "Rebecca," would in all probability be roadshowed. It was also learned that Selznick's "Intermezzo," wouls be rushed into the Music Hall. When asked if UA had had any differences with the MH which had caused them to open one of their big pictures in another New York house, Silverstone said that it had merely been a question of UA wishing to get the picture out quickly and no available date could be had at the MH at that time.

Korda Won't Shift to H'wood

Alexander Korda has no plans to shift his production headquarters to Hollywood at this time or in the future, regardless of what may happen. Silverstone said that his proposed trip to England would be undertaken next month as he had planned, unless war prevents his going. He disclosed that a picture entitled "An Englishman's Home," being directed by Albert de Courville, is being completed at the company's new facilities in England, at the Korda studios, and release would be rushed due to its timeliness.

He also disclosed that a company representative is now in Spain making a thorough survey with a view to producing there for the Spanish and Latin American markets.


July Brit. Film Imports

Off 44% From Last Year

London (By Cable)—British film imports for the month of July, 1939, showed a decrease of 44 per cent from July of last year. Exports for the same month this year dropped 200,000 feet from July 1938.

Imports for the first seven months of this year were 19,657,456 feet as against 31,897,824 in 1938, while seven-month exports for 1939 totalled 12,684,356 feet compared to 12,997,553 feet the previous year.

FILMS CREATE NEW PROBLEMS IN FRANCE

(Continued from Page 1)

devoted the customary address delivered by foreign representatives to an outline of the French legislation relating to motion pictures.

The central problem related to the ownership of films. French courts had decided the producer was the owner of a film although he might have obligations to the author of the story, the stars, the photographers and various technicians whose creative work formed part of the film.

Even where a film is made from a novel, it is regarded in France as a new artistic creation. The tribunal of the Seine has decided a film based on a novel is a new work in that it proceeded from a different conception of a work and had a different aim.

So far Poland is the only country to legislate on proprietary rights in films but in France legislation is being drafted so as to prevent infringements.

In time, it is possible there might be in international agreement governing the rights as was the case previously with copyright in books. Charpentier said he had no doubt the final solution of the problem would be a general principle that the producer was the owner.

Whenever anything went wrong with a moving picture the public demanded the pictures back and the courts usually hold the producer responsible. They did not look to the author or the star or the photographer, he added.

Thus in France if a person on the street had a picture taken of him without his consent, which appeared in a movie in such a way as to cause injury to him, he could recover damages from the producer.

M of T Completes Script

for "Ramparts We Watch"

March of Time has completed the final draft of the picture, "Ramparts We Watch," the first full-length feature to be produced by The March of Time.

Production of the film, inspired by Major George Fielding Eliot's book of the same title, is already well under way and is being supervised by Louis de Rochemont, associate producer Thomas Orchard and James Wolcott.

Asks Krebegg Examination

Producers Laboratories, Inc., has filed application in the New York Supreme Court, to be heard tomorrow, for an order directing Sherman S. Krebegg, as president of Joan Of Arc Pictures, Inc., to appear as an extra defendant in the present trial. Joan Of Arc Pictures is plaintiff in a suit against Producers Laboratories in which it seeks rescission of a contract under which it purchased distribution rights to the films, "I, Conquer The Sea" and "Revol Of The Zombies."
Contempt Action Penalties Are at Discretion of Court

Criminal Contempt Proceedings Are Result of Alleged Violations of 1930 Consent Decree

Background of yesterday's West Coast criminal contempt proceedings goes back to the 1930 equity suit instituted by the Dept. of Justice against the majors, alleging that the distributors were not enforcing the consent decree. It was charged that the distributors were granting preferences to Fox West Coast Theaters over its competitors, the independent exhibitors. These preferences allegedly included the right to select and contract for pictures before the public release dates of competing pictures, and in competition with Fox West Coast, and also in enforcing and collecting clearance schedules which granted Fox West Coast arbitrary and unreasonable protection and clearance over independents.

Defendants entered into consent decree in 1930, enjoining the continuance of the alleged conspiracy.

Key "Hollywood Calvaceade"

"Hollywood Calvaceade" Showings Set for Sept. 29

London (By Cable)—British Association of Science conference, opening today at Dundee, will pay increased attention to films, with Odeon's Richard R. Ford leading a discussion of four papers to be presented. Subjects and speakers are:

- F. A. McKe, "Films in Schools;" Dr. MacLeod, "Children and Entertainment Films;" A. Cavalcanti, "Propaganda by Films;" and Oliver Bell, "Public Taste and Entertainment Films."

Arnstein Files Appeal

Ira B. Arnstein has filed notice of appeal to the Circuit Court of Appeals from a decision of Federal Judge Edward A. Conner made on July 12 which dismissed his suit for injunction, accounting and damages against Ascap, Warner Bros., CBS, NBC and a large number of music publishing houses. Arnstein claimed infringement of over 50 of his songs.

Chi. Operators Negotiate

Chicago—Negotiations for new operators' contract with Illinois Allied is under way. The next meeting, Jack Kirsh, Allied proxy, says, will be held Wednesday. Morris Leonard, B & K counsel, meets with union today for a new contract.

Close Hoffberg Deal

Deal with the Interstate Circuit in Texas to play the 1939-40 lineup of J. H. Hoffberg, distributor of foreign pictures, has been closed by Pat Gary, district manager in the south for Hoffberg.

Brown Circuit GHQ Moves

Detroit—Offices of Brown Theaters Circuit have been moved from the Penobscot Building to the Francis Palms (Palms-State Theater) Building.

Release "Royal Divorce"

Select Attractions, Inc., announces for immediate release Ruth Chatterton in "A Royal Divorce" featuring Pierre Blanchard and directed by Jack Raymond. The premiere will take place Friday at the Esquire Theater, Los Angeles.

British Ass'n of Science to Hear Four Film Papers

West Coast Bar, THE FILM DAILY

Hollywood—Asked whether producers are prepared to see actors individually, or the Seventh Actors' Guild as an organization, to the reply the Guild calls a strike, Joseph M. Schenck yesterday declared that the Guild "will not stand idly by to anticipate trouble and would rather make any arrangements before making any statements."

Snick Tucker stated yesterday that she planned to appear for rehearsal Monday morning at the Imperial Theater, where the Freedley show is scheduled to reopen, as her contract calls for her appearance and it has in no way been abrogated.
N. J. ALLIED HOPES TO ELIMINATE DUALS

(Continued from Page 1)

stance of the New Jersey organization's attempt to sink double features, conditions are looked upon as ripe for achievement of the aim.

It is pointed out that Allied members in that State, in numerous instances, are now operating on a single feature policy. Further, such operation is held to be succeeding, notwithstanding the clashing to duals by opposition stands in the same situations. Testimony to this effect is being compiled currently to win over any inter-organization opposition of the proposed step.

Sources close to N. J. Allied state that the actual ways and means of ditching duals will have to be found, but that the move is one of principle, with a vital factor being the enlistment of cooperation from the managers.

Other key problems which will come before the Atlantic City convention will be the buying situation; changes to be made in the theater buildings, and features, plus problems attending practice of giveaways.

N. J. Alliance Expects 400 to Attend A. C. Convention

Close to 300 reservations have been received for Allied of New Jersey's 20th annual convention, to be held Sept. 8-8 inclusive in Atlantic City's Ritz Carlton Hotel, it was announced yesterday by E. Thornton Kelly, conclave's manager, who looks for a total of 400 reservations by next Wednesday when the gavel raps for first general session.

Within the framework of the convention is to be held the Eastern Regional Convention of unit's directors.

Scheduled speakers at the convention will be W. A. Moore, of New Jersey: Col. H. A. Cole, president of National Allied; Abram F. Myers, Allied's general counsel; Nathan Y. Stour, president of the Independent Exhibitors, Inc., and former president of National Allied; Sidney E. Silver, Allied of N. J. chieffin; M. A. Rosenberg, Pittsburgh; Arthur Howard, Boston; and Herman Blum, Maryland.

Among the Trade Show exhibits will be those of RCA, Metro Premium, Abbey Premium, National Theatres, United Artists, Republic, Monogram, National Screen Accessories, Tennis Games Accessories (quarter box contains game), and others.

Convention events save:

Wednesday, Sept. 6—Registration of all delegates, Convention Foyer, 6-8 p.m.; first inspection of exhibits, Convention Foyer, 11 a.m.; First General Session, Trocilli Room, 3rd Floor, 3 to 5 p.m.; Get-Together Party, Atlant-

Pictures Follow Political Trends

Current European political situation is bringing about a fast double-shuffle on screen play. England, as reported by "Professor Mambo," anti-Nazi picture, Switzerland has banned "Confessions of a Nazi Spy." The Russian Pavilion at the World's Fair has withdrawn, and in the wake of reports, the Russian Government was negotiating for "Confessions of a Nazi Spy.

(Continued from Page 1)

TMAT Reported to Strike at Stamford, Greenwich Houses

(Continued from Page 1)

granted to the motion picture division of the union.

Houses involved are the Strand, Stamford, and the Pickwick, Greenwich. Union is now picketing two houses operated by the circuit in the Bronx and is striking a third house in the same area. Dispute centers around alleged unfair working practices of the circuit in refusing to rehire union men and refusal to recognize the union as a bargaining agent.

The union asserts that at the picketed houses in the Bronx, are now being renegotiated, the jobs of those held up as the A.F. of L Building Trades members will not cross the picket lines.

Adjourned hearing of the TMAT-Raybond Theaters case will be continued this morning before the New York State Labor Board. Union has filed a petition for recognition as bargaining agent.

Wilmington Police to Check on "Blue" Activities Sunday

(Continued from Page 1)

R. Horford has written to Andrew Randell, superintendent of public safety, asking that city police submit to Morford's office the names and addresses of all places where business is transacted this Sunday.

John R. Fader, superintendent of state police, has not yet received a similar letter asking for a survey by state officers.

Walton, N. Y.—Within the next few weeks, Sunday movies will be shown here for the first time in the village's history, following a referendum this week. Residents approved a change in the law by 848 to 771.

Chicago-Rapp & Rapp, theater architects, are preparing preliminary plans for subway entrances, to be connected with the new Chicago subway, for the State Lake, Chicago, Roosevelt and United Artists Theaters of the Balaban & Katz circuit. Tom Lamb, New York architect, who drew the plans for the McVickers theater, will take care of the subway plans, according to Aaron Jones, Sr., proxy of the Jones, Linich & Schaefer circuit. The City of Chicago will pay the owners of the Selwyn and Harris theaters about $160,000 for a parcel of the land where the structures that will be needed for the Lake Street extension of the Loop subway.

It's The Round Table

New Orleans—Film Row's social club which has been going around without a name since its inception several months ago, has finally been baptized. Name for the outfit, which consists of operators, workers and theatergoers, is the Round Table Club. Arthur Bartlett of Theater Service Corp., buying outfit, is president; Louis B. Uren of Century-Fox is secretary and Herb Scholesinger, treasurer.

Yates Cuts Stay Abroad

Herbert J. Yates has decided to cut his stay in the Haitian cases by a week and sail for home today on the Manhattan, due to the political situation, it was learned yesterday. Yates, Mrs. Yates, his son, Richard, and Gene Autry and his wife, had been visiting a number of places where Autry made personal appearances. Remainder of Autry's scheduled appearances were can-

Orlob Leases Space

Office space has been taken by Harold Orlob, producer, at the Fox Movietone plant on 54th St. Orlob is now working on the script of picture tentatively titled, "Listen Louella," with production scheduled to start late next month using Cosmo-

Form Jefferson Pictures

Jefferson Pictures, Inc., has been chartered in Albany, with Al and Joseph Rosen and Mabel Hudson as directors. Capitalization is $30,000.

Pix Lectures at Northwestern

Chicago—Northwestern University is adding a 34-week motion picture to its college course this Fall.

IJOA ASKS MAJORS FOR ARBITRATION NOW

(Continued from Page 1)

versal, M-G-M, Paramount, 20th-Fox and UA to follow the policy of war- ners, recently announced by C. Mack Fricke of Universal, "to arbitrate with any customer desiring so to do, all claims and controversies which may arise under any license agreement contained an optional arbitration provision. We will continue to give to each of our customers the option to arbitrate all such claims and controversies."

The resolution cited that the other majors should not be afraid to arbitrate difficulties and differences in the case of legitimate business dealings.

Further, the resolution asked that the arbitration principle be applied by the other majors for the 1939-40 season, and in the instance of distributing companies having theater affiliations, the affiliated company should also enter into the agreement for arbitration.

Second amended resolution passed at the meeting stated that "it would be a serious mistake on the part of distributor companies not to make the Code effective immediately, for the Code was formulated for the benefit of theater owners in order to stop their present conditions from within the industry," and calls upon the majors to place it in force.

Monogram 6-Month Contracts Over 500 Ahead of Last Year

(Continued from Page 1)

stockholders, discloses that during the first six months of 1939 the number of deals closed between the company and circuits and independents attained a total of some 6,000 deals, as against 5,500 during the previous six-month span.

Further indication of company's growth is revealed by the fact that there has been an increase of $600,000 during the first six months of 1939, operating profit amounted to $41,646, compared to a loss of $125,494 during the corresponding period a year ago.

Mrs. Moulton Dead

Boston—Mrs. Al Moulton, wife of the secretary of the local operators union, is dead here.

WEDDING BELLS

Tijuana—Maurice Costello, screen veteran, and Ruth Reeves, actress daughter of Senators Judge Reeves and Al Reeves, of Kansas City, were married there.

Des Moines—Joy Hodges, Universal star, is to be married here tomorrow to Albert Doory, assistant manager of the local operators union.
Expanding U. S.-Jap Trade Pact Not Slated for Revival
90 PICTURES COMPLETED ON 1939-40 PROGRAMS
Exhibit Drive Ups Universal Revenue $75,000 a Week

Expected $1,000,000 Gain Will Be Put Back In New Production

That Universal's revenue has averaged $75,000 over normal during the past four weeks, which span represents one-third of the three-month period for the Exhibitor - Sponsored Testimonial Drive, is asserted by the company, which estimates that the total increase when the drive is completed will be in excess of $1,000,000, since, it is pointed out, weather conditions in September and October (Continued on Page 9)

NSW CONTRACT ALLOW 25 P.C. CANCELLATIONS

Standard exhibition contract in New South Wales, put into effect by the government as of August 14, has clauses calling for 25 per cent cancellation, 15 per cent British quota, 2½ per cent local quota, and arbitration by a film commission. The FILM DAILY was told yesterday by Charles Munro, Hoyts Theaters chieftain, before he left New York for the coast, on route to Sydney. Contract, however, does not allow (Continued on Page 8)

Republic Closes With WB for Seven West Coast Towns

West Coast Bureau of THE FILM DAILY, Hollywood—James R. Grainger, Republic's president and general manager in charge of distribution, closed a deal yesterday by terms of which company's 1939-40 prod-

An Outstanding Achievement

A great ovation was given to the private preview of the first Anglo-American production, "Nurse Edith Cavell," in the swanky atmosphere of the Trans-Lux Theater at Lexington Avenue and Fifty-First Street. Here is an impressive, dramatic production that adheres faithfully to the historical record, and done without a single note of bias or propaganda. A truly significant achievement that will weld British and American relations in a closer bond. A timely picture if ever there was one, in this present European crisis, that showsmen can capitalize on to the limit. Anna Neagle is superb in the title role, playing her historic part with restrained and sensitive interpretation. Produced by Herbert Wilcox and RKO Radio are to be felicitated on one of the really significant production achievements of the year.

ITOAS ASKS FOR SPEEDY ARBITRATION ACTION TO RATIFY COHN PACT AT COL. ANNUAL MEET

ITOAS yesterday dispatched letters to executives of Columbia, RKO, Universal, M-G-M, Paramount, 20th-Fox and UA, asking that these companies include in their 1939-40 license agreements a clause relegating all claims and controversies arising out of such agreements to arbitration, following the lead of Warners. Harry Brandt, ITOAS president, (Continued on Page 9)

Mobilization Plans Are Set by News of the Day—Hartwick

News of the Day's world-wide organization of cameramen is completely mobilized for instant action in the event the tense European situation hatches actual hostilities. (Continued on Page 7)

Notice has been sent by Columbia Pictures Corp. to stockholders that company's annual meeting will be held on Sept. 20. Session will be preceded by a special meeting of Voting Trust Certificate holders at 1 p.m.

Steady Flow of Product Available Despite Any Emergency

West Coast Bureau of THE FILM DAILY, Hollywood—Survey this week of the eight majors disclosed that total of 90 pictures on the new season schedules have been completed and a large number of films are nearing completion, guaranteeing exhibitors a steady flow of product for some time to come, despite any emergency that may arise.

In addition to this total, Republic has completed five pictures on its new lineup, Monogram is completing several, and a number of pictures (Continued on Page 7)

GOV'T. INTERVENTION LOOMS IN LABOR WAR

Washington Bureau of THE FILM DAILY, Washington—Intervention of the U. S. Department of Labor in the AAA-IATSE dispute was reported last night to be under consideration as the threat of a general strike that may cripple the entire entertainment industry seems imminent. Whether or not James B. Dewey, ace mediator of Frances Perkins' staff, or some other Labor Department executive, will move (Continued on Page 8)

Murphy Flying to Coast to Confer with D of J Ass't.

Washington Bureau of THE FILM DAILY, Washington—Attorney General Frank Murphy will fly to Los Angeles next Thursday to confer with Special Assistant Charles H. Carr, who is directing the Government's income tax and labor cases against members of the industry on the West Coast, he stated at his press conference yesterday. Murphy said (Continued on Page 8)

Japan's Stability and Good-Will Held Prerequisite to New Ties

IATSE Strike in St. Louis is Settled by Agreement

Washington—One of the factors upon which interest centers in the generally disturbed international situation, and one which is bound to have a marked effect on the film industry, is Japan's newly-formed cabinet which has been set up as the result of Nippon's "sale down

(Continued on Page 7)
Membership Selected for Delaware "Blues" Study

Wilmington, Del.,—General Assemblies' son, Dowco, who adjourned Tuesday, selected the personnel of a nine-member commission which will study the need of modification or reclassification of the Sunday "blue laws" of the state.

The four House members are: Representative John F. McDonnell, George W. Rhodes, Edward Knight, and John L. Barl. The Senate members are: Senators George R. Clark, Harold W. T. Purnell, Paul R. Riordan and Benjamin F. Simmons.

This committee will meet soon and organize by selecting a president and secretary. It will make its recommendations for changes in the blue laws by the 1941 session of the legislature.

The Rev. Ralph L. Minker, superintendent of the Ferris Industrial School, was selected as the ninth member of the commission.

Negotiating Projectionists Agreement of Detroit Area

Detroit—Projectionist local and theater operators are negotiating renewal of two-year contracts, with opera house asking for permission to exhibit pictures in smaller houses, none in larger theaters, and exhibitors seeking slight increases in wages. Operators also are understood to be seeking two weeks' vacation with pay. No difficulties with the final agreement is anticipated.

FPC Quarterly Dividend

Montreal—Directors of Famous Players Canadian Corp. have declared a quarterly dividend of 25 cents a share on the par value common stock, payable Sept. 30 to shareholders of record Sept. 15.

Paramount holders of Hamilton United Theaters preferred stock have agreed to exchange their preferred stock for common stock, the company asking them to state the price at which they would be willing to exchange their preferred stock, and explaining that "the company is interested in purchasing a limited number of preference shares for redemption," but does not undertake to redeem all or any part of the shares that may be offered. The preferred stock is redeemable at $100 and the current bid is 63 1/4. On Dec. 31, 1938, 1,679 shares of preferred were issued at par $100.

Bingo Injunction Setback

Milwaukee—The action of Charles W. Trompke, head of the Monogram-Midwest Film Exchange, to secure an injunction restraining the Bahn Frei hall from playing Bingo, resulted in a temporary setback when Circuit Judge Daniel W. Sullivan issued an order barring the contemplated adverse action today of Mr. and Mrs. Edward Trompke, operators of the tavern in connection with the hall. The judge also ordered Trompke to pay $1,000, and the proposed injunction should not be halted.

Monogram to Release Three, Shoot Four in September

Three Monogram productions are scheduled to be released during September, with two already in the cutting rooms. "Mutiny in the Big House," starring Charles Bickford and Barton MacLane, for release Sept. 12 and 'Sky Patrol,' a Tallispin Tommy, to be released Sept. 30, are the first two. The release will be the first of the "Rembrandt" series.

Monogram has four sets to go before the cameras during September. "His Father's Son," with John Carroll and Martin Spellman, "Overland Mail," with Jack Randall, "Roll, Wagons, Roll," Tex Ritter musical western and "Mr. Wong at Headquarters" are the titles.

A John Trent film, tentatively titled "Scouts of the Air" is now in production.

Montreal Cancels "Beau" at French Consul's Request

Montreal—Because of protest by the French consulate, the engagement of "Beau Geste" which was to have opened at the Palace Theater here today has been cancelled. Consolidated Theaters, owners of the Palace, announce that they had decided to withdraw the film from circulation locally but gave no details of the French protest.

"Beau Geste" was passed by the provincial board of censors a few days ago. In its silent version the picture was shown throughout the province many years ago.

The Palace has substituted the Warner picture, "The Old Maid" for "Beau Geste."

"The Old Maid" Held Over in Six Eastern Showings

Warners' "The Old Maid," having broken all records at the Broodway Paramount, is being held over there and in five other spots.

Holdovers include: the Paramount; Stanley, Baltimore; Earl, Washington; Warner, Atlantic City; Warner, Bridgeport, Conn., and Warner, New York. Latter house is holding the film for a fourth week, equaling the record of "Angels With Dirty Faces."

"Star Maker" Continues Big

Paramount's Bing Crosby starrer, "The Star Maker," in its second week at the Paramount at five o'clock, was running $500 better than the second day's take on "Beau Geste."

First day's receipts at the theater were $9,700, and, from present indications the second day's results will be just as big, according to Robert M. Weitman, manager of the Paramount.

"Hawaiian" Premiere Tonight

"Hawaiian Nights," Universal music drama, will have its world premiere at the Princess Theater, Honolulu tonight.

COMING AND GOING

WILLIAM F. RODGERS arrives here this morning from the Coast.

H. H. MURRIN arrives here Monday on the Queen Mary.

JACK COHN and J. A. McCONVILLE make a survey tour of South America this fall.

All of the Griffith American Corp. and DALE LYNCH, of the Pathe Corporation, are visiting this week at the KKGO radio.

GUSTAV MOYNIHAN, manager in Mexico for 20th-Fox, arrived in New York yesterday from Mexico City.

CHARLES MUNRO, head of Hoyts Theaters in Australia, left New York last night after three and a half months here. He sailed for Sydney Sept. 13 on the Monterey.

BOB BOPE and his wife arrive here Monday on the Queen Mary.

MITCHELL LEICHTER arrived from Hollywood yesterday.

WALLACE BEERY and his daughter, CAROL, are at the Waldorf.

EDWARD G. ROBINSON leaves New York next week for the Coast.

DOROTHY BRACKNS arrives from Europe yesterday on the Clipper.

SOL LESLIE leaves for Pennsylvania today on the Clipper to visit his New York home regarding Lester's forthcoming production of the Wilder play, "Our Town."

L. J. McGINLEY, director of the Universal sponsored films drive, will be in Chicago this week.

ENDA BEST arrives here yesterday on the Nieuw Amsterdam.

TEX RITTER, following a brief visit at the Monogram home office, has gone to Salisbury Md., to resume his p.u. tour.

Folley Suit Extension

Time for Columbia Pictures Corp. to file answer to the $750,000 anti-trust suit of Folley Amusement Corp. was extended to December 20 in a stipulation filed yesterday in Federal Court, Suit, which charges Folley with conspiracy to restrict sale of product allegedly resulting in the plaintiffs closing the doors of the Folley Theater, in Brooklyn, is against four majors, Monogram Distribution Corp., Universal, RKO and Randolf Amusement Corp.

No reason for the prolonged extension of time was given.
PREVIEW CRITICS HIT PINNACLE OF PRAISE FOR THE STORY THAT SHOCKED THE WORLD!

NURSE EDITH CAVELL
"A fine picture...amazing the way it holds interest...audience profoundly moved...Anna Neagle gives an inspired performance."
—Louella A. Parsons, International News Service

"Definitely on the 'must see' list...Holds you every minute of the way...Anna Neagle is certainly a living lesson to some of the better-known actresses."
—Erskine Johnson, King Features Syndicate

"It remains one of the finest pictures to come to the screen...No other actress could have achieved the role of Edith Cavell as perfectly as Anna Neagle."
—Paul Harrison, NEA Service

"Herbert Wilcox will be able to present with pride his first picture made in America...A film of quality, dignity and great interest...You feel as if you were viewing the actual happenings with real persons instead of actors...Anna Neagle's portrayal by all odds one of the finest of the year...worthy of consideration for Academy honors."
—Edwin Schallert, Los Angeles Times

"Miss Neagle's performance ranks her among the major film actresses."
—Meyer Levin, Esquire

"A beautiful picture with a powerful theme...Anna Neagle is one of the finest actresses of the screen."
—Whitney Bolton, N. Y. Morning Telegraph

"The drama of Cavell is powerful...Thought-provoking drama with a stellar performance of the highest calibre."
—Harrison Carrol, Hollywood Herald & Express

"Outstanding among the year's pictures...Anna Neagle reaches a new high in bringing dignity and grace to the screen."
—Hedda Hopper, Jones Syndicate

"One of the most imposing films to come out of Hollywood...Intensely moving in its subdued tones, ruthlessly violent in its brutal moments...Will prove itself a potent box-office factor."
—Hollywood Reporter

"Begets a sure suspense which holds audiences spellbound...Anna Neagle gives a superb conception of the Cavell role."
—Hollywood Variety

"Without question, the motion picture event of the year...Anna Neagle's portrayal is definitely an Academy award performance...Everyone must see 'Nurse Edith Cavell'."
—Alice Tildesley, Phila. Ledger Syndicate

"A powerful dramatic picturization...gripping, stirring production."
—Film Daily

"Intense drama...A tale of sacrifice and devotion, appealingly told."
—Motion Picture Daily

"One of the greatest productions ever to come from any studio...Should hold all audiences through every brilliant moment...The best that is Hollywood's and England's is here combined in a single glorious production."
—Elizabeth Wilson, Screenland and Silver Screen
"I have never been more moved by any motion picture . . . It is one of the truly great pictures of all time . . . The tender and poignant performance of Anna Neagle rates the highest honors filmdom can bestow."
—Ruth Waterbury, Photoplay

"Here is a picture so perfect that a most minute examination reveals not a single flaw . . . Will stand for years as the high water mark in Hollywood production . . . I join what certainly must be a chorus in declaring that Anna Neagle has turned in an Academy Award performance."
—Maye Ober Peak, Boston Globe

"A film beautifully done . . . It has a suspense that is remarkable . . . There is a nobility about the picture which is almost above tears."
—Jessie Henderson, Philadelphia Bulletin, Baltimore Sun

"I loved it . . . Miss Neagle's performance and Herbert Wilcox, producer, made of the picture a triumphant occasion that will be long remembered."
—Harry Mines, Los Angeles Daily News

"A profoundly stirring picture . . . Don't miss it . . . and make a small bet that Anna Neagle will be up for an Academy Award."
—George Fisk, Mutual Broadcasting's Hollywood commentator

"'Nurse Edith Cavell' will go down in screen history as one of Hollywood's greatest productions."
—John Schwartzkopf, Fawcett Publications

"A strong dramatic picture with Anna Neagle seen in one of the finest dramatic performances to originate in Hollywood . . . Herbert Wilcox's production and direction is tops with Hollywood's own aces."
—Clarke Wales, Detroit Free Press

"An impressive picture that puts over a smashing message . . . Anna Neagle is terrific . . . She gives an inspired performance."
—Eric Ergenbright, McNaught Syndicate

"From the opening scene to the final one the audience was held spellbound . . . Outclasses everything I have seen in the way of a picture . . . Nothing else like it . . . It is superb . . . Comes nearer to being a masterpiece than anything I have seen for a long while . . . Anna Neagle gives a performance that places her beside Sarah Siddons and Ellen Terry."

"Superbly kilt story . . . perfect character casting and pungent direction . . . Anna Neagle's performance places her beside Hollywood's greatest tragediennes in international screen importance . . . Nurse Edith Cavell impresses me as an all-around candidate for Academy honors."
—W. H. Mooring, London Daily Herald and Film Weekly

"A magnificent and impressive picture . . . Great page of history brought vividly to the screen."
—Harold Salemsen, Paris Soir and Pour Vous

"In this opus Anna Neagle, beautiful, quiet-minded English star, hits Hollywood like a bombshell."
—Ella Wickersham, Los Angeles Examiner

NURSE EDITH CAVEILL
'Nurse Edith Cavell' is a picture which will live long in the memory of everyone who sees it.
—J. Maurice Ruddy, Daily Sketch, Sunday Graphic, London

"The most powerful film ever to reach the screen... In the title role Anna Neagle gives a superb conception of the martyred Nurse Cavell... A performance of Academy calibre... The picture is destined for universal triumph with every kind of audience."
—Guy Austin, London Daily Express

"Herbert Wilcox has made a great film... Anna Neagle's 'Nurse Edith Cavell' is a masterpiece... No other screen artist save Charles Chaplin has such pantomimic genius."
—Ray Lewis, Canadian Motion Picture Digest

"A beautiful and moving recital of the story of the English nurse... It is an important film told with direct simplicity... Miss Neagle's performance is brilliant in its quiet sincerity... She makes the martyred nurse a credible human person."
—Robin Coons, Associated Press

"This film is one of the screen's few authentically great and significant tragedies... The production is as nearly perfect as Hollywood ingenuity and British thoroughness could make it... I am willing to believe that Miss Neagle's conception of the role is as the martyred nurse would have wanted it."
—Philip K. Scheuer, Los Angeles Sunday Times

ANNA Neagle as NURSE EDITH CAVELL

with
EDNA MAY OLIVER
GEORGE SANDERS
MAY ROBSON
ZASU PITTS
H. B. WARNER
SOPHIE STEWART
MARY HOWARD
ROBERT COOTE

PRODUCED AND DIRECTED BY HERBERT WILCOX
JAP TRADE PACT
NOT TO BE REVIVED

(Continued from Page 1)

the river” via effectuation of the Nazi-Soviet non-aggression pact. Informal opinion expressed by sources close to the State Department is that there will be no steps to resurrect the U. S.-Japan trade agreement as the provisions now stand, and which expires in January. However, dependent upon developments of the next few months, negotiations may be opened for a new agreement between the two nations, and films are virtually certain to be taken into account.

Another course looming is that the expiring pact will be allowed to die without interim negotiations. Those who advocate this view say that a precipitate of any new trade agreement will have to be a political rapprochement together with a revived amity between the countries. Substance is given to this argument by citation that it is useless to conclude trade pacts unless political “insurance” is there to protect them. This “insurance” must be in the form of stability and good-will. A further consideration which points to the wisdom of permitting the demise of the current U. S.-Japan agreement is that a more favorable deal may be made by the U. S. than is afforded under the expiring pact.

Counter to the popular belief, film industry companies, aside from barging at the Japanese exchange restrictions, have been favorably impressed in the past with the co-operative attitude of officialdom there. That the American companies have made substantial progress in Japan during the current year, and this in face of the “China adventure,” is borne out by reliable statistics which show that the “take” of the U. S. distributors since Jan. 1, last, is on the way to eclipse any previous year’s revenue.

Buffalo Health Board Bans Children Because of Polio

Buffalo—Children less than 14 years old were banned from attending theaters here yesterday by the Board of Health, due to the prevalence of infantile paralysis. The youngsters cannot be admitted whether or not they are accompanied by parents. Prohibition will continue indefinitely.

Raise Discrimination Penalty

Madison, Wis. — The Rubin bill amending the equal rights statute has been approved by the State Legislature and signed by the Governor. It increases the minimum penalty for persons charged with discriminating against individuals because of color or creed in hotels, restaurants, public conveyances, places of amusement, etc., from $5 to $25.

ALONG THE
MALL
WITH PHIL M. DAL

• • • IT was really a significant industry event that unfolded last night — with the presentation to a select private audience of the timely historical film, "Nurse Edith Cavell," at the Trans-Lux theater at Lexington Ave. and Fifty-first St., under the combined auspices of Producer-Director Herbert Wilcox and George Schaefer on behalf of RKO Radio.

• • • WE use the word "significant" advisedly. . . . for here is the first Anglo-American production, which marks a new era in industry relations between Great Britain and the United States . . . it stands as impressive testimony to what can be accomplished with British brains and talent combined with Hollywood technique and wholehearted co-operation .

• • • AS for the picture itself, there can be nothing but wholehearted praise. . . . one of the few great historical documents ever produced on the screen . . . . beautifully treated throughout with the human note dominant in a dramatic episode of World War history . . . .

• • • AFTER the preview there followed an informal dinner in the Empire Room of the Waldorf-Astoria . . . . a classy production in itself that gracefully matched the picture, and for which full credit must be given advertising chief Barrett McCormick and his staff . . . . there was one banquet at which the guests listened with genuine enjoyment to intelligent and brief remarks from the dais .

• • • TOASTMASTER George Schaefer, the RKO president, said he was happy in contemplating this distinctive picture which weds the best production in England with Hollywood facilities . . . . "That which emanates from the mind and heart will ever rise above merely mechanical and technical efforts in picture production." . . . "To you, Herbert Wilcox, I want to express how happy I am that our mutual plan has proved so fruitful. You have made not only a very fine product but a very profitable one." . . . "To you, Miss Neagles, my deep appreciation for a very grand performance" . . . . and all the guests enthusiastically applauded those sincere sentiments.

• • • PRODUCER-DIRECTOR Herbert Wilcox paid a tribute to the friendly spirit he found in Hollywood . . . . he marvelled at the technical facilities he found there . . . . Miss Neagles said with charming modesty that she hoped she had conveyed something of the spirit of a remarkable woman in her interpretation . . . . "On the dais were . . . . Will Hay, Herbert Wilcox, Anna Neagles, George Schaefer, Richard Patterson, Jr., Ned Depinet, Jules Levy, M. H. Aylesworth, Jack Alicoate, Terry Ramsaye, Andrew Christenson, Malcolm Kingsberg, W. G. Van Schmus, Mr. and Mrs. Charles Halbert, the Belgian vice consul and his wife . . . .

90 FILMS COMPLETED
ON 1939-40 PROGRAMS

(Continued from Page 1)

have been finished by other independent organizations.

Figures on completed pictures, by studios, is as follows: Paramount, 19; Warners, 15; 20th-Fox, 15; Universal, 15; RKO, seven; Columbia, six; Metro, five; Selznick International, two; and Hal Roach and Walter Wanger each one.

Mobilization Plans Are Set
By News of the Day—Hatrick

(Continued from Page 1)

It was asserted yesterday by E. B. Hatrick, vice-president and general manager of the newswire, who also said that the European staff, under the direction of its managing editor, Ariel Vargès, ace cameraman, is particularly well-versed and equipped.

For the present, Vargès, whose cinematic activities go back to front line trench coverage in the World War, is maintaining headquarters in Paris, but is in close communication with such organizations co-operating with News of the World, as Gaumont-British in London, Eclair in France, Ufa and Germany, Bolsa in Poland, Telegrafia in Warsaw, and with the newswire’s own staff in Italy under direction of Umberto Romagnoli.

George Allison, prominent British broadcaster, has rejoined the staff and will head the British office, Hatrick states, and that, meanwhile in New York, M. D. “Mike” Clofine and his staff are ready to rush additional cameramen to foreign soil should emergencies require the move.

The newsreel plans to fly footage across the Atlantic via Clippers, and planes also will be used to rush developed negatives to U. S. key cities.

Mrs. Crandall Dies
Washington Bureau of THE FILM DAILY

Washington—Mrs. Harry M. Crandall, 62, wife of the late pioneer film theater operator of Washington and vicinity, died at her home here, 4330 16th St., N. W., early morning, following a six months’ illness.

She is survived by a sister and three daughters among the latter, Dorothy, who is the wife of John J. Payne, a former associate of Crandall, and now general zone manager for Warner Bros. Theaters in the Washington territory.

Monogram Circuit Deals
George W. Weeks, general sales manager for Monogram Pictures, announced the opening of a new circuit covering the 1939-40 product have been closed with Robb & Rowley, Day, Wilcox, Clifton, Gash, Wilcox, Ferrar Circuit, St. Louis; and Bendheim Circuit and I. Notes of Washington.
GOVT. INTERVENTION LOOMS IN LABOR WAR

(Continued from Page 1)

was planning to leave Washington last night for New York conferences with executives of the two warring unions could not be determined.

It was believed here that the importance of the film industry would necessitate intervention by the Labor Department in the event of a nationwide entertainment industry strike, apart from the report that they are already considering action to stall off a strike.

There was no news forthcoming here at the headquarters of the American Federal of Labor as to whether or not the organization would play a role in this situation, with a spokesman pointing out the the A F L executive council had done every thing in their power to avoid trouble when they handed down a ruling at the Atlantic City hustings held recently.

ACTORS AND STAGEHANDS

Ready for Strikes, Retaliation

Moves and counter-moves by warring entertainment unions added to the tensions in the situation, threats, unless some sort of truce or rapprochement is effectuated over the Labor Day week-end to darken all productions and halt production in pix studios on both coasts.

Salaries among yesterday's developments were the authorization of Paul Dulzell, executive secretary of Actors' Equity by that body's Council to call a strike in theaters here if the stagehands walk out on the show "Leave It To Me" on Monday night.

At a scheduled mass meeting of Equity members and the other A AA a special meeting of the union's officers Sunday night approval of this action will be sought.

Dulzell declared last evening that if on Monday the stagehands walk out as threatened our people will walk out of every New York show on Tuesday.

AGMA and AFRA, respectively, embracing musical and radio performers, backed, as branches, the A AA A stand by resolving to cease work where members of IATSE are employed should the threatened showdown develop. SAG is asserted to be fully supporting the A AA A position.

At the meetings yesterday of A E A, AGMA and AFRA chieftains, resolution called on all members to resign from their own unions.

Equally as militant and adamant in the situation rising to gale proportions were the APA wings of the controversy. At last quarter-hours here last night a summons and complaint were declared to have been served in a court action instituted by Ralph Whitehead, executive secretary of APA, who charged various officials of the A AA A and allied bodies with libel, as result of which Murphy Flying to Coast to Confer with D of J Ass't.

(Continued from Page 1)

he will meet FBI Director, J. Edgar Hoover there for a conference with him, and other department officials.

The Attorney General declined to say what he will take up specifically, but said he will discuss labor relations.

murphy effectuated they 1940.

New South Wales Contract Allows 25% Cancellation

(Continued from Page 1)

any cancellation by distributors, who must fulfill their contracts until the time they expire if they wish to end them. One alternative is open for the distributors: they can go before the film commission, and if cause can be shown that they are losing money through unprofitable operations and taxation, they will be allowed to cancel their contracts, but if they do this they have to cancel all their contracts, it was said.

Only chance for distributors, to again do business there if they follow through on the cancellation proceedings, is to now all the contracts they cancelled.

Muñoz reported that he has closed product deals for the theater chain of Cohn, AFA, Warners, Columbia, Universal and Columbia, and that a 30 year deal with 20th-Fox is in the last stages of negotiations with only a few details left to be worked out. He said that recent reports showed the company's theater business for the last two months to be slightly ahead of last year.

He will wind up a four months' strike, if he wishes to do so, for Sydney Sept. 13 on the Monterey.

IATSE Strike in St. Louis is Settled by Agreement

(Continued from Page 1)

Under the peace agreement the unions have called off pickets and will reinstate various ushers, ticket takers, doormen who were dismissed for alleged failure to pay union dues, as members of Local B-2.

The operators, as of the agreement, will be able to have the Labor Committee of the MPTO of St. Louis call meeting to take the question of a new wage and working hours agreement for Local B-2, and also the question of employing members of Local 6 for maintenance work in the houses.

Cleveland Warner Club Sets New Officers and Governors

Cleveland—The Cleveland Warner Club, at a supper dance at the Lyndhurst Country Club announced the election of a board of directors for the coming year. They are: president, Bob Cox; vice-president and chairman of the entertainment committee, Marvin Saunders; vice-president and chairman of the welfare committee, Ruth Finger; vice-president and chairman of the membership committee, David Bachner; secretary, Jane Meisel; treasurer, Irving Ribbe; chairman of the directors is Evelyn Friedi and the new board of governors is composed of Eddie Miller, manager of the Cleveland General Theater; Charles Albert, and Larry Kreusser, bookers.

TO RATIFY COHN PACT AT COL. ANNUAL MEET

(Continued from Page 1)

the wishes of the holders of the common stock, even though the Voting Trustees approve the extension of the respective employment contracts of Harry Cohen and Jack Cohn for a period of three years from July 1, 1939, upon the same terms and conditions as provided in their previous contracts.

Stockholders will also be called upon to approve, ratify and confirm the contracts of the Messrs. Cohn, and, in addition to elect seven directors—a complete board—for the ensuing year; okay the merger into the Corporation of the two subsidiaries, Columbia Pictures Corp., of California, Ltd., and Columbia Pictures Corp., of Eastern Canada, Inc.; as well as approve, confirm and ratify issuance to Samuel J. Blockin, of an additional option for 2,500 shares of common stock to be represented by Voting Trust Certificate if exercised prior to April 1, 1940.

It is virtually a foregone conclusion that Harry Cohn, Jack Cohn, A. Schneider, Jack Kerns, Charles Schwartz, Leo M. Blancke and Saul H. Bornstein, all members of the present board, will be elected to the new board.

Republic Closes With WB for Seven West Coast Towns

(Continued from Page 1)

uct will play Warner Bros. houses in California.

Pact covers Beverly Hills, Huntington Park, Los Angeles, Fresno, San Bernardino, Santa Barbara and San Pedro.

Cirrus—Boer Portmajor represented the circuit in the negotiations, and, in addition to Graninger, Grover C. Parsons, West Coast manager, and Brian, Los Angeles exchange manager, represented Republic.

To Examine Katherine Moog

Warner Bros. Pictures, Inc., on Friday filed notice of intention to examine Katherine Moog before trial Sept. 18 at the offices of Warner Bros. Examination is in reference to a suit for $75,000 damages against Warners brought by Katherine Moog, plaintiff, in which she charges violation of the civil rights law in the Warner picture, "Confessions of a Nazi Spy.

Incorporated Lynn Chain

Lynn, Mass. — Comique of Lynn, Inc., 95 Church St. this city, has been granted a charter of incorporation to operate theater. The concern, which is authorized to issue 5,000 shares of $100 par value common stock, has elected the following officers: President, Maurice H. Gerber, treasurer; Sydney E. Solomon; clerk, Ethel I. Solomon.
EXHIB. DRIVE UPS 'U' INTAKE $75,000 A WK.

(Continued from Page 1)

are virtually certain to have an accelerating effect.

Expectation that the drive would show the million-dollar increase, and realizing the incalculable good-will "U" will accrue from the drive, "Uy" production chiefs have agreed to put the money back into boosting production values on pix set for drive delivery.

Company, on top of the announcement made last week that an emergency budget of $200,000 has been established to issue prompt delivery of the two final pix schedule for delivery in connection with the drive, "Destry Rides Again" and "Green Hell," now is increasing production budgets of "The Tower of London" by $200,000, and the budgets of "Destry Rides Again," "Green Hell" and "The Invisible Man Returns" by $200,000 each.

Additionally, a maximum budget of $100,000 is being allotted for trade paper and consumer promotional campaigns to back up the foregoing big pix. This budget, supplementing expenditure on smash openings of "When Tomorrow Comes" and "The Under-Pup," along with amounts on other current attractions, is likely to witness a new promotional budget record for the New Universal's inception.

ITOA Asks Speedy Action By Majors on Arbitration

(Continued from Page 1)
said yesterday that the request to the majors was not a "trial balloon" to smoke out the disposition of the majors to get ahead the band wagon drawn up by Gradwell L. Sears, WB sales chief, but represented the solid and practical belief of ITOA that the arbitration step is a pressing necessity and should be taken without delay.

Brandt said that whatever the answer of the seven majors may be, it would be communicated to several India exhibs. organizations who are nominal allies of ITOA in the effectuation of trade practice reform. This implied that ITOA is acting as virtually spokesman for the other groups.

Mailing of the letters by John Manheimer, executive secretary, grew out of ITOA's Wednesday meeting at which a resolution was passed by the exhibs. body to memorialize the seven majors to make arbitration an integral part of new season license.

Also communicated to the majors by ITOA was a resolution asking that the Code be put into effect at once.

"RIO" at Central Today

"Girl from Rio," Monogram picture starring Movita, will make its Broadway debut today at the Central.

THEATER CHANGES

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by
ROSS FEDERAL SERVICE, INC.

Changes in Management

INDIANA
Fort Wayne—Paramount: New Manager Quimby Theaters; Former Manager Manny Marcus; Present House Manager: Undecided.

INCREASE IN OWNERSHIP

ILLINOIS
Rockford— Rex: Transferred to E. Mitterling by Rudy Nelson; House Manager E. Mitterling.

IOWA
Cedar Rapids—Strand: Transferred to H. A. Sodini by Wright-Praught Co.; Present House Manager: W. E. Karschetter.

Lake Mills—Irving: Transferred to Thompson (owner Tonna Theater, Owatonna, Minn.) by M. O. Gottland.

Renovations Planned

GEORGIA
Calhoun—Gem: Work planned: Complete renovation, enlarged from 500 to 700 seats; Owner: Manning & Wink; Date to be completed 9-15-39.

IOWA
Paris—Novelty: Work planned: Remodeling, installing additional seats; Owner: Mrs. M. G. Price; Date to be completed: Near Future.

Cedar Rapids—Strand: Work Planned: Complete inside decorating and new front; Owner: H. A. Sodini; Date to be completed: September 1st.


Theater Openings

INDIANA
Fort Wayne—Paramount: 2100 seats (Mid-Sept.); Owner: Loop Realties Inc. House Manager Undecided.

IOWA
Cedar Rapids—Strand (Sept. 1, 1939); seats 500; Owner: H. A. Sodini; House Manager W. E. Karschetter.

OHIO
Columbus—Majestic (August 4, 1939); Owner: Maurice White; House Manager, Maurice White. Xenia—Ohio, (August 26, 1939); Owner: J. L. Hatcher; House Manager, J. L. Hatcher; seats 750.

Theater Opened

MICHIGAN
Blissfield—Bliss; Date Opened, August 16th or 16th.

MISSISSIPPI
Ethel—Ethel, 210 seats; Site Ethel; House Manager: J. C. Alexander; Date opened 8-10-39.

ONTARIO
Carrall: 250 seats; Site: No; Carrall; Date opened 8-10-39.

Theater Closings

FLORIDA
Fort Meade—Fox (8-9-39); Owner: F. O. Mullen; destroyed by fire.

Lake Mills—Irving; Owner: M. O. Gottland; sold to Mr. Thompson.

WISCONSIN
Baraboo—Juliet (8-12-39); Owner: Henry Ringling; poor business.

Theaters Planned

CALIFORNIA
Claremont—550 seats; 3rd and Harvard; Builder: A. L. Reeves of Pomona; Architect Sumner Spaulding; Operator: Richard L. Barc.

San Diego—El Cajon; Blvd. and 47th St.; Cost: $80,000; Operator: Fox West Coast.

IDAHO
Coeur d'Alene—Roxy; More than 600 seats; Site: Fourth and Front Streets; Builder: Leland C. Paisley; Approximate Cost: $50,000; Operator: Mr. Bailey.

Theaters Under Construction

CALIFORNIA
El Monte—El Monte, 1,000 seats; Site: Valley Blvd.; Builder: A. L. Sanborn and Mr. Fenofio; Operator: A. L. Sanborn; Date to be completed: August 15th, 1939.

GEORGIA
Marietta—700 seats; Site: Park Square; Builder: Manning & Wink; Approximate Cost $75,000; Operator: Manning & Wink; Approximate date to be completed: 10-15-39.

IDAHO
Coeur d'Alene—Roxy; 600 seats; Site: Fourth and Front St.; Approximate Cost: $50,000; Operator: O. C. Paisley.

5 BIG REASONS WHY OCTOBER WILL BE A GREAT MONTH!

Oct. 15—Science, Beauty and Evil Slew the Deep... "TORTURE SHIP"

Adapted from the story, "A Thousand Deaths," by JACK LONDON...

Oct. 22—A Monster of Intrigue Ravishes a Continent... "HITLER—BEAST OF BERLIN"

The Picture That Will Rock the Globe! A 4-Star Special Production...

Oct. 22—Out of the Mesquite and Cactus... "THE SAGEBRUSH FAMILY TRAILS WEST"

Featuring BOBBY CLARK—13-year-old world's champion junior cowboy...

Oct. 29—Crashing Journalism Pries the Lid Off Corrupt City Hall... "WANTED FOR MURDER"

Adapted from the Novel, "Millions for Murder," by Carter Wayne...

Oct. 29—Gouged from the Blood-Saturated Pages of Frontier History... "THE MAN FROM OKLAHOMA" featuring GEORGE HOUSTON, singing star of stage, radio and screen... First release of 8 "TALES OF BILLY THE KID"

PRODUCERS DISTRIBUTING CORPORATION
1436 No. Beachwood Drive, Hollywood, Calif.

Exchanges Everywhere
IND.-ILL. CIRCUIT WILL BUILD $100,000 HOUSE

Michigan City, Ind.—New $100,000 theater to be erected here for the Indiana-Illinois circuit will be named the Lido and will seat 900. Pereira & Pereira, of Chicago, are the architects of the new house. This will give the circuit five theaters here.

To Build in Lubbock, Tex.

Dallas-Corgan & Moore, Dallas architects, have completed plans for the Lubbock Theatre in Lubbock, Tex. A corner entrance will be accentuated by a cement, brightly colored box-office and marquee.

New Newport News House

Newport News, Va.—Work has been started on the new $50,000 Whyte by the Harwood Construction Co. of Newport News. Seating 500, the house will be operated by the Palace Theater Corp., Mrs. Bertha Gordon, president.

Wasserman Will Build

Alexandria, Va.—A new 400-seat theater will be built here by Harry Wasserman of the Capitol.

Heaton Erecting Another

Pittsburgh—William R. Heaton, who operates the Penn Theater in Pennsylvania, Pa., Va., is constructing a 400-seat theater in Cairo, W. Va., which is expected to open around Labor Day.

$150,000 House for Pana, Ill.

Pana, III.—The Tannery Theater Co. will build a $150,000 theater here. Work will start at once, Harry Tannen states. Town has two houses, one dark.

New Insurance Loan Plan

A plan whereby life insurance policyholders may take advantage of the low money rates now prevalent on short term loans has been developed by D. H. Blair & Co., money brokerage firm. Under the Blair plan, any life insurance policyholder whose policies have a cash surrender value of $5,000 or more may borrow up to the full cash value of his policies at rates varying from 2 1/2 per cent to 3 1/2 per cent annually, according to the size of the loan.

DST Handling RCA Sound

Oklahoma City — The Oklahoma Theater Supply Co. has been named distributors for RCA sound, Brinkert projectors and Brinkert arc lamps for territories covered by the firm’s Oklahoma City and Kansas City offices.

THEATERS

・ AIR CONDITIONING  ◆ COOLING EQUIPMENT  ◆ PROJECTION

Improves Talisman

West Coast Bar, THE FILM DAILY

Hollywood—John Moxon of Talisman has been made sales manager of the Theater Equipment Co., a division of RCA Sound. His new position will give him charge of all equipment and services for the Oregon and Pacific Northwest theater areas. He was formerly in charge of the RCA sales department in Chicago.

New Type of Projection Microscope Introduced

West Coast Bar, THE FILM DAILY

Hollywood—Recent development of a new type of projection microscope is gaining interest here among studio technicians.

Practically all precision soundtrack measurements are made with a microscope, which has been the accepted standard of the industry. This method is necessarily slow, and in an attempt to improve the procedure, printer alignment, and other technical measurements, the new projection scope has been developed.

One of the most important advantages of the instrument is its ability to detect printing machine defects. Also, because the quality of sound printing has been greatly improved.

Harry Schwartz, Schines
Building in Paris, Ky.

Cincinnati—Work is scheduled to start at once on the new 400-seat Paris Theater, Paris, Ky., to be operated by Harry Schwartz, veteran Kentucky exhibitor. Costing $20,000, the house will have approximately 600 seats. The F. & Y. Co., Columbus, is the contractor.

This makes the second new house started in recent months, the Schine circuit having already commenced work on a colored house. The only house in Paris at present is Schine’s Bourbon.

New Theater for Lee

Lee, Mass.—Miss Elizabeth For- monte announces that a new 700-seat theater is to be built on the Foremont property on Main St. Plans and specifications are being prepared by J. R. Hampson of Pittsfield. The New Theater will be run in connection with the Park.

To Remodel Marion House

Columbus, 0.—H. C. Patterson of Blanchester, operator of the Bowman Theaters, Inc., has acquired the Old Marion House, which will be remodeled, with opening set for Sept. 1 under the circuit’s ban- ner. J. P. Flik was the former owner. Details were handled through the local office of the Bob Byers organization.

Greifer Reopening House

Downers Grove, III.—The SI Greifer circuit will reopen the Don Theater here. New seats and modern equipment will be installed.

THEATER TO INSTALL “SPERTI” SUN LAMPS

Wilmington, Del.—When the new Rialto Theater opens in the Fall, it will be equipped with mercury-vapor lights, death-dealing to ter- ritorial.

The theater has awarded a contract to Joseph J. Heintz, Jr., Inc., local distributor, for installation of 14 “Sperti” sun lamps by Aug. 28. The lamps will be placed in strategic points in the ceiling and their rays distributed by fans. Heintz said the Rialto will be the first motion picture theater in the country to be equipped with this type lamp as a health safeguard.

New walls and roof of the $65,000 theater have been completed and work is starting on the recon- struction of the interior. The cost of the theater is only for the interior and does not include the cost of interior decorations, seats, and other equipment. The theater will be air-conditioned.

The therapeutic treatment administered with the rays, according to tests, builds body resistance. In fact, the lights “bring indoors all the vital properties of summer sunshine, both visible and invisible,” Heintz explained. The mercury va- tor tubes are combined with incan- sectium.

The lights will not injure the quality of the motion pictures but will enhance it, the blue light of the tubes filtering the red and yellow rays predominating in the ordinary projection of pictures. Also, the bluish tint aids in the color scheme.

Remodel Oakland Theater

Oakland, Cal.—The Esquire will be the new name for the old American Theater, following a general overhauling of the Blumenfeld-Laws house to cost $50,000. The remodelled theater will have a seating capacity of 1,500. The house will reopen Sept. 1 featuring first-run WB pix.

Marosi Will Build

Pittsburgh—Spear Marosi, veteran exhibitor in this territory who has not been active for the past few years, has just completed plans for a new 1,500-seat theater in New Car- lo, the former site of his theater, on which construction is to begin immediately.

Heaton’s Cairo Project

Pittsburgh—W. R. Heaton, of the Penn Theater in Pennsylvania, Pa., Va., is building a new 900-seat house in Cairo, W. Va., which is expected to open Oct. 1.

— That the smaller theaters of to- morrow can be standardized, was the opinion advanced in the previous article of this series. But, as explained herefo- re, we do not mean complete standardization such as is employed when a housing de- velopment is reared of identical construction upon a fixed plot meas- urement.

Film theater standardization can- not possibly be carried on under such a repetitious scheme. But there is much that can be done with certain components of 600 to 700 that film houses, cut costs of construction and equipment, i.e. provide these components on a mass basis.

It being highly unlikely that ex- treme examples of cubic foot content distribution would prevail in the case of 600 to 700-seater, it is safe to assume that millwork, hardware, display frames, marquises, signs, lighting fixtures, seats and carpeting would, or could be made, to fall under the general heading of standardization.

Additionally, one might well add the items of air conditioning systems and their accessories,—motors, fans, diffusers, grilles.

Many items of furnishings, to- gether with screens and projection machines, plus booth equipment, ticket vending devices and ticket-takers are also categorical in the standardization scheme.

One could go on mentioning numerous other necessities, in the brackets of both equipment and decoration, and also in actual con- structon material, which could be “yard-sticked.”

The point is that costs could be spread over a large number of orders if avenues were opened for

Grimes Builds in Brazil

Brazil, Ind.—Sam Grimes is build- ing a new 400-seat theater here, to be called the Cine. The Stanley Theater Equipment Co. is handling the job.
GULF STATE TOWNS GET 3 NEW THEATERS

New Orleans — The Gulf States will see at least three new houses open in widely scattered directions during the next quarter, Film Row sources said today.

At Milton, Fla., J. R. Green plans a small house, Alec Gounares' 1,000-seater, a neighborhood house located at Five Points in Mobile, is already under construction and should be ready within 90 days, according to Gounares.

At Gadsden, Al., Guery is building a 600-seater which should be ready within 60 days. Guery will house the old ALAMO circuit.

W. A. Hendricks is remodeling his theater at Meneware, Ala., and is building a new front of glass bricks.

Joseph Campau Planning New Detroit Pix House

Detroit — A new theater is planned for Joseph Campau near Yemans Ave., Sault Sloan, one of the city's most active builders, disclosed. Sloan has changed the name of his company from the United Motion Theaters Co. to the Detroit Theater Co., he disclosed. Two architects are now preparing plans on his projected Alpine and Television Theaters, to be 3,000 and 4,000 seats, respectively. Operating arrangements for the projected theaters remained undisclosed.

Rebuild In Bentleyville

Pittsburgh — The old Liberty Theater in Bentleyville, which has been closed for the past 10 years, has been taken over by Matt Faenza, who operates the Roosevelt Theater in this town and in Republic. The Liberty will practically be rebuilt. It is expected to be ready for opening by the end of September.

Altec and DSE in Pact

An agreement covering the reciprocal interchange of technical information pertaining to sound reproduction and other theater equipment and servicing techniques, has just been signed, according to a joint announcement made by G. L. Carrington, vice-president and general manager of Altec, and F. E. Peters, general manager, Dominion Sound Equipments, Ltd., of Montreal.

Rappolds Will Build

Columbus, O. — George and John Rappold, operators of the Imus Theater, have announced plans for a new house on the southside. Construction work, estimated at $20,000, is to start at once. Hypp J. Dauben is the architect for the 600-theater, and James F. Adams, contractor.
NEW FAVORITES

EASTMAN'S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X for general studio use

SUPER-XX for all difficult shots

BACKGROUND-X for backgrounds and general exterior work
No Product Shortage from War; English Houses Closed

Strike Averted by Last Minute AAAA-IATSE Agreement

D of J Equity Move Asks Answers to 67 Questions

Chi. Business Improving; Closed Houses Reopening

Indie Houses Trying First Runs; Newsreel Theater to be Opened

by JOSEPH ESER

Chicago — During the past few weeks, improvement is shown in Loop theater business. The RKO Palace, closed for the first time since its opening 12 years ago, has reopened; the B & R United Artists, closed for a few weeks due to a shortage of product, is now in the midst of its delayed run of the "Wizard of Oz" and reports are current that the leg. Erlanger Theater will be turned into a popular price

(Continued on Page 5)

W. VIRGINIA MANAGERS NOW UNIT OF MPTOA

White Sulphur Springs, W. Va — Fifth annual convention of West Virginia Theater Managers Association voted unanimously in favor of becoming a member of the MPTOA here last week, with 90 per cent of the membership present when affiliation vote was taken.

It was also resolved that all district conventions be held at the same time as the annual convention and that a management convention be held here next fall.

381 Day-and-Date Showings For Warners' "The Old Maid"

Warner Bros. begins its new season auspiciously with 381 simultaneous engagements this week on "The Old Maid"

(Continued on Page 5)

Making Propagandas

Alexander Korda has dropped production plans for "Manos Locas" and is now making propaganda pictures for the British Government. Hal Rossen reported yesterday on departing from the Queen Mary. Rossen said most other British producers are engaged in the same work.

W. M. Warner, Dan Carroll, and Bob Hope were others on the Queen Mary when they docked with a record passenger list.

WAR WILL NOT STOP PRODUCT

Producers Will Keep to Present Schedules

West Coast Bureau of THE FILM DAILY

Hollywood—Consensus of opinion among producers is that pictures now in production will not have their schedules affected or any changes made in budgets because of the European war situation. Executives

(Continued on Page 6)

Eleven Features Will Go Into Production This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Eleven new pictures are scheduled to go into work this week. Included in present plan are:

(Continued on Page 5)

400 RESERVATIONS FOR JERSEY ALLIED CONFAB

Allied of New Jersey's leaders says that over 400 reservations have been received by the organization for its 20th annual convention opening tomorrow in the Ritz Carlton Hotel, Atlantic City, and that this assures the largest such conclave in body's history.

Total already reached includes all attended

(Continued on Page 5)

AFA Disolved; Miss Tucker Reinstated; Unions Agree Not to Invade Territories

Adoption of a working agreement between AAAA and the IATSE was announced Sunday night as 'eleventh hour' negotiations brought about a peaceful settlement of the jurisdictional dispute between the two unions which had threatened to cripple the entire entertainment industry with strikes.

It was generally conceded that

(Continued on Page 6)

Information Demanded Includes Queries on History, Production, Distribution, and Exhibition; Must Itemize Product Data Since 1919

While New York's Film Row watched tensely on Friday the ominous developments in Europe, the D of J filed in Federal Court here a list of 67 questions which covered thoroughly the history, organization and activities in the production, distribution, and exhibition fields on the part of all the corporate defendants in the Government's New York equity action.

The interrogatories require separate answers by each of the defendants but did not specify a specific date for answers to be filed. Each company must file its answers regardless of its affiliations with other defendants named, the demand stated. Interrogatories were divided into classifications of organization, production, distribution, exhibition and

(Continued on Page 5)

DEFENDANTS DENY ALL MOMAND ALLEGATIONS

Oklahoma City—Defendants in the A. B. Momand suits in Federal Court here have filed their answers to Momand's amended complaint.

(Continued on Page 5)

West Coast Contempt Action

Hearing Scheduled Oct. 16

West Coast Bureau of THE FILM DAILY

Hollywood—Crimal Contempt action filed by the D. of J. against Coast majors last week is scheduled to be heard before U. S. District

(Continued on Page 5)

Big Broadway Biz

Broadway houses last night reported that the Labor Day business done in all cases exceeded last year's business, and in many cases was the best Labor Day on record. Managers of the Paramount, Radio City, Music Hall and Strand were enthusiastic over SRO business and long lines of waiting patrons.
Leichtle Closes "Sudan" Deals With Five Exchanges

Mitch Leichtle has now sold rights to "Sudan" to five distributors, covering a number of countries. In addition to the recently announced deal with Ed Hudson and Jesse Jones of Feature, St. Louis, Milwaukee, Texas, Oklahoma, California, Nevada, Arizona, New Mexico, Hawaiian Islands, Alaska, and nine Southern states.

Jack Adams has the Texas and Oklahoma rights; Majestic Film Exchange, Los Angeles, handling California, Nevada, Arizona, New Mexico, Hawaiian Islands, and Alaska; Tom Branson in St. Louis, has the nine Southern states rights.

Republic Venezuelan Rep. Coming for H. O. Confabs

Luiz Enrique Perez, Republic Venezuelan distributor, who arrived in New York Thursday from Caracas, will hold general discussions with Morris Goodman, vice-president in charge of foreign distribution.

Perez, who will stay here about two weeks, will arrange for extensive advertising and exploitation of "Man of Conquest," which will be opened at the Ayacucho Theater, Caracas, in October.

Para. Claims News Scoop

Paramount News claims a scoop in the showing of European mobilization pictures in Paris, following the Paramount and Embassy Newsreel theaters Friday—40 hours after being photographed. Scans came to this country via American Clipper.

Walters Australian Confab. Will be Held September 15

Ralph Clark, general manager for Walters Bros. in Australia and New Zealand, having just returned to Sydney after several months in the U. S., has dates for the Australian sales convention to announce the 1939-40 product and establish sales policies. Managers and salesmen from branches in Melbourne, Adelaide, Perth, Brisbane and Wellington, N. Z., will convene in Sydney for sessions during the week starting September 11.

Confer with Chi. Stagehands

Chicago—Frank Olson, business agent of the Chicago Stagehands Union, met with theater executives over the week-end to work out a solution of the Chicago stage situation. Johnnie Jones, Oriental Theater director, says Stroud Twins have concluded their engagement and he expects no union trouble.

Western "Rains" Premiere

Western premiere of 20th-Fox’s "The Rain Came" is scheduled for Saturday at the Ohio Theater, Mansfield. Showing will be in honor of Louis Bromfield, author of the story.

"Flight" at Criterion

Republic’s "Flight at Midnight" opens at the Criterion Thursday, replacing "Paid for," which is put back a week.

"Dust" for Strand

"Dust Be My Destiny," Warner film co-starring John Garfield and Priscilla Lane, will open Friday at the Strand.
400 RESERVATIONS FOR JERSEY ALLIED CONFAB

(Continued from Page 1)

important national leaders of Allied and representatives from all major company exchanges in both New York and Philadelphia.

-je certain specific topics have been announced for action at the gathering, such as duals elimination, forcing of shorts and features, problems attending giveaways, and buying. It is privately admitted that other matters of importance to the industry at large loom for consideration. National leaders, it is virtually certain, will make "certain recommendations" during the three-day meeting.

"Warning" Bookings Up

Current war scare has upsied the bookings on Alliance's three-reeler, "The Warning." Film has been booked for first-runs at the Grand, Albany, State, Schenectady, Century, Buffalo and at several other Basil-Dipson houses in the Buffalo territory. First-runs have also been set for theaters in Seattle and Dallas.

381 Day-and-Date Showings For Warners "The Old Maid"

(Continued from Page 1)

Old Maid," initial release on the 1939-40 schedule.

In over 25 special pre-release showings during the past two weeks "The Old Maid" played to record business, surpassing in each situation the high grosses of "Dark Victory," previous Bette Davis starrer.

Lift Louis King Option

West Coast Bureau of the Film DAILY

Hollywood—Louis King, now directing Dorothy Lamour in "Typhoon" at Paramount, has had his option lifted for another year. This will be King's third year with Paramount.

"Rains Came" at Roxy Friday

"The Rains Came," 20th-Fox, will have its world premiere at the Roxy beginning Friday.

Providence Albee Back in N. Y. Dist. With New Mgr.

Providence — RKO-Albee goes back to the New York district lists again this week when Michael J. Kavanagh arrives here to become resident manager of the house. Kavanagh comes from Cincinnati, where he managed the Paramount prior to that house's closing. He was identified with a number of New York theaters from 1920 to 1926 and from 1927 to 1930 was associated with United Artists in theaters in the Detroit area. William J. McCourt, who has been acting as manager of Albee, goes back to Memorial, Boston.

Bill Cody, Jr. Signed

West Coast Bureau of the Film DAILY

Hollywood — Bill Cody, Jr., has been signed by William G. Smith of Jewel Productions to appear in a series of youth adventure stories based on a series appearing in the Street & Smith publications. Production will begin in September.

W. VIRGINIA MANAGERS NOW UNIT OF MPTOA

(Continued from Page 1)

tributors immediately be asked to adopt, and put into effect immediately, the trade practice code, regardless of present sales policies and declarations of adoption of certain parts of the proposed code.

Convention also condemned the Neely Bill in a resolution. All officers were re-elected with slate comprising: S. J. Hyman, president; William H. Holt, secretary and treasurer, and Dr. C. P. Church, L. E. Caskaten, George Talbott, E. Rodgers, Mrs. P. M. Thomas, and R. W. Phelan, vice-presidents.

Meeting, which was held at the Greenbrier Hotel, was addressed by Ed Ruykendall, national proxy of the MPTOA; Governor Homer A. Holt, West Virginia, and executives of several distributing companies and representatives of various Pittsburgh exchanges.

"Streets" at 55th Street

"Song of the Streets," released by Mayer & Burstyn, opened at the 55th St. Playhouse yesterday, inaugurating the new French film season.

Should HE divorce his wife.... or was this new romance merely an INTERMEZZO?
ELEVEN FEATURES TO
BE STARTED THIS
WEEK

AUGUST 10, 1939

ALONG THE
REALITY

WITH PHIL M. DALY

- - - HERE we go again—...with that Atlantic City Beauty Pageant for the selection of Miss America 1939... ...and for the unpleasing consecutive year that past-master in feminine pulchritude — our very Vincent Trolta, Paramount Art Director — will be one of the judges...no Atlantic City beauty pageant is complete without Vince sitting there on the judges' bench looking 'em over with a critical but kindly eye... also on the judging committee will be Vvynn Donner, the Fox heptagonal style columnist...she usher be Vince's sec. and that's where she formed this beauty-style habit... 

- - - DID you hear the story about the two publicity men from a major producing outfit who took a certain trade paper mug to luncheon...at a Ritz Restaurant...and they ordered rich foods regardless of Expense...and when they came to pay the check, their combined finances fell short of the required amount... and the trade paper mug had to make up the Deficit?

now the kick to this little tale is in the fact that the honored guest who helped to pay for his swell lunch is a Scotchman... and he thanked his two hosts Profusely for their fine hospitality...being Scotch, he naturally is impressed by anything that COSTS him something...

- - - GENTS in the Film Biz At Work In Their Shirt Sleeves....that about typifies the present executive council in Universal... men like Nate Blumberg, Clint Work, Milton Feld, Matty Fox... all former exhibitors...now catering to the demands and requirements of exhibitors...and now with the announcement from William Scully, general sales manager, that the company will deliver the new Dublin pic "First Love" under the 1939-39 contract, although under no obligation to do so... the home office is being flooded with letters and wires from showmen everywhere... the exhibitor is a funny person... he can squawk like hell over trilleys... but he is Human... if you give him a Break, he can be Very Appreciative....that's why Universal is rapidly becoming tied up with the slogan: "The Exhibitors' Company."

- - - JUBILEE Dinner of the Variety Club of Philadelphia takes place at the Hotel Traymore in Atlantic City today... Mortimer Lewis of the Variety Club and Frank P. Gravatt, pres of the Steel Pier Company, are Kings—for-a-Day... the girls competing for the title of Miss America will be presented with keys to the city by Mayor White. . . Rudy Vallee will be toastmaster...

- - - LUNCHEON tendered to Russell "Ding" Bell last Friday... as a lavishly gesture to monogram's oil chic... prior to his departure for the company's studios on the Coast, where he will make his headquarters... Russ has been with Monogram ever since its inception... among the guests at the luncheon were W. Ray Johnston, Eddie Golden, Norton Ritchey, Louis Lilton...

- - - AT the commencement of the Williamstown Institute of Human Relations at Williamstown, Mass., there developed an interesting forum discussion on motion pictures....with Dr. Frank Kingdon, presxy of the University of Neweark, stating that "it is deplorable that this potent and eloquent medium of propaganda is almost exclusively devoted to 'boy-meets-girl' themes"... Howard Dietz defended the industry as "a genuine expression of democracy"... and "a broadband propaganda for the American dream, which has become more precious than ever in view of those forces about us that would make that dream a nightmare"... the conference served as the world premiere of Warners' feature short, "The Bill of Rights," accompanied by a Coast-to-Coast hookup with a two-way talk between Hollywood and Williamstown...

PARA. CARAVAN TO BOOST 'RULES OF SEA'

Paramount formally announced on Friday that its "Hollywood Rulers of the Sea Caravan," sponsored by the studio, will leave Los Angeles on Sept. for a scheduled 8,500-mile tour of the U. S. to create nation-wide interest, as an exhibit fit, in the studio's forthcoming motion picture, "Rules of the Sea."

Caravan will consist of a three-man clipper ship 67 feet long and mounted on a truck and trailer; a second ship, replica of the first steam vessel to cross the Atlantic, 57 feet long and truck and trailer mounted; two special de luxe buses which will carry film players and their guests from city to city; a five-ton supply truck; an advance truck carrying two-way radio apparatus for communication with the main caravan and two sedans.

During the six-week tour, calling for more than 100 stops in 40 cities and 27 cities, ceremonies will be held in co-operation with municipal officials. The public is invited to make part of the trip under their own sail or power on inland waterways.

Included in the caravan's itinerary are Seattle, Lake City, Kansas City, St. Louis, Des Moines, Minneapolis, St. Paul, Milwaukee, Chicago, Des Moines, Toledo, Cleveland, Rochester, Pittsburgh, Wheeling, Memphis, Baton Rouge, New Orleans, Galveston, Dallas, Fort Worth, El Paso, Douglas and Tucson.

World Film Festival Scheme Being Planned for Britain

London (By Cable) — Plans are being laid for a world film festival to be held annually in Britain. Olive Bell, director of the British Film Institute, has stated that his organization will participate in such an event.

Government support will be sought and, if forthcoming, outstanding features from all parts of the world would be screened at the festival.

Lower Detroit Admissions

Detroit — United Detroit Theatres has cut admission prices at the Michigan and Universal, first-run houses, from 65 to 55 cents for nights, 40 to 35 cents up to 5:30 p.m., and 50 to 40 cents for Saturdays up to 5:00 p.m., and Sundays up to 1:00 p.m. Pals-Stall has been dropped, but with a 50-cent top. The Fox, opposition house, made similar cuts in June.

No move toward a general price break is anticipated, as the move does not appear to affect the second-runs.

Wog Moved to Denver

Denver — Ollie Wog, film salesman, with Universal in Los Angeles, has been transferred to the Denver territory, where he succeeds Carl Mock, who has been moved to Indianapolis.
DOMESTIC

LABOR DUEL: As the week's warm open warfare 'twixt the AAA and the IATSE seemed certain as all efforts to settle their jurisdictional disputes had failed, the strikers by both sides were threatened, and producers and New York theaters were greatly concerned that a nation-wide tie-up of the entire entertainment industry might result. The major threat of intervention or direct mediation by the producers loomed.

LEGAL FRONT: Mid-week saw D of J bring criminal contempt proceedings against majors on the Coast for violation of a four-decree entered into between the Government and the majors in 1939. The interdict, issued by Judge Arnold, Anti-Trust Division head, with approval of Attorney General Frank Murphy... Earlier in the week, the District Attorney issued an amendment of the Government's N. Y. equity suit, and in the answer filed by the majors, a major portion of the Government's allegations...

TRADE PRACTICES: While all was quiet on the Code front, ITOA, following a meeting on Wednesday, dispatched a letter to heads of the seven majors asking them to follow Warners' lead and incorporate in their new season license agreements a general arbitration clause. ITOA also urged on the majors the immediate application of the Trade Practice Code.

BUSINESS: Hollywood reported following a survey of studios, that 90 percent have been compelled by the majors and top Indies on their 1939-40 lineups, guaranteeing a minimum of 300 films. The British film studio Universal announced that the current Exhibitor-Sponsored Testimonials at Drive-In and theater revenue by £75,000 weekly over normal. Drive of three months' duration has been under way for four weeks. N. J. All's 20th Academy annual convention, opening in Atlantic City tomorrow, is to have as its chief topic the question of dual elimination. Other reform measures will be taken by Warners' circuit sales were declared at 78 percent of capabilities... Pittsburgh checked in with word that extended runs hit new high there.

FOREIGN

PRODUCTION: London cables on Wednesday, prior to the outbreak of fighting between Nazi and Polish forces, said that British film studio production plans were at a standstill, and that it is difficult to forecast when the film industry there will be back in full strength.

JAPANESE SITUATION: Washington sources expressed the view that there is not apt to be a revival of the expiring U. S.-Japan trade pact, but that, pursuant to the demise date in January next, a rapprochement might be sought which would involve films.

UDT Shifts Managers

Detroit—United Detroit Theaters is shifting house managers, following resignation of Roy Miller, manager of State and St. Clair. First of the changes: Donald Kuhn, Riviera to Palma-State; Dow Thompson, Varsity to Riviera; Hyman Bloom, Annex to Varsity; Gil Green, Regent to Annex; and Frank Perry, assistant at United Artists, to manager of the Regent.

Festival in Final Week

Second International Film Festival, at the Fifth Ave. Playhouse, went into its final week Saturday with the program today is "Professor Mamlock," to be followed by "The Youth of Maxim," tomorrow; "The Childhood of Maxim Gorky," Thursday; "The New Gulliver," Friday; and "The Eternal Mask," Saturday and Sunday. "Modern Times" will also be shown Thursday and Friday.

Staub Completes Musical

West Coast Bureau of THE FILM DAILY Hollywood—Ralph Staub has just completed the direction of the second of Universal's Musical series, "Swing Hotel" which has Jerry Lester, Milton Charleston, the Three Rockets, Martha Mears (from Radio), the Three Screw Ball Sisters, and Duke Daly and his band in the cast. Staub also directed the first of the series, "Meet Me at the Boathouse". (Continued from Page 1)

MEMBERS OF CANADA'S NATIONAL FILM BOARD

three from outside. Those from outside the civil service are: Prof. Walter C. MacMurray, Senior Canadian member of the Board of Directors of the National Film Society; Edmond Turetto, former editor-in-chief of "Le Canadien" Montreal; and C. G. Curnan, British-American Bank Note Co., Ottawa, and vice-president of the National Film Society of Canada.

The civil service members are: J. G. Parmelee, Deputy Minister of Trade and Commerce; R. S. Hamer, general executive assistant of Department of Agriculture; Col. V. I. Stuart, Deputy Minister of Transport. The first duty of the board will be the appointment of a government film commissioner who will be the chief executive officer of the organization.

Britain, U. S. to Trade

Films for School Use

London (By Cable)—Co-operation for an exchange of British and American educational and instructional films for use in the schools of both countries has been worked out, according to Thomas Baird who recently returned from a trip to America. Theatrical distribution for British documentaries in the U. S. was also concluded, he stated.

Among British shorts attracting much attention in the U. S. Baird mentions several of the documentaries being shown at the New York World's Fair, activities of the post office, gas and oil wells, and the GBI "Secrets of London" and "London's History," "Wealth of a Nation," the nutrition, zoo and library films being shown at the Science and Education building.

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Schlesinger Ships First

West Coast Bureau of THE FILM DAILY Hollywood—Leon Schlesinger is shipping to New York the first "Merrie Melodies," a part of the 1939-40 program. The "Merrie Melody" is entitled "Sioux Me," and is being done by Tex Avery, noted anima-
tel." Schlesinger has 18 pictures in some phase of production.
STRIKE AVERTED BY LAST MINUTE PEACE

(Continued from Page 1)

this agreement was a sweeping vic- 
the for the actors unions as the 
The ITATSE, recognized the complete 
the 4's over all

West Coast Bur., THE FILM DAILY

Hollywood — Severe blow to the aspirations of the CIO sponsored United

Studio Technicians Guild was seen as 
result as a fact of the A.A.A.-ITATSE

agreement. Guild which has been at

trying to organize studio workers

now faces the combined I.A-A.A.A

forces. The NLRA has ordered a juris-

dictional vote in the near future.

actors in the entertainment field, and

to agree to revoke the charter

they recently gave the AFA, with the

members of the AFA to be ab-

swer to the Boycott of the Ameri-

Can Guild of Variety Artists.

No mention is made in the agree-

ment of Ralph Whitehead, who, in the
case of the executive secretary of

the AFA, had been the focal point

in the bitter controversy. No com-

ment was forthcoming from any of the

interests organizations regarding

Whitehead.

Following the announcement Sun-

day night of the settlement, A.A.A-

prexy, which came as a complete and

welcome surprise to approximately

5,000 actors who had met at the

Astor to vote on a strike, Actors

Equity immediately went into an

emergency council session to lift

the ban against employees of

Sophie Tucker and Harry Richman,

missing Miss Tucker to open last night in

the Broadway show "Leave It to

Me." The Gillmore announcement

was heralded by the overflow crowd

with a deafening thunder of chee-

ring and applause, as to a man, they

had no inkling of what had tran-

spired, and were expecting they

would be voting the same this day.

Whitehead tacitly acknowledged

his defeat and urged all members of

the liquidated AFA to join AGVA.

A number of representatives were

present at the meeting, as to the reasons behind the

settlement. It was believed that the

producers had put pressure on both

organizations to reach an agreement

at the behest of financial interests.

Joseph M. Schenck, late Friday tele-

phone Brownie, asking him to hold

conferences with A.A.A., and it is

believed this call carried some weight

in the decision.

Gillmore stated that, with a war in

Europe, the people of the theater

wanted to show that they could put

their part for peace, and both organi-

zations, particularly the ITATSE, are

known to be working to prevent

any possibility of a CIO inva-

sion in the theatrical field.

George E. Brown, IA prexy stated

that in view of upset condi-

tions in the theater industry, and

the present war, it was not time for

arguments within the industry, and

expressed the opinion that the agree-

ment would benefit all concerned.

REVIEWS OF NEW FILMS

"The Adventures of Sherlock Holmes"

with Basil Rathbone, Nigel Bruce, Ida Lupino

20th Century-Fox 82 Mins.

EXCELLENT PERFORMANCE OF THE

GREAT SLEUTH BY BASIL RATHBONE.

Fine atmospheric production that breathes

admiringly the spirit of the classic Sherlock

Holmes tales of sleuthing. Basil Rathbone

is admirable as the famous detective, and

Nigel Bruce is perfect as his helper, Dr.

Watson. This is the famous story of the

return of the infamous Professor Moriarty,

who has done away with the girl’s father

and brother, and now seeks the life of the

girl herself. The happenings also involve

sexual bondage, and in a scene in which

Conan Doyle classic detective stories will

appreciate the fact that no attempt has

been made to modernize the adventure.

It is essentially as Doyle wrote it.

CAST: Basil Rathbone, Nigel Bruce, Ida

Lupino, Alan Marshall, Terry Kilburn, George

Kelly, Henry Stephenson, E. C. Clive, Arthur

Hohl, Myr Betty, Peter Willes, Mary Gor-

don, Holmes Herbert, George Regas, Leon-

Kennedy, Frank Dawson, Eric Wilton, Brandon

Hurst.

CREDITS: Producer, Gene Markey; Di-

rector, Alfred Werker; Based on William

Dixey; screenplay, Edwin Blum, Wil-

lom Drake.

DIRECTION, Very Good. PHOTOGRA-

PHY, Excellent.

Text of the agreement, dated

Sept. 2, and signed by Ken Thompson

for AAAA and John P. Gatelee for

ITATSE, is as follows:

1. In order to prevent a recur-

rence of the controversy now exist-

ning, the parties agree that the

ITATSE and the Four A’s will enter

into an agreement similar to that

existing between the ITATSE and

the American Federation of Musi-

cians. It is recognized that certain

changes will have to be made to

make the agreement applicable to

the Four A’s. Subject to the con-

sent of the American Federation of

Musicians, the Four A’s will be-

come a party to the agreement now

existing between the ITATSE and

the American Federation of Musi-

cians with whatever revisions may

be necessary to make the agreement

applicable to the Four A’s.

2. The ITATSE recognizes the

jurisdiction of the Four A’s as here-

fore applicable by convention action

and decisions of the Executive Coun-

cil of the American Federation of

Labor, I.P. That the ITATSE has

jurisdiction over all performers in

the amusement and entertainment

world.

3. The ITATSE will concurrently

revoke the charter herefore issued to

the American Federation of

CIO.
Yesterday
  it was — — — — — !

Today
  it is — — — — — !

Tomorrow
  it will be — — — — — !

The "Autobiographies" of the important companies of this great industry along with their complete line up of product for the season will be set forth in a volume that tells this story.

THE FILM DAILY
CAVALCADE

SOON TO BE DISTRIBUTED TO FILM DAILY SUBSCRIBERS
Gross Income, Net Earnings Requested in 67 Queries

Cops Give Theater Tickets for Safe Driving

Charlotteville, Va.—Traffic police here are hunting for both reckless and careful autors. The police are giving away tickets that theater tickets are being given each day to drivers whom the department considers are maintaining outstanding rates of safety and courtesy. For the next two or three weeks theater tickets will be made out in this manner and it is expected that this practice will be continued, according to members of the local Safety Council.

Defendants Deny All Momand Allegations

(Continued from Page 1)

Amusement Co. and Consolidated Theaters Corp. deny nearly all of the Momand allegations, and state the Government's allegations that the Sherman Act is violated, and the seeking of an injunction on which relief can be granted, that assignment to plaintiff is being improper. The petition to the judge by Henry Griffin and J. B. Dudley.

Columbia Pictures, through counsel W. F. Hanley, denied the separate answer of the same import as that of Griffith Amusement Co. and Consolidated Theaters Corp. for the reason that Hanley was filed by Henry Griffin and J. B. Dudley.

While the answers were the same, each company filed a separate paper. The New York lawyers entered the case for the first time.

West Coast Contempt Action

Hearing Scheduled on Oct. 16

(Continued from Page 1)

Judge George Griswold on Oct. 16. It is learned that among the alleged violations of the 1930 consent decree charged in the Department suit, are: that, as a result of practices of Fox West Coast and defendant distributors, many unaffiliated exhibitors in Los Angeles territory were forced to sell their theaters outright to the defendants, or enter into profit sharing arrangements under which unaffiliated exhibitors were granted to the circuit a controlling interest in their theaters, and no forced the theaters with theaters operated by Fox West Coast which receives an equal or controlling interest in the venture.

That distributors for the past year, with related L. I. B. Circuit to reduce the amount of percentage payable on every percentage picture and at a discounted price, and that the Circuit has been permitted by distributors to deduct from gross receipts to cover costs of any giveaways, vaudeville or stage shows conducted in combination with pictures.

Defendants Deny All Momand Allegations

(Continued from Page 1)

Asks Names of Subsidiaries

In Which Defendants Have Any Money Interest

(Continued from Page 1)

The history of each company, under organization and types of enterprises were listed. Defendants are required to furnish data and State of incorporation and the purpose of incorporation. A list of the addresses of principal executive officers and of exchange offices with statements of the duties of managers and assistants is asked for. A list of the names and addresses of directors and officers, a statement of the outstanding stock, total amount of indebtedness and current loans, and identification of creditors in the sum of $10,000 or more must be furnished.

The interrogatories also seek a list of the 20 largest stockholders of each class of stock.

Government also seeks the names of corporate defendants who either own or control a majority of the credit of each, and details concerning the relationships, such as participation in the management of the company.

Covers Years from 1935 to 1938

Each defendant is required to state its gross income and net earnings or losses for the fiscal years ending 1935-36-37-38. The defendants are requested to seek information of the names of all concerns and individuals in which the particular defendant owner may hold financial interest, directly or indirectly, through subsidiaries or otherwise.

In the production, distribution and exhibition fields, in each instance the defendant is asked to set forth the form of the organization, capital investments, extent of control and nature of offices, amounts of stocks and bonds held by defendants, date of acquisition, and amount of investment, with whom acquired. These details are also asked as to ownership of any business organizations engaged in the motion picture industry other than production, distribution, or exhibition.

Similar data is required as to ownership in any subsidiaries of a financial interest by an outside concern. Defendants must supply additional information as to their relationships with holding companies.

Fourteen questions are directed to defendants covering production activities. Each defendant must itemize a list of its feature pictures, produced either by it or its subsidiaries, from 1919 through 1938, including the titles, names of stars, approximate costs, and name of distributor. The number of sound stages owned, leased or operated by a company, with its location and size is asked for.

Companies must list the number of short subjects and newsmen, distributed during the period, with details as to titles, cost of production, release date, name of producer, and total film rental, is demanded.

Separate lists are again required for short subjects and newsmen distributed to affiliated features of the five major producer-exhibitors. The notice asked that each defendant submit all appropriate information concerning the films of that department or to which it is attached.

Particular information is sought on the subject of exhibition in the cities of St. Louis, Milwaukee, Chicago, and Cleveland.

Name Theaters Playing Pix

The Government requires the name and location of every theater in the United States which has purchased the exhibition any feature picture, excluding spot bookings, distributed by the defendant or a subsidiary during the current season, and to group these names according to zones and protection.

Additional information is asked as to the protection afforded to each theater. Finally, the number of persons employed by the defendant or its subsidiaries in the distribution field.

Ten questions are asked in the extension field, the Government seeking to obtain complete information on the names and financial arrangements of subsidiaries and of pooled productions, such as may be furnished as to the nature of the interest, date of acquisition, and to whom acquired such subsidiaries since 1930. If a company subsequently divested itself of a theater, details were asked.

Asks Pooling Information

The Government also asked a number of questions as to pooling arrangements or joint ventures, financial details and general operations. Separate data was also asked for on pooled theaters held in New York City, Kansas City, Milwaukee, St. Louis, and in New Orleans, Boston and Seattle. Details on box-office receipts from first-run and subsequent-run theaters was asked for specifically.

Interrogatories conclude with five questions on the history of the particular defendants and making inquiry into reorganization, mergers, stock or asset acquisitions and consolidations. In respect to these questions, information was also asked about the acquisition of ownership of other theaters, names and addresses of persons supplying the information must be set forth, the notice stated.

Warriors Sign Hogan

Hollywood—Michael Hogan, who wrote the screenplay of “Nurse Edith Cavell,” and also the screenplay of “Rebecca,” has been signed by Warner Bros. to do the screenplay of the Someret Maugham story, “Villa on the Hill.”

Complete New Donner Short

First ‘Fascination’ Forecast’ of Vyyan Donner for the coming season's Vyyan short subjects which has been completed at Movietone’s New York studios. Subject is in Technicolor, featuring sports clothes, with clothes and general outdoor costumes. It will be released this month.
20th-Fox Standing Pat on Program Despite Conflict

EXPECT BRITAIN TEMPORARILY TO SUSPEND QUOTA

Code Rebuff Problem Before Rodgers and Kuykendall

MPTOA Prexy and Dists.' Spokesman to Confer This Afternoon

Problem confronting the industry as a result of the Department of Justice’s sharp warning that adoption of the proposed Trade Practice Code would mean “continued and perhaps additional prosecutions” will be discussed at a conference this afternoon by William F. Rodgers, metro sales chief and spokesman for the Distributors Negotiating Committee.

(Continued on Page 4)

DALLAS EXHIB. ASKS CONSPIRACY DAMAGES

Dallas—Alleging that a conspiracy entered into between Interstate Circuit and Carl Hoblitzelle on July 11, 1934, cut the profits of his Cliff-Queen theater, from 1934 to 1935 and 1936, a suit charging that pressure, “Old Maid” Will Remain 6 Weeks at N. Y. Strand

Record breaking biz at the New York Strand, where it entered its fourth week over the weekend, has forced Warners to hold “The Old Maid,” for an additional two weeks at this Broadway house. This is the first feature to stay more than

(Continued on Page 4)

Wilcox in RAF

Herbert Wilcox, British producer who is currently in New York in connection with impending openings of his latest RKO Radio release, “Murder Edith Cavell,” said yesterday that in all probability he will return to England in about two weeks. He is a member of the reserve of the Royal Air Force.

(Continued on Page 5)

No Realignment of 20-Fox Production

Because of European War—Wobber

AFA Exec. Council Meets Today to Dissolve Unit

Final meeting of the American Federation of Actors executive council is scheduled to be held today for the purpose of acting to dissolve the union, which, act will bring to a form-

(Continued on Page 5)

U. S. Stocks Soar

Heaviest buying wave since 1929 was the Stock Market’s reaction to the European war yesterday, with commodity prices advancing the day’s limit and other stocks moving up for gain up to 35 points. While amusement issues failed to benefit generally, market analysts accepted the wild trading as indicative of coming war-time prosperity, for a neutral U. S. To such a situation, amusements could not help but react, it was felt. The present healthy Broadway box office was mentioned as another reason for amusement optimism.
Fair's Projectionists Day to Attract Industry Execs.

Projectionists Day at the World's Fair will be celebrated tomorrow with an impressive list of industry, state and government executives scheduled to be on hand when the day's program starts in the Special Events Building's Little Theater at 2:30.

George E. Brown, president of the IAATSE, Edward J. Flynn, United States commissioner general to the Fair, Earl Hines, president international Projector, Joseph Barsin, president of Local 306, New York City projectionists local, E. A. Williford, president of SMPJE, Walter E. Green, president of National Theater Supply, and a number of others are scheduled to address the meeting.

A large attendance of projectionists in the metropolitan area and from nearby cities, as well as members of other IAATSE locals, is expected.

Committee in charge of making reservations, in addition to listing the names of Harry Rubin, director of projection for Paramount Pictures, Frank Callihill, Warners, Frank Horstman, RKO, Charles Chalutz, Music Hall, H. Oppenheimer, L. Kaufman, Thad Barrows, Jimmy Burke, Victor Field, David Martens, Richard Hayes, Frank Cummings, W. Nagenast, J. Engle, G. Edwards, Frank Cummings, O. Kafka, C. Eichhorn and P. A. McGuire, who are all members of affiliated locals from here to Boston, was announced.

Theaters to Escape Ta at New Wis. Proposal

Madison, Wis.—Solution to the tax problem seemed a bit nearer with the concurrence by the Senate in an Assembly bill after changes in its provisions by injecting a $7,500,000 highway diversion clause. The highway diversion feature of the bill has been favored by exhibitors or leaders as a desirable means of raising the necessary funds for the biennium without resorting to theater taxes.

The assembly is scheduled to take up the measure as amended by the Senate today.

RFSC Seal of Accuracy To Serve as Guarantee

Ross Federal Research Corporation announced yesterday that it has prepared a seal of accuracy to be used as a guarantee that all figures used in their market research are factually accurate, as found, in accordance with the standards and ethics of market research. Seal is a re-storted to copy for publication advertising, direct mail and other promotional methods or media which has been individually submitted to and approved by Ross Federal.
THE NEXT BIG M-G-M HIT!

Watch the trade papers! M-G-M’s in the headlines! M-G-M’s delivering one sensation after another! And it’s just the start of the new year! When you see “Blackmail” you’ll take our tip: Advertise!
CODE REBUFF BEFORE RODGERS, KUYKENDALL

(Continued from Page 1)

ing Committee, and Ed Kuykendall, MPTOA proxy.

It was indicated that the situation would be thoroughly canvassed, and it was anticipated that a statement would be released later.

The MPTOA proxy, who arrived in New York on Monday, spent the day at the World’s Fair, expects to remain here for some days.

Plans for the MPTOA convention are receiving his attention. Original plans to hold the meeting in San Francisco have been dropped. That city, however, may get a later meeting. It is understood that three other cities are being considered for the 1939 convention.

Carroll Sees Australia Biz Unaffected by War

(Continued from Page 1)

pands its industries to supply Great Britain and her allies with necessary war materials,” Dan Carroll, Aussie circuit head, told The Film Daily following his return from Europe on the Queen Mary.

Carroll expressed the opinion that it was only a question of time before theaters are reopened in Great Britain by the government to provide the public with entertainment, and to bolster morale.

With Mrs. Carroll, the Australian exile, will sail for Sydney next week on the Monterey.

W. L. Landers, Once Prexy of Tri-State, Dies In Ark.

Batesville, Ark.—W. L. Landers, owner of the Landers Theater, died at his home here Sept. 2. It is said he had been in the motion picture business longer than any person in Arkansas. He helped organize the Ark. ITO in 1920 and was a past president of the Tri-State theater organization. Funeral services were held Sunday.

ALONG THE RIALTO

with PHIL M. DALY

• • • STEP right up, gents—that great show that shows up The Women is now going on. . . . here is one show no male can afford to miss . . . . it gives you the lowdown on all their little tricks. . . . how they fool you. . . .coax you. . . . kid you. . . . how they baby you. . . . coo coo you. . . . weep over you. . . . mother you. . . . and generally make fools of themselves over you. . . . at such times as they are not engaged in the feminine pastime of making you look like a monkey.

• • • THE WOMEN. . . . God bless ‘em. . . . and the devil take ‘em. . . . they are the alpha and omega of Joy and Sorrow. . . . a bit o’ heaven. . . . and a taste of hell. . . . they keep life a merry merry-go-round. . . . and keep you in a dither of excitement wondering what the hell they’re going to do to you next.

• • • LA FEMME. . . . and the female of the species was never more illuminatingly presented. . . . never more brilliantly explained. . . . more ruthlessly dissected. . . . more excitingly shown in all the facets of her manifold charms and devilishness. . . . here, messieurs, is an experience. . . . no longer need you as a Mme Male Person go through life sad and demented because you just can’t understand Women. . . . look! . . . for the price of a movie ticket you can learn all about her. . . . her innermost secrets laid bare for your glistening eyes to see. . . . her System. . . . (parson, make it plural) . . . SYSTEMS. . . . for handling the poor male fish disclosed to the world of the Stronger (?). Sex for the very first time in human history. . . . amazing. . . . unbelievable, . . . but it’s a Fact. . . . and A Woman has done this thing to her sex. . . . and M-G-M has had the temerity to present it so that the screens of the world can sizzle and crackle with Exciting Entertainment.

• • • WOMEN for the first time will see themselves as other women see them. . . . impaled right up there on the flashing screen. . . . with the inexorable light from the projection machine blazing all their tricks to a gaping world of Men to gloat and sneer over.

• • • BUT it is not all an Expose of Woman’s Foibles. . . . this screen classic. “The Women.” . . . it tells of the finer, tender side of the daughters of Eve. . . . for the clever stage play has been adapted to the screen by two brilliant writers who have made the rather sketchy stage characters pulse with life. . . . so the screen play presents a bevy of women of all types. . . . women you have met and known all your lives. . . . but have never really understood before.

• • • THERE is the Home Woman, fighting to hold her man against the Panther Woman. . . . and what a panther is Joan Crawford! . . . and Norma Shearer as the wife battling for all she holds dear has never been more charming and tender. . . . then there is Rosalind Russell as the Catty Woman. . . . a classic performance. . . . so on down through a dazzling array of females of all types such as the screen has never seen before in one production . . . and NOT a single man in the cast . . . a picture that should be labeled “For Men Only.” . . . only the women would break down the theater doors to see THEMSELVES.

STIRN’S REAARMEN APPLICATION DENIED

(Continued from Page 1)

William Bondy, Stirn had asked for a rehearing, asserting that the Court was in error in ruling that he had delayed too long in taking from a number of Judge Bo.. . . . Stirn had asserted unsuccessfully that proponents of the plan were directly responsible for any delay caused. The Court gave no opinion in denying the application.

Hearings on the fairness of $4 as the price quoted in the proposed underwriting agreement put forth by the Atlas Corp. for new RKO common stock will not be held this week. Special Master George W. Alger revealed yesterday. The hearings may start next week, Alger stated. He refused to comment on whether the European war situation had been a cause for the delay.

“Old Maid” Will Remain 6 Weeks at N. Y. Strand

(Continued from Page 1)

four weeks at the Strand in six and a half years or since the run of “Forty-Second Street” in March, 1933, it was said.

“Mr. Old Maid” has broken every record at the Strand for each week it has played: the initial week grossing more than the previous record holder “Angels with Dirty Faces” by $800; the second stanza was the biggest second week for any feature at this house, with the third week recording the biggest third week at this theater, Warners stated.

Pix is also doing top biz at the Brooklyn Paramount where it is now in its second week, with a third week hold-over likely.

Virginia Censor Board May Ban War Propaganda Films

(Continued from Page 1)

out pictures where the manifest purposes are to arouse America to hatred of a participant, or participants in the conflict, Col. Peter Saunders, chairman of the Virginia Board, said yesterday.

He reported there have been ser-}

PDC to Rush “Hitler” West Coast Bur., THE FILM DAILY Hollywood—Producer’s Distributing Corp. will place “Hitler, the Beast of Berlin” into immediate production.
brought by Interstate upon film distributors caused the latter to demand that second-run films be an ad-
tis<t>is not for more than $20 per hour whereas his price has long been
20c per ticket.

Dunbar charged that defendants also brought about a ban against double bills, which he had been profit-
ably showing. He said he had been operating the house since 1925 and had averaged $6,000 a year profit until the restrictions were placed upon him. He asked triple the resulting alleged damages of $18,147 or $54,443 plus $5,000 attorney fees.

Chi's Lexington Passes from Warners to Rose

Chicago.—The Lexington theater on East 63rd Street has been taken over by the Indiana and Illinois cir-
cuit from Warners. Ray Wheeler has been named manager by Alex Rose, circuit head, who has more than $40,000 dollars had been ex-
pended in modernizing the 750-
seat theater.

This makes the 24 house in the Indiana-Illinois circuit and its first theater in the city of Chicago.

Liberty Reopening Means All Lights On In Lincoln

Lincoln, Neb.—Howard Federev, general manager of Nebraska The-
ers, Inc., has says he will open the Liberty, 1,000-seater, Sept. 15. May make it the ace NTI house, with single, action would bring the town back to 100 per cent re-
lighted status, after 4 months of the Liberty being the only shut-
tered house.

Alliance to Sell in Canada

Bud Rodgers, vice-president and general manager of Alliance Films Corporation, announces that he has
extended his distribution territory to include the Dominion of Canada and the Maritime Provinces. Up to the present, Rogers has confined the Alliance sales of 12 features and various short subjects to this coun-
try.

Mary Carr Signed

West Coast Bureau of THE FILM DAILY

Hollywood—Rexama Films Prods., has signed Mary Carr to play a mother role in “The Trail Blazors,” which it will make here. Geraldine Spreckels will be starred and principals will include Fred Keating and Claire Windsor.

Hays Arrives on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Hays, from the East, has ar-
ived here from the East and is ex-
pected to describe to members of the MPFA the European situation as reported to him. Ontario Ban on Foreign
Talks to be Continued

Montreal—O. J. Silverthorne, chairman of the Ontario Motion Pic-
ture Censor Board, has directed his sta-
t to watch news reels closely
for subversive propaganda. The or-
der barring foreign language pic-
tes, except French, will be adhered.
The board has held up a release per-
mit for “Beau Geste” and it will be
shown with the French Consul in
Toronto viewing it. It was the Consul’s protest that resulted in the order to hold up the picture. Cuts satisfactory to the French Consulate in New York were made by that state’s censors, said Mr. Silverthorne, and he thought the same cuts might be made in On-
tario.

Kibre Resigns from IATSE; Threatens “War” on Browne

West Coast Bureau of THE FILM DAILY

Hollywood—Jeff Kibre, leader of
home forces in the IATSE, yester-
day announced his resignation from
that organization.

Kibre, who was to have faced a
trial board, had been expected to be
acused of creating unrest among
IATSE members and of being in
the employ of CIO in an effort to
weaken the F of L in the film industry.

Kibre declared he would do every-
thing possible to drive George E.
Browne, IA exec, and William Bief from the labor movement.

Baltimore Exhbits. Fight
Midget Auto Race Track

Baltimore—Judge W. Conwell
Smith in the Circuit Court of Balti-
more granted a temporary injunc-
tion stopping the preparation of a cl
track in the Baltimore City stadium
for the proposed midget auto racing
in the suit which has been filed
through attorneys Rome & Rome and
Knap, Tucker, Thomas & Gray for
A. A. Hornig and Thomas D.
Goldblatt, owners of the track and
owners of the city. The hearing is set for tomorrow.

Schlom Quits Republic

West Coast Bureau of THE FILM DAILY

Hollywood—Herman Schlom who has been associate producer for Rep-
public for the past three years has
resigned. He was with Monogram before joining Republic.

Rufus LeMaire Leaves RKO

West Coast Bureau of THE FILM DAILY

Hollywood—Rufus LeMaire, exec-
utive assistant to Pandro S. Ber-
man at RKO, has resigned. He was
exec. at Universal before joining RKO.

Levin Funeral Today

Funeral services will be held at the Riverside Memorial Chapel, 76th St. and Amsterdam Ave., today for
Lucy Levin, 32, Yiddish stage and screen actress who died after three months illness in Beth Israel Hospital. Her husband, Jerome Parker, a daughter, Barbara, and

20TH-FOX STANDING PAT ON PROGRAM

(Continued from Page 1)

return to the home office from con-*
ferences and visits to several Coast branches.

We have already said, in writ-
ing, a program to exhibit that
will interest the non-technical in
any respect,”

Worber stated. He expressed the opinion that all studios might en-
counter some difficulties in casting as a number of British players al-
ready announced for pictures will
probably be unavailable.

Worber reported company busi-
ness as being good, and said that
contracts were being closed now at a rate that equalled last year’s pace, with the company setting a new record on total contracts closed last year.

The sales exec. asserted that, “naturally, all companies are watch-
ing the current situation with
the gravest concern, but at this time it is virtually impossible for any one to take a long range view as to its effect.”

“Letty Lynton” Decision

Rehearing Plea is Denied

(Continued from Page 1)

tributing Corp. and Culver Export
Corp., to one-fifth of the net profits of the picture, “Letty Lynton,” when the Circuit Court denied their application.

The plaintiffs previously had ob-
tained the award from Federal Judge Vincent L. Leibell for plag-
arium of their play, “Dishonored
Kitty,” in the film “Letty Lynton.” The previous decision of the Cir-
cuit Court, which the plaintiffs sought to reopen, had ruled that the plaintiffs were not entitled to
obtain the entire net profits as dam-
ages and apportioned damages at over a million dollars.

The plaintiffs had contended on the application for reappraisal that the award was improper and inade-
quate and that stories were of
greater value as box-office attraction than stars. In doing so, the plaintiffs had quoted the high prices paid in the film industry for sce-
arios, stories and plays.

Oklahoma Allied Seeking
Speakers for Convention

Oklahoma City—Orville Von Gul-
ker, chairman of the organization com-
mittee of the Allied Film Owners of Oklahoma, is at present contacting national figures active in Allied work as prospective speakers for the organization convention at the Biltmore Hotel Sept. 26 and 27.

Representatives of Allied States, as well as major news figures ac-
tive in promoting Allied sponsored legislation, are being sought as speakers for the meet.
KEEP ON YOUR TOES
WITH WARNERS IN '39-40

(soon you'll be walking on air!)

No. 2

We don't like to gossip but
'THE OLD MAID' IS A SWEETHEART
Pick your spot and check for yourself!
It's bigger than Warners' biggest!

WARNER WORLD'S
JOHN GARFIELD
and his ‘Daughters Courageous’ Sweetheart
PRISCILLA LANE
in the first starring show all their own
— their greatest by miles!

DUST BE
MY DESTINY

By the author of ‘Each Dawn I Die’!

with
ALAN HALE • FRANK McHUGH • BILLY HALOP

Screen Play by Robert Rossen Directed by Lewis Seiler Novel by Jerome Odlin
A First National Picture

JACK L. WARNER • HAL B. WALLIS • LOUIS F. EDELMAN
In Charge of Production Executive Producer Associate Producer

STARTS AT THE
STRAND, N.Y.
FOLLOWING THE SIXTH
HOLD-OVER WEEK OF
THE NEW STRAND
RECORD-HOLDER
‘THE OLD MAID’

Stay on your toes and watch for
No.3 ‘A CHILD IS BORN’
ENGLAND TO SUSPEND QUOTA TEMPORARILY

(Continued from Page 1)

all release dates for a period of from one to two years. If only a plentiful supply of films already released is still available in European countries for re-issue, if necessary, preliminary conferences on existing shipping schedules had been hopelessly disrupted, production plans upset and foreign markets lost, were termed yesterday by executives as ridiculous flights of imagination. They pointed out that exhibition in Spain and China has never ended, money to cover the cost of operations in ports acquired in these countries has been available, and shipping on either American or ships of neutral countries is now being arranged.

Naturally, it was stated, concern is felt regarding exchange values and national priorities, but it was pointed out that no drastic embargo on money has ever been put into effect by past by either France or England and it was not anticipated now. It was stressed that entertainment must be provided for the populations of these two countries and the governments would not shut off this entertainment supply by prohibitive monetary restrictions which would foreclose any future film business, and end distribution. It was believed, that anything, distribution of pictures will be encouraged in every way possible.

It was stated yesterday at Metro, Paramount, and 20th-Fox, the only majors still doing business in Germany, that no change in the policy had been considered and "business is going on as usual." It was admitted that shipping of films to Germany would have to be resumed and the companies pointed out that difficulty in shipping to Poland was to be anticipated.

When it was learned yesterday that suspension of the Quota was under consideration, it was pointed out that possible loss of revenue in

STORKS!

Denver—Tom Ward, just named assistant manager at the State, is the proud daddy of a new baby boy, named Richard.

(Continued from Page 1)

London (By Cable)—"A master stroke of negotiation," has been the description of the British government's order closing all theaters in a letter of protest published in the London Times on Thursday, it depicts the Government as lending theaters, when they are losing and that players and masquists be granted military ex-

"Memorandum contract" has been signed between the Loew-Peayak-Rugoff, and the British government or R. M. TAT, bringing to an end a strike at one house and picketing of others by the union, it was learned yesterday. Formal contract is scheduled to be drafted and signed within 10 days and employees on strike are scheduled to go back to work today or tomorrow.

Picketing of the Nelson-Renner-Diendoff circuit is being continued by the union in its campaign for a contract and recognition, with a uniform effect, stating yesterday that an early agreement was expected.

Delay TMAT-R & B Hearing

Hearing scheduled for today before the State Labor Relations Board of the Rugoff and Becker-TMAT case has been indefinitely postponed. Hearing of the Raymond Theatre TMAT case is scheduled for Tuesday. In both instances the union is seeking recognition as a bargaining agent.

adversely affected by war, pointing out that there will be a sharp upturn in German production numerous play-

Hicks Believes England Will Revise Quota on U. S. Sip

West Coast Bureau of THE FILM DAILY

Hollywood—That England will revise its embargo on American films, was the belief of John W. Hicks, Paramount foreign head, who arrived here with Adolph Zukor from a trip to Australia and New Zealand. He pointed out that British production, with exception of newreel and product film will be a stand still, and additional features from foreign sources will be needed. He declared it was the opinion of film man that after first air raid scares a few theaters will be allowed to screen British films, but not for long. He declared that the cost of the cinema business was going to remain the same, and that British production will be gradual and not all in one day.

Believe War Will Not Have

Adverse Effect on U. S. Sip

West Coast Bureau of THE FILM DAILY

Hollywood—With most producers estimating revenue of American films shown in the British Isles at 30 per cent of the world gross, there is keen interest in any action that the British Government might take regarding American pictures.

It is hoped that England will not impose restrictions on American films shown in the British Isles at 30 per cent of the world gross, there is keen interest in any action that the British Government might take regarding American pictures. It is hoped that England will not impose restrictions on American films shown in the British Isles at 30 per cent of the world gross, there is keen interest in any action that the British Government might take regarding American pictures.

Observers feel that the American film industry will not be

CANADIAN INDIES WILL

CONVENE DESPITE WAR

King Edward Hotel under auspices of the Anti-Protection League.

J. O. Scott, chairman of the League's central committee, "declared making to make public the proposal for the meeting. He will present his proposals for reforming the protection of preference and clearances, with an amendment of the convention's primary issues thereby:

As to priority: 'We concede the necessity for some sort of priority arrangements, but we object to the unfair methods in use.'

As to clearance: 'We concede the necessity for clearance arrangements, but we object to the deliberate withholding of pictures from independent for long stretches until their appeal has evaporated.'

"Overbuying and failure to play pictures when available are some of the other abuses to be removed."

After stressing the need for a truly representative national board for this industry, he was asked if there were plans to appeal to local boards and to have original jurisdiction in matters of general importance, Scott states, that "at the national convention the consensus of opinion on priority and clearance reforms will be worked out in a program which will be adopted. It is anticipated that the convention will also create a Domin-

Believe TMAT Strike Threat Will Not Affect Pix Houses

Rumbles yesterday of a strike by part of the Theatrical Managers, Agents and Treasurers union membership left the film industry unconcerned as to the effect of a strike of this type would not affect film houses or studios in any way.

It was also believed that if the members of the leagiu. division of the union who threaten to strike, de so that musicians, actors and stagehands will not regard their picket lines and shows will be unaffected except for minor adjustments in personnel.

Dispute centers over the charter granted to one group in the union by the Stagehands when they bolted the TMAT.

WEDDING BELLS

Gaylord E. Conrad, FILM DAILY correspondent with his wife, Eleanor, of Canada, and Mr. and Mrs. W. M. Roan, also of Bismarck. Following the wedding Mr. and Mrs. Conrad left for New York City.
U. S. Producers Plan to Adhere to 1939-40 Schedules

MONDAY REOPENING OF BRITISH HOUSES FORECAST

Dismissal of Anti-Trust Action Demanded by Schines

Hearing on Motion Will be Held in Buffalo on Sept. 18

Buffalo—Dismissal of the anti-trust action filed by the Department of Justice in Federal Court here against the Schine interests is demanded in a motion filed by William McKay, of New York, defense counsel. Hearing on the motion, which U. S. District Attorney George L. Grobe will oppose, is set for 10 a.m., Sept. 18.

Motion is a joint one by Schine Chain Theaters, Schine Circuit, Schine Theatrical Co., Schine Enterprises Corp., Schine, Lexington

(Continued on Page 6)

SEES INDIA IMPORTING 200 MORE U. S. PIX

India, rapidly expanding exhibition field, will require an additional 200 pictures from the United States to meet its present needs as a result of the European war, it was said here yesterday by Baburao Patel, editor of Filmindia, Indian trade journal, president of the Film Journalists Association of India and a member of the Board of Governors

Col. 53-Week Profit $2,000

As Against $183,392 in '38

Columbia Pictures Corp., in a financial report issued yesterday shows a net profit of $2,000 for the 53 weeks ended July 1, last, after provisions had been made for federal and other taxes. This figure

(Continued on Page 4)

Del. Blue Law Revision Committee Meets Soon

Wilmingon, Del.—The nine-member commission named by the General Assembly to study possible revision of the Sunday blue laws, will

(Continued on Page 6)

The War and the Industry

... Roll up the sleeves, go to work

By CHESTER B. BAHN

AND so Europe again is at war.

But without attempting to discount or minimize the effect of such conflict upon this industry, international in its scope, of far greater importance is the fact that the United States is at peace and resolved, through the application of neutrality preventives, to remain at peace.

It is to the situation thus presented that the industry must and will address itself, not with jittery apprehensiveness but with the confidence which, in so few decades, has enabled it to weather all storms and build an industrial structure valued at billions.

In short, the situation is a call to the industry in all its phases to roll up the sleeves and go to work.

(Continued on Page 4)

N. J. ALLIED WEIGHS WAR’S EFFECT ON PIX

By W. H. McMATHON

FILM DAILY Staff Correspondent

Atlantic City—War and its probable effect upon the motion picture industry occupied most of the opening session of the 20th annual convention of the Allied Theater Owners of New Jersey, in Atlantic City yesterday. Sidney Samuelson, AFI.

(Continued on Page 6)

American Companies to Adhere to Pix Programs Announced for This Season

Warner Stars on Good-Will Tour to Aid Coast Indies

West Coast Bureau of THE FILM DAILY

Los Angeles—Between 12 and 14 Warner players left yesterday on a week’s good-will tour to aid Coast indies who bought the company’s product when it was recently sold

(Continued on Page 4)

Consensus of opinion yesterday among top executives in the industry stressed the fact that it was too early to make dogmatic, cut and dried estimates of possible foreign revenue loss as the result of the European war. It was also emphatically stressed that it would be well for the industry to reserve judgement at this time and that snap

(Continued on Page 5)

Home Office “Sympathetically Considers” the Trade’s Request

London (By Cable)—In all probability, Britain’s war-darkened film theaters will reopen next Monday.

The Home Office yesterday gave “sympathetic consideration” to the trade’s plea that such action be taken, it was announced, and the formal order permitting the resumption of exhibition and distribution is expected before the end of the week. A few theaters have already re-lighted.

If such a course of action is followed, it is expected that the conditions set forth in the Home Office memorandum of Aug. 28 will govern, wholly or in part.

(Continued on Page 4)

HAYS OFFICE DENIES UA HAS RESIGNED

Published reports to the effect that United Artists had resigned last week from the MPPDA were emphatically denied at the Hays Office here yesterday.

“United Artists has not submitted

(Continued on Page 5)

Code Situation Remains in Status Quo—Rodgers

The trade practice code situation remains in status quo, it was said yesterday by William F. Rodgers, Metro’s sales head and spokesman

(Continued on Page 5)

Rubin’s Gift of 1,660 Shares Cuts His Holdings in Loew’s

Washington Bureau of THE FILM DAILY

Washington—J. Robert Rubin has disposed of 1,660 shares of Loew’s common stock as a gift, it was re

(Continued on Page 5)
MILWAUKEE POLICE BAN ON HOLLYWOOD Fought

MILWAUKEE, Wis. — Hollywood Amusement Co., Inc., Chicago, has instituted suit in Federal Court here to restrain Police Chief Joseph Klusche from interfering with the playing of Hollywood in local theaters.

The plaintiffs contend that the government has no authority to pass on the character of films and that the district attorney's office frightened many exhibitors into discontinuing the game by threatening to obtain an injunction on the strength of the recent ruling by the state supreme court holding Bank Night a lottery.

Chi. Contempt Defendants Expected to Ask Dismissal

Chicago—It is indicated that the defense may seek dismissal of government's contempt suit in the case of the Chicago Film Exhibitors Association and the presentation of the case yesterday.

E. Van Pelt, FBI man, was the final government witness to identify Steed and Rose Hummel, 1414 Filmways, Chicago, as present yesterday.

The defense began presentation of its case late yesterday and will continue today, and plans to complete the entire case by the end of September.

Biddo, Inc., Organized to Enter Games Field

Albany—Biddo, Inc., has been chartered to engage in premiums and prizes in connection with the sale of its products, according to papers issued by the Secretary of State. Subscribers of the concern are Seymour Olian, 550 Fort Washington Avenue, New York, Ettta Ziviling, 1497 Carroll Street, Brooklyn, and Washington and St. Louis, which will serve as booking centers.

Farnsworth to Introduce "Tele on Coast in October"

San Francisco—Plans for developing television broadcasting here are under way, according to Ernest H. Vogel, vice-president of Farnsworth Television and Radio Corporation. Vogel said that the FCC is planning allocation of television channels for this area, and that this company will be ready to distribute television receivers in October.

San Francisco—Here's the inside dope on a second-year run of Golden Gate Exposition. Although the Fair is now running profitably, there are absences of approximately $5,000,000 owing to banks, contractors, P.G.E., and Standard Oil to be paid. Up to Aug. 27 there was a gross operating profit of $2,235,000 to be applied on debts and obligations, which is less than half the $5,000,000 outstanding. Unless the balance comes in by Dec. 2 closing date—and the chances are slim—officials are planning on closing then, and reopening next year for four months of June, July, August and September in an effort to pay off in full.

Cleveland Plans Costume Display to Mark Jubilee

Cleveland—Cleveland will celebrate the 50th anniversary of motion pictures with a big display of motion picture properties in the main concourse in the Terminal Tower, from Sept. 19 to Oct. 6. Theme of the display will be a portrayal of the history of the cinema. It will include displays of costumes, jewelry and sets used in production, and a continuous show of 18 of the pictures.

Report Schines to Have Cincy Booking Offices

Cincinnati—It is currently reported Schines will move their Bellefontaine booking offices to Cincinnati, where Joel Gordon is seeking a location. Cincinnati, Cleveland and Washington will serve as booking centers.

Coming and Going

H. M. WARNER leaves for the Coast within the next few days.

HERBERT J. YATES, MRS. YATES, RICHARD YATES, MRS., and MRS. GEORGE ALBERT, NORMA GREAVES, GEORGE MORE, and MRS. WALTER TILTS are here today on the "Golden Hug" from Europe.

JAMES R. CRAIGER returns to New York today.

MRS. LOUIS CURTAIN are at the Sherry Netherland today.

BOE BOHE has arrived in Hollywood after a European vacation.

BORDY DULYVA flew here this week from Hollywood.

JOHN W. HICKS, Jr., is due in today from Los Angeles. He arrived there Monday following a trip to Australia.

HARRY JOE BROWN, 20th-Fox associate producer, and his wife, SALLY ELLERS, are at the Waldorf for a 10-day stay.

M. B. SILVERBERG and his wife are stopping at the Sherry Netherland.

JOHN WEXLER, Warner writer, leaves for the Coast tomorrow after a vacation on his Pennsylvania farm.

H. M. RICHEY, director of exhibitor relations for RKO, is in Atlantic City to attend the New Jersey Allied convention.

ANNABELLA left for Europe yesterday on the Dixie Clipper to bring her family to this century.

TYEPOWER left for Hollywood last night.

LEO SPITZ is in New York.

COL. H. C. AULE, national Allied press, is in Atlantic City for the New Jersey Allied convention.

KEN CLARK of the Hays Office returns from a vacation Monday.

WILLIAM HOLDEN plans by TWA to Pittsburgh yesterday, proceeding from there to the Coast.

BABARO PATEL, editor of Filmindia, leaves New York for Hollywood on Tuesday.

LARRY DUDLEY, 18-year-old sea scout, selected by Paramount to come to New York for Atlantic tea dinner to depict his career for "Rulers of the Sea," arrives here by plane camping.

STUART HEISLER, assigned by Para, to direct "The Biscuit Easter," and his producer, JACK KLEIN, are in Atlanta on preparatory work for the film.


Happy Birthday

But wishes from THE FILM DAILY to the following on their birthdays:

Arthur W. Kelly
Merna Kennedy
Ronco Karns
M. Chortowski

Vol. 76, No. 47
Thursday, Sept. 7, 1939
10 Cents

JOHN W. ALICATE

DONALD M. MERSEBURG

CHESTER B. BAHN

While M-G-M's magic wonder show "WIZARD OF OZ" winds up the 1938-39 season in a blaze of glory, the year '39-'40 has opened up with all eyes on Leo the Lion!

YOUR ITCHING PALM! there's a fortune in it!

We told you how the Previews of "THE WOMEN" and "BABES IN ARMS" created a furore! We pointed out that no season had ever yielded two such sensations to begin with. Now "NINOTCHKA" has been previewed . . . it is phenomenal! And "BLACKMAIL" and "THUNDER AFLOAT" have been previewed! They are smashing entertainments! Did we hear somebody say: "Pictures talk!"
TRUST SUIT DISMISSAL
DEMANDED BY SCHINES

(Continued from Page 1)
Corp., Chesapeake Theaters Corp.,
J. Meyer Schine, Louis W. Schine,
and John A. May. It contends that
the complaint fails to state a claim
upon which relief can be granted
against the defendants.

The motion reads, in part:
"Complaint fails to state sufficient
facts to constitute action in
favor of the plaintiff against the
defendants.

"Complaint fails to state facts
sufficient to show that the defend-
ants are violating or have ever vi-
olated any act of Congress mentioned
in the complaint and especially
the provisions of Section 4 of the Act
of Congress, July 2, 1890.

"Upon facts stated herein court
has no jurisdiction over the alleged
cause of action. No facts are set
forth in the complaint showing that
the moving defendants are engaged in
interstate commerce.

Must Answer Gov't's Equity
Interrogatory Within 15 Days
Film company defendants in the
Government's equity suit have 15
days in which to file answer to the
Government's interrogatory, according
to rule 33 of the rules of federal
procedure, the U. S. attorney general's
office pointed out yesterday. How-
ever, the office stated that it did not
know whether Assistant Attorney
General Paul Williams had made
any agreement with the defend-
ants for an extension of time.

The rule also provides that ob-
jections to the interrogatory may
be filed within 10 days and must be
heard by a Federal Court Judge. In
disputes, the rule states. Time
to answer the questions will be
defined until the Court rules upon
the objections. Furthermore, under
the rule, the film companies may
apply to the Court for an extension
of time provided they show the
necessity for it, it is stipulated.

All answers to interrogations
under the Court rules must be made
under oath and signed by an officer
of the company "competent to test-
ify in its behalf."

Del. Blue Law Revision
Committee Meets Soon
(Continued from Page 1)
likely hold its first meeting within
10 days.

The Rev. Ralph L. Minker, super-
tendent of the Ferris Industrial
School, is the only member of the
commission who is not a legislator.
The other members are Senators
George R. Clark, Harold W. T. Pur-
cell, Paul E. Rinear, and Benjamin P.
Simmons; Representatives Henry C.
Canby, George W. Rhodes, Edward
Knight, and John L. Barr.

The committee will report its
findings and recommendations to
the 1941 session of the legislature.

BRIT. THEATERS MAY
REOPEN ON MONDAY

(Continued from Page 1)
promising conditions, daytime exhibi-
tion and restricted audiences, with
reopening orders to be authorized
by the Minister of Health, Promotions,
Development and local area author-itis.

Should the film theaters generally
reopen on Monday, the interruption
in exhibition would be comparatively
brief—much briefier than the mos-
timistic in the trade had an-
ticipated. It was expected that
the period of darkness might span
weeks, even months.

Prompt resurrection prospects
were hailed by representatives of U. S.
distributors as indicative that the
British market was far from lost.

Warner Stars on Good-Will
Tour to Aid Coast Indies
(Continued from Page 1)
away from Fox West Coast circuit.
Traveling in a special car, the
stars and featured players will be
accompanied by an elaborate bally-
holo staged in about a dozen cities
in which they will make P.A.'s. Aside
from the business end of the trip,
the players will be entertained in
each town.

First stop will be made at San
Francisco, and the Warner team
will meet Gov. Olsen, who is sched-
uled to be in that city on that date.
Joe Blumenfeld of the Blumenfeld
circuit will play host.

At Seattle, the party will be en-
tertained by John Danz of the
Sterling Film Co., who has arranged
for Governor Charles D. Martin of
Washington to receive the players.
Their Portland visit will be spon-
sored by J. J. Parker of the Maj-
estic Amusement Co. and Gov.
Charles A. Sprague of Oregon will
render them a reception. Blumen-
feld will also entertain the players
at Oakland and Sacramento as they
trick back to Los Angeles.

Col. 53-Week Profit $2,000
As Against $183,392 in '38
(Continued from Page 1)
shows a considerable drop over the
net profit of $183,392 for a 53-week
period in the previous year's finan-
cial report.

However, the balance sheet shows
current assets of $12,987,851 and
current liabilities of only $2,005,890.
Gross income from sales and rentals
of films and accessories was listed
at $19,413,794 in the report. Work-
ing capital was listed in the amount
of $10,985,601.

Fonda for "Grapes of Wrath"
West Coast Bureau of THE FILM DAILY

Hollywood—Darryl Zanuck today
announced that Henry Fonda would
play the role of Tom Joad in Twen-
tieth-Century-Fox forthcoming pro-
duction of "The Grapes of Wrath."
judgement on the "improvement" at the present time could not but bring adverse trade reaction.

Comments from Birney Balchen, Murry Silverstone, J. Cheever Cowdin, W. Ray Johnston and other exes. were as one in the company heads' policy of "going ahead" without any change in production plans. Silverstone stated the company was definitely going ahead with its plans as per schedule. Cowdin said Universal was not contemplating any change in production plans, and that the program of pictures being sold to exhibitors would be unaffected. Johnston was.Equal in stating that his company would adhere to its original plans.

Balaban stated that Paramount would in no way alter its production plans, and was so far ahead in its new season's program that commitments already made could not be changed. Rut good change if they were contemplated. He expressed the opinion that nobody could foresee the situation accurately at this time, and was confident that theaters in the Continental countries would not stay shuttered any length of time.

Previously, Herman Wobber, distribution head of Loew's, expressed the same opinions to THE FILM DAILY, and Walter J. Hutchinson, foreign director of distribution for the company had pointed out that theaters have remained open in China and Spain and that there was no reason to believe they would be closed for any length of time in Europe; other foreign heads reiterated Hutchinson's comments.

Industry leaders pointed out that it was impossible to take a long range view of the situation at the present time as there can be a base only for theory, and not for definite opinions that would guide policy changes.

It was deemed significant yesterday that amusement stocks and related issues had held firm for several days, showed more gains than losses. In Wall St. circles the opinion was expressed that the recent decline in film stocks was due as much to the traders desire to take advantage of the upward flight of war babies as anything else. After quick profits had been realized, it was felt that many had overreacted in amusement stocks largely would go back.

News of theater reopenings on a wider scale in Europe yesterday was welcomed in the industry. This was asserted to be the beginning, many European governments expected to keep the public entertained by every means possible, with only theaters allowed to stay closed out in heavy industrial areas where that would be targets for air raiders.

It was also certain terms by different exes, that talk and printed reports of drastic cutback in production, program extensions, slashcs, and loss of markets were largely "loose talk" at this time. Notably few production changes have been announced in Hollywood in the past few days, and with the exception of one case, it was a question of casting difficulties brought about by the fast European players were unavailable, necessitating slight delays in production.

**Wart Not to Delay Para's New $12,000,000 Studio**

*West Coast Bureau of THE FILM DAILY*

*In Los Angeles—Signalizing the beginning of World's Exposition, the new Paramount's new $12,000,000 studio project here William Pereira, national architect, of the Pereira and Luckman firm, and professional advisor to the new studio's project, has been named as engineer and chief architect for the new plant, it is announced by Glennon, Paramount operations manager.*

Coincident with the engaging of Pereira, William, the recently announced actual construction work on the new Paramount Studio will start when necessary ordinances are obtained and the storm drain contract for that area completed. The European war will not affect the project.

**War Holds Two 20th-Fox’s “Uncensored” Actors in Eng.**

*West Coast Bureau of THE FILM DAILY*

*Hollywood—The production of the picture “Uncensored,” formerly titled “Scottland Yard,” has been temporarily deferred at the 20th Century-Fox studios, it was announced, because Jane Baxter and Edmund Gwenn, who were to share the roles of further, the picture was still in England. This is the only 20th Century-Fox production that has been affected so far by war conditions. Another picture will be substituted for it on the company’s release schedule.*

**Goldwyn Releasing War Film, “City in Ruins”**

*West Coast Bureau of THE FILM DAILY*

*Hollywood—Producers here are showing further evidence of turning to war pictures with three more such films announced. Samuel Goldwyn announced that he would immediately start preparation on a story entitled “City in Ruins,” which is based on the purchase of a story entitled “The Tanganjikya Exploit,” a factual story dealing with a British and German battle on Lake Tanganyika during the World War.*

**Warner Have 19 Features Completed at Coast Plant**

*Warner Bros. has 19 features actually completed for release during the new season which starts this week. This approach one-half of the studio’s program for a total of 47 pictures are planned for 1939-40.*

**Rubin’s Gift of 1,660 Shares Cuts His Holdings in Loew’s**

*Veiled today in the SEC’s semi-monthly summary of security transactions and holdings for the period from Aug. 1-15. Rubin still holds 31,415 of the common shares, it was reported.*

The 20th Century-Fox Film report stated that Joseph M. Schenck has disposed of 4,300 shares of $1.50 cumulative preferred and now holds 15,284 shares and 108,943 shares of 20th Century’s common stock.

John Hertz holds 1,000 shares of Paramount Pictures’ common stock, and an additional 100 shares through Leben Brothers, it was reported by Paul H. E. Peake of Pathe Film Corp. states. Thomas P. Loosch has acquired 2 shares of common bringing his total ownership holdings to 18 shares and Kenneth M. Young has disposed of 900 shares of common, leaving him 400 shares.

In an April, 1939 report Joseph Bernarda reported he has exchanged 5,000 of Warner Brothers’ options for 6 per cent convertible debentures for new debentures. He also holds 500 shares of Warners’ common stock, Bernarda stated.

Monogram Pictures report states W. Ray Johnston has disposed of 847 options for common and now holds 6,350 of the options and 62,383 shares of common.

Maurie E. Thompson has acquired 500 shares of Trans Lux common stock as compensation, bringing his total holdings to 4,000 shares.

**Code Situation Remains in Status Quo—Rogers**

*For the Distributors Negotiating Committee.*

Rogers conferred yesterday evening with Ed Kuykendall, MPTOA proxy, on the problem presented by the Department of Justice’s refusal, and the possibility of effecting trade reform and a further conference is scheduled for tomorrow.

Rogers said yesterday that some confusion was evident with regard to his recent conferences with representatives of the Independent Theater Owners of the United States and Arizona. Rogers stated that he had already promised to check on the code situation upon his return and advised the unit which will meet in Los Angeles tomorrow.

Accordingly, he will notify the exhibs, association that the situation is unchanged since his statement following the D of J’s rebuff.

**Hays Office Denies UA Has Resigned**

*its resignation, it was stated by former Gov. Carl E. Milliken, MPPDA secretary.*

Murray Silverstone, UA’s top executive, said he did not care to discuss the published story.

At the Hays Office, it was further stated that there had been no resignations received from producers distributing through UA.

The published report tied the alleged UA action to policy differences and mentioned, further, UA-B & K product negotiations.

In this connection, it was pointed out that, as constituted, the field of competition is wholly outside the scope of the MPPDA.

**Newman at Burbank on Shorts**

*West Coast Bureau of THE FILM DAILY*

Burbank—E. M. Newman, who has been producing travelogues in association with Warner Bros., is preparing to produce a series of short subjects under supervision of Gordon Hollingshead. Series will be based upon the Ten Commandments. Initial script is now being readied.

**FOR TOP SPEED PLUS CONVENIENCE ... PHONE RAILWAY EXPRESS**

Whatever you have to ship—news reels, feature films, “props”—anything—just call RAILWAY EXPRESS, and prove they’re there, delivered and accepted! It’s one, complete, day and night express delivery service for the entire film trade. Nearer base for convenient pick-up and delivery in all cities and principal towns. Low rates also include receipts and $10 insurance. For superspeeded on-time deliveries use 3-mile-cumulative AIR EXPRESS—2500 miles overnight! Arrange regular shipping schedules with your local RAILWAY EXPRESS agent today, or whenever you have anything to send.

1839...A Century of Service...1939

See our exhibits at the great Fair!
"Everything's On Ice" with Irene Dare, Roscoe Karns, Edgar Kennedy
RKO Radio
65 Mins. (Hollywood Preview)
Skating Enthusiasts and Women Generally Will Find Much Amusement and Interest in the Love Story Revolving around a Skating Rink.

Here six-year-old Irene Dare displays her unusual skill as a skater and performs every type of skating with grace and finesse. In addition she has much personality and appeal. Eric Ken doll did a splendid job as a director, while Sol Lesher has provided an attractive production. Roscoe Karns has a field day as a fast-talking promoter, who is always getting his relations in trouble. Edgar Kennedy gives one of his best performances as the father of Irene, while Lynn Roberts, Eric Linden and John George Meeker and Wade Boteler are among the other capable members of the cast.

Adrian Lanes and Sherman Lowe handle the amusing screenplay. Dave Gould staged the attractive ice numbers. Kennedy has added money to buy a barber shop, but Karns, his brother-in-law, borrows money from him to finance a trip to a Miami, Fla. nightclub, where Irene is to put on her skating act. The husband, however, marries a lovely girl and her comely sister, Lynn Roberts, also make the trip. In Miami, Karns meets George Meeker who, he believes, is a millionaire and tries to interest Lynne in him. However, Lynne's "heart belongs to Eric Linden, who, because of his frugal habits, makes Karns believe he is poor. Karns breaks up the romance between Lynne and Eric, but when Kennedy arrives on the scene, the former director of the skating rink, reviews his courtship and wins Lynne, and then develops Eric is a millionaire. Eric loses no time in buying a swanky barber shop for papa-in-law, Kennedy.

CAST: Irene Dare, Roscoe Karns, Edgar Kennedy, Lynne Roberts, Eric Linden, Mary Harris, John George Meeker, wagon driver, Adelene Carriere, Maxine Stewart, Wade Boteler.

CREDITS: Producer, Sol Lesser; Director, Eric C. Kennedy; Screenplay, Adrain Lanes and MaxPrentiss; Music Director, Lew Grukein; Dance-ice numbers by Dave Gould; Orchestration, Amedeo de Filippis; Songs, "Birth of a Snowbird" by Vector Young and Paul Webster; "Everything's On Ice" by Milton Drake and Fred Stecker; Cameraman, Roswell Mety; Art Director, Lewis J. Rachmil; Editor, Arthur Hilton.

DIRECTIONS: Good. PHOTOGRAPHY: Okay.

Kendis at Hot Springs
Cleveland—Philip Kendis, head of Exhibitors' Poster Service, who has been laid up for the past month with a back ailment, has gone to Hot Springs, Arkansas to complete his cure.

Promote Sugar Buckelage
Cincinnati—Sugar Buckelage, local Paramount secretaries to Harry D. Guluthihan, has been promoted and transferred to the District offices, Los Angeles, and reports for duty on Sept. 18th.

"The Three Mesquites in New Frontier"
with John Wayne, Ray Corrigan, Raymond Hatton
Republic
56 Mins. (Novel Plots Plus Plenty of Swift Action Commends This One to Outdoor Fans.

From a story point of view, the Three Mesquites, in this most recent saga of their heroic exploits, are in unique roles due to the honesty of purpose of scene. Betty Barbride and Luci Ward. The latter, in fact, are the heroes of the opus, for they effectively put the Three Mesquites in their feisty ranch hands into the center of Hope Valley in a human, but nevertheless totally wrong legal position. In the case of the three Mesquites happens and it is refreshing for all its straightforwardness. The State decides to build a dam and condemns the property of the ranchers for this progressive purpose, compensating each, admittedly fairly in the dialogue, for their land. But the ranchers regard their Valley is exceptionally beautiful, and they decide to fight. And fight they do, led by the Three Mesquites. The only justification for the prolonged scrapping are the methods used by the law and its allies. Symphathy goes out to the ranchers when they are hoodwinked by a shrewd operator who wants to transplant them over the ridge to new pastures, but this is a regrettable twist of human nature. At the final, they find their new "homeland" an Eden, and all turns out for the best. Footage is stuffed with masing riding of horses, blazing guns and fistfights, and it will all sit comfortably on the chests of fans who like excitement and wholesome. To boot, there is the "battle of the dam," at which John Wayne turns off the water which is flooding the valley, placing the wagon train in jeopardy. At the wind-up however, the love interest which has been soft-peddled for more important things, is stirred and developed in the prairie air. Cast turns in solid performances, direction is good and nitro photography.


CREDITS: Associate Producer, William Berke; Director, George Sherman; Original Screenplay, Betty Barbride, Luci Ward; Production Manager, Alan Irving; Cameraman, Reggie Lanning; Editor, Tony Marrinelli; Musical Score, William Lava.

DIRECTIONS: Good. PHOTOGRAPHY: Fine.

5-1 Signs Joan Fontaine
West Coast Bureau of THE FILM DAILY.

Hollywood—David O. Selznick has signed Joan Fontaine to a long-term contract. Her first assignment will be the feminine lead in "Rebecca" under Alfred Hitchcock's direction. Pit goes before the camera today.

Loder Subject to Brit. Call
West Coast Bureau of THE FILM DAILY.

Hollywood—John Loder, one of the leads in Paramount's "Portrait in Diamonds," just completed, is a report officer in the British forces and subject to call.

Leichter Closes Thomas Deal
Deal has been closed by Mitchell Leichter with Harry Thomas whereby Thomas will distribute the Leichter production, "Sudan," in the New York and New Jersey territory, it was announced yesterday.

"Wall Street Cowboy"
with Roy Rogers, George "Gabby" Hayes
Republic
66 Mins. (Hits Novelty Angle with Cowboy Whooping it Up Back East.

In this Roy Rogers adventure, most of the action takes place in the East, where the hero goes with his two pals, "Gabby" Hayes and Raymond Hatton, to try to raise funds to pay off a mortgage on his ranch. He approaches a Wall Street financier, who happens to be an old horseman with rebuffs due to the tumbling tactics of his two well-meaning pals, and the machinations of the financier's race-horse trainer, who is working with a gang out West to take over the ranch. Rogers believes there is gold on his ranch through one of "Gabby's" wild tales, and when the sample is assayed and the Wall Street mogul learns that there is no gold but is rich in gum Arabic, in back of the bank to the limit. There are many thrills and adventures, including a horse race in Long Island that Rogers wins, a fight with gangsters hired by the trainer to do away with his rival from the West, and finally all hands are back at the ranch where a showdown comes with the crooked banker who is trying to secure the ranch. There is a good scrap at the finale, with Rogers in the clear and they are left to stand and curtains for the villain who had been trying to gum everything up and win the gold. Some fine character work is contributed by "Gabby" Hayes and Raymond Hatton.


CREDITS: Producer, Joseph Kane; Director, Same, Author, Doris Schroeder; Screenplay, Gerald Geraghty, Norman Hall; Cameraman, Jack Marta; Editor, Osborne Pickering.

DIRECTIONS: Good. PHOTOGRAPHY: Fine.

"The Spellbinder"
with Lee Tracy, Patric Knowles, Barbara Read
RKO Radio
69 Mins. (Unconvincing Story with Lee Tracy Working Variants to Save It.

A drama of the underworld, with Lee Tracy in the role saving the film from being pretty much a flop. Here is an example of changing moods in the concoction of the scenario. It could be melodrama, comedy, satire, or even burlesque if certain sequences are taken as examples of mixed styles in writing. Consequent the film story fails to convey, and the abest work that of experienced trouble-shooters, Tracy, avails little. It is the tale of the underworld attorney who wants to appear respectable after a summer's court, he dan saves his underworld client, Patric Knowles, a smoothie with class, from morder rap, and later stands trial for the murder of his client when the latter escapes. Tracy, with his daughter to seal his lawyer's lips by marrying into the family. There are some court room scenes, some good surprise twists, but they fail to save a very disappointed and unconvincing story.

CAST: Lee Tracy, Barbara Read, Patric Knowles, William Gillette, Robert A. Byrnes, Linda Hayes, Morgan Conway, Robert E. Keane, Roy Gordon, Robert Strange, Elliot Sullivan, Leonid Kinskey, Lloyd Gough, Jane Cribb, Director Jack Hively; Author, Joseph Anthony; Screenplay, Thomas Leonis, Joseph A. Fields; Cameraman, Russell Metty; Editor Therda Segall.

DIRECTIONS: Weak. PHOTOGRAPHY: Good.

Managerial Assignments

Announced by Schine

Gloversville, N. Y.—Managerial changes announced at the Schine home office here today include the transfer of Pat McGee, Ecker, Syraucuse, to Paramount, Syracuse; Erle Wright goes from the Parmount to the Strand, Syracuse which is reopening after a Summer closing. Sidney Holland, Elkhart Ind., a new member of the Schine force, goes in as manager of the Ecker, Syraucuse.

William F. Burke goes in as manager of the Palace, Auburn, which is reopening after a Summer closing. Leon Feldman, formerly assistant manager at the Strand, Amsterdam, is one of the big promotions to the Reger, another same city, reopening for the Fall and Winter.

Donald Rich takes over as manager of the Palace, Watertown, also reopening.

Bob Daly, formerly assistant manager at Glove, Gloversville, is the new manager of the Arcade, Salis bury, Md., replacing Herb Brown and Floyd Shear, now assistant manager. Floyd Shear, who was at Waller, takes over at State, Cam bridge, Md.
**REVIEW OF THE NEW FILMS**

**“Coast Guard”**
with Randolph Scott, Ralph Bellamy, Frances Dee

**Columbia**
71 Mins.

COLORFUL MELLER OF COAST GUARD SAILING WITH THIRLS SPICED WITH ROMANCE.

Carries a lot of colorful thrills in a meller of the Coast Guard activities, spiced for the few trade with a good sentimental yarn as the two buddies scramble for the same girl. Built for the dual houses, and it will go strong with the youngsters on the thrill stuff. Randy Scott is the fortunate lad who wins the girl, while the steady-going Bellamy steps aside sportingly for his pal, but his heart still yearns for Frances Dee. Frances looks swell, and you can’t blame him. But Scott is a happy-go-lucky Art Cinema Theater. Come off duty with the boys and thus neglects his newly married wife. Heartbreak on her part, and the next happened in another port, while on an expedition to the frozen North. Here he gets lost, and the radio messages really getting his pal to the rescue, Scott being the flying dareddevil of the Coast Guard. He goes after his buddy only when his wife who has left him urges him to do the surfing thing. Thus when he has his buddy back from the freezing death, his wife forgives all. The hole is piled on thick, and some people will sniff. But for the kids and sentimentalists, a pushover.

**CAST:**
Ralph Scott, Frances Dee, Ralph Bellamy, Walter Connolly, Warren Williams, Francis Ford, Edmund MacDonald.

**CREDITS:**
Director, Edward Ludwig; Original Screenplay, Richard Maibaum, Albert Dufy, Harry Segall; Cameraman, Lucien Ballard; Editor, Gene Milford.

**DIRECTION:**
Good. PHOTOGRAPHY, Okay.

**Ochs Promotes Three**

Cleveland — Herbert Ochs, local Vitaphone Theater manager announced the following promotions from the ranks: Ralph Salyer, city booker, becomes Vitaphone salesman out of the Cincinnati office. Larry Kreusser moves up into Salyer’s position and Bein takes over Kreusser’s booking duties. This leaves a vacancy in the booking department still to be filled.

**Acquire Cleveland House**

Cleveland — Announcement is made that Gabe Rubin, who has operated the Cleveland House Theater in Pittsburgh for five years and his associates including Ralph Rose of Cleveland, have taken over the Penn Square Theater, and will open it about Sept. 20th with a foreign film nolty.

**“Island of Lost Men”**
with J. Carroll Naish, Anna May Wong, Eric Blote

**Paramount**
63 Mins.

MELLER HOKIE MADE FOR THE THRILL FANS GIVES J. CARROLL NAISH SINISTER ROLE.

A wild and meller tale of the Malay jungle, which is distinguished by the work of some fine actors that might have been employed to better advantage in a more glamorous story. It is a remake of “White Woman” in which Charles Laughton and Carole Lombard appeared about six years ago. For the cheaper spots where the audiences like their thrills regardless, this will hit the bell right in the center. J. Carroll Naish is the villain used as a gun-runner and head of a jungle empire where he rules the Malayians ruthless.

**“Range War”**
with William Boyd, Russell Hayden

**Paramount**
64 Mins.

PIP HOPALONG CASSIDY THRILLER MOVES FAST WITH GOOD HUMAN TOUCHES.

Another strong thriller in the Hopalong Cassidy series, with the hero playing the part of an outlaw in order to uncover the efforts of the other ranchers to build a railroad spur. He controls the right of way for the transportation of cattle, and charges an exorbitant toll. Hopalong suspects that the stealing of the payroll for the railroad workers is part of this rancher’s plan to discourage the effort. By impersonating a bandit and holding up another stage with the second payroll, the “plant” is set for him to go off with the real bandits who try to take the loot from him. Then the escape from jail, and thus the hero is freed and he goes out to the trap for the uncovering of the rascally rancher. There is a pip of a finish fight, with plenty of gun-play. Bill Boyd is a newcomer handling the comedy assignment, replacing George Hayes who formerly handled this assignment for the series.

**CAST:**

**CREDITS:**
Producer, Harry Sherman; Director, John Sturges; Script, Harry Sherman; Camera-Operaian, Ross Rambeau; Script, Martin Rackin; Editor, Archie Marshek.

**DIRECTION:**
Very Good. PHOTOGRAPHY.

**“Rulers” L. A. Premiere**

West Coast Bureau of THE FILM DAILY Hollywood — Next of Hollywood’s bigger productions to be given an elaborate pre-release opening in the cinematic capital for the press will be Paramount’s Frances Lloyde production “Rulers of the Sea.” The press premiere will be staged Tuesday at the Carthay Circle Theater.

**Budd’s Poison Oak**

Budd Green, Warner Bros., personal manager, has returned to his desk at the house office, following a one-week’s vacation, during which he contracted a case of poison oak on the nape of his neck.

**Adopting Repertory Policy**

Fifth Ave. Playhouse concludes its international film festival over the weekend, and Monday will inaugurate an international pix repertory policy.

**William Haade, Borderick Crawford, Rudolf Forster, Richard Loo.**

**CREDITS:**
Producer, Eugene Zukor; Director, Kurt Neumann; Authors, Norman Schaefer, Frank Butler; Screenplay, Wil- liam R. Lipman, Horace McCoy; Cameraman, Karl Strauss; Editor, Ellsworth Howland.

**DIRECTION:**
Fair. PHOTOGRAPHY, Okay.
SEES INDIA IMPORTING 200 MORE U. S. PIX

(Continued from Page 1)

of the Indian Motion Picture Congress.

Patel, here to confer with distributors and producers with a view to improving Indian-American relations, pointed out that India, with 1,200 established theaters, 300 more now building and 500 itinerants, requires from 700 to 800 pictures annually.

British studios have been supplying 300 American producers, 300, and the others have come from native studios. With British production halted, Indian theaters will seek U. S. product to fill the gap, Patel asserted. War trade will give India a new impetus, he forecast.

The Indian editor leaves for the Coast next Tuesday to confer with producers, and will urge the production of sympathetic Indian themes and stories. In this connection, he cited "The Rains Came," just produced by 20th-Fox, as an example.

American product well liked in India. Patel declared Hollywood studios have an unparalleled opportunity to capture the Indian market for all time.

"We welcome the use of Indian color in American films," he commented. "All that we ask is that India be presented as it really is, not as land of barbarians."

Cummins to Produce Six With Fiedler Bros. Color

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Cummins will produce six features, using Fiedler Bros. color process, J. G. Buchan will be associated with Cummins in the project. Shooting will start in about 30 days and the pictures will be designed for major release.

Cummins also plans to remake "Ecstasy" in color, in Hollywood, with a new feminine discovery. He is en route to New York, but will return to Hollywood in a few weeks.

Jesse J. Goldberg Here

Jesse J. Goldberg of Los Angeles, who has been appointed by the United States Court for Southern California to liquidate the motion picture assets of Conn Productions and Ambassador Pictures in bankruptcy, is stopping at the Hotel Breton Hall.

Labor War Over Pix

Pittsburg, Calif.—Local labor factions here are warring over Para's, "Our Land- ing Cities," being shown at Twin Theater. CIO pickets carried banners before theater,PSWl the picture while A F of L leaders called a meeting and endorsed the film, saying the picketing was Community-minded inspired.

The War and the Industry . . . Roll up the sleeves, go to work

(Continued from Page 1)

up its shirt sleeves and go to work. For crying, "Wolf! wolf!" will not solve the problem; only work can. And for that work, there must be assured high industry morals.

NOT unreasonably, as the industry feels the first impact of the struggle overseas there is a tendency to sketch the darkest possible picture. Yet both experience and cold logic are re-assuring. Granted that the British and French markets have been revenue mainstays, that some loss there must be anticipated, and that moneys may be frozen, these facts seem self-evident:

With their native industries at a standstill save for the production of propaganda pictures, both the United Kingdom and France (and their dominions and dependencies) will be generally dependent upon American entertainment films. It is indicated that the quota is to be suspended, freeing American companies from a heavy production investment in England. The French visa system already is in the discard. And of course the Franco-German film agreement went out with hostilities.

Already some theaters in England have reopened, and cables to THE FILM DAILY yesterday indicated that the Home Office may permit all war-darkened theaters to reopen Monday. Reopening of French theaters also may be anticipated for both in Spain and China exhibition proceeded during hostilities.

As for the important Australian market, there is the opinion, jointly held by Paramount's John Hicks, just returned, and Dan Carroll, leading circuit operator, that the war will little affect both distribution and exhibition there, aside possibly from higher taxation. It is reasonable to expect the same situation will rule in South Africa.

THE German film industry, on the other hand, faces well nigh fatal losses abroad. Its foothold in Spain fades, it necessarily becomes a negligible factor in Italy and Japan, and its inroads in Central and South America are ended. Eventually, if not immediately, the American industry will take up the slack.

Turning to the domestic market, these facts seem self-evident: Production is geared to exhibition, which is to say that the number of pictures produced is required to meet exhibition needs. No shrinkage in the latter is indicated. The stock market more than hints of a wartime prosperity, and prosperity, whatever the variety, means more spending for amusement. Theater attendance reasonably may be expected to rise, not decline. And after the first rush to realize upon "war baby" investment profits are over, amusement issues may be expected to rebound and climb.

Admittedly, there is greater need for cultivation of the domestic market than ever before; that means greater selling emphasis all along the line, no less by exhibition than exhibition. As to exhibition's poten-
tialities, it is well to recall the Hays Office estimate that there are still 26,000,000 persons over 12 years of age in the United States who do not go to film theaters more than five times a year, and there are millions more who cannot be considered regular film patrons. Part of the answer to theindustry's war-time problem may be found there.

AND another part may be found in cutting production waste,—in cost conservation, not in horizontal retrenchment. Billy Wilkerson of the Hollywood Reporter said it ably when he wrote this week:

"The loss of income, temporarily, or for however long it will exist, must be met NOT by salary slashes; NOT by cutting thousands of the payrolls; NOT by acts that will disturb our peoples working here in the industry and, as a consequence, disturbing the public it serves and further lowering the amount of tickets sold in our theaters. The prob-
lem MUST be approached with common sense, with an intelligence for the problem the whole industry faces, for the men and women who are making their living from it."
Good Business
... and India's wishes
By CHESTER B. BAHN

It is only good business to heed a customer's wishes.
And if that is true in normal times, it is doubly true in abnormal times.

With that much of an introduction, a careful consideration of the essential timeliness of the present visit to the United States of Baburao Patel, leading Indian journalist and quasi-official spokesman for nationalistic India, is in order.

Patel's mission, simply stated, is to point out to American producers and distributors the desirability of avoiding stories and themes offensive to national Indian sentiment. The alternative, Patel frankly states, is censorship plus the powerful Indian weapon, the boycott.

But it should be unnecessary to stress that alternative. The American industry is dedicated to the production and distribution of salable film merchandise and under such circumstances the economic基石 of a market comprising 400,000,000 potential film patrons hardly will be ignored.

Particularly in view of the fact that, as a result of the European war, such markets can absorb 200 more American features annually to replace those customarily imported from England.

SPEAKERS at the New Jersey Allied convention, which closed at Atlantic City today, naturally have paid some attention to the possible effect of the war upon exhibition. Among the opinions expressed are: (1) Radio newscasts will keep Americans at their receivers, with the box-office subsequently suffering, and (2) Newspapers no longer will be a theatrical agent because of the competition from newspapers' wirephoto and radiophoto services.

Perhaps, but it strikes this commentator that both are highly debatable. Already radio wisely is curtailing its war news and indeed in some spots, exhibitors report radio's war news "opposition" as without noticeable effect on grosses. That condition reasonably may be expected to widen, not contract as an amusement-seeking public becomes weary of war talk.

For as the newscasts, the sports trans

Canadian Indies Set Plan for National Clearance Board

METRO'S PRODUCTION PLANS UNAFFECTED--SCHENCK

Neely Bill to Pass, Cole Tells New Jersey's Allied

Urges United Front Against Monopoly, Preservation of Pix Quality
By W. H. McMAHON

Atlantic City—The New Jersey Allied Theater Owners in convention at Atlantic City yesterday heard national president, Col. H. A. Cole, predict passage of the Neely bill, urge a united front against monopoly within the industry, and repeat the hope of the convention that the European crisis would not lower the quality of production.

The exhibitors also heard H. M. (Continued on Page 6)

CHI. CONTEMPT CASE DISMISSAL IS ASKED

Chicago — RKO, Warner Bros., Universal, United Artists, Loew's, Inc., Paramount and 20th Century-Fox, and B & K attorneys sought dismissal of a contempt case against the union-organized exhibitors here.

Union-Exhib. Parley Will Tackle St. Louis Dispute

St. Louis, Mo. — Conference between local theater owners and officials of the ushers and stagehands (Continued on Page 8)

Dominion Indies Accept Committee to Put Clearance Plan into Work

Admission Taxes for Year Show $1,329,977 Decline

Washington— (Continued on Page 2)

MOMAND FILES EQUITY ACTION

Majors and the Griffith Co. Are Named in New Suit

MOMAND FILES EQUITY ACTION

Majors and the Griffith Co. Are Named in New Suit

Ohio State—A. B. Momand, in the name of his Oklahoma Theater, Inc., has filed an equity suit in Federal District Court here asking the court to direct the film companies to contract with his company for second-run pictures for his Odeo Theater at Shawnee, at prices charged in districts of similar location and population.

The petition charges the film companies with failure to book first, second, third or even fourth-run pictures into the Odeo and states that (Continued on Page 3)

AAA BOARD FAVORS "ONE BIG UNION"

Mowing of the AAAA member unions into "one big union" will in all probability be effected in the near future following yesterday's meeting of the organization's international board to appoint a committee (Continued on Page 8)

Too Early to Determine War Effect, His View—Yates Optimistic

By ROLLIS KINNAHAN

"Metro's production plans are unaffected by the European situation at the present time as it is too early for anybody to determine what effect the war will have," Nicholas M. Schenck, president of Loew's, Inc., told THE FILM DAILY yesterday.

Schenck expressed the opinion that the European theaters, now darkened as a result of the hostilities, would be reopened as it would be necessary to provide the public with entertainment.

A statement, in kind, came from Herbert J. Yates as he returned to (Continued on Page 6)

BRITISH PRODUCTION TO PARTIALLY RESUME

Further slants on the British situation came in cables received in New York yesterday. The government was represented as desirous that both production and exhibition be resumed under such restrictions, however, as the war emergency (Continued on Page 6)

$35,310 Six Months Net Reported by Pathe Film

Financial report issued yesterday by Pathe Film Corp. covering the six months ended June 30 shows a net operating profit of $35,310.45. Undistributed earnings of Du Pont (Continued on Page 6)

New Co-op Takes Shape in Indianapolis Field

Indianapolis — The Indianapolis Co-operative Theaters, Inc., has been incorporated "to foster the business (Continued on Page 6)
Good Business
...and India's wishes

(Continued From Page 1)

mission of newshscops by air and cable to
the American dailies should whet interest
if anything. A still picture can not com-
pleate with an action picture in emotional
impetus, and the former essentially is
meritory. No, if experience counts for any-
ing, the newsreel looms as a potent pro-
gram factor in the days ahead.

"Nurse Cavell" to Have
Six Big Town Previews

A preview tour in which six im-
portant cities in the East and South
will get an advanced single perfor-
mance view of "Nurse Edith Cavell" and
an opportunity to meet its star,
Anna Neagle and Producer Herbert
Wilcox will be inaugurated this week-end
by RKO Radio Pictures.

Six key cities, Washington, At-
lanta, Dallas, New Orleans, Chicago
and Cleveland, have been selected
by S. Burratt McCracken, RKO director
of advertising and publicity, who is
in charge of the arrangements. Sim-
ilar previews have been held in Hol-
lywood, Toronto and New York City.

Along with the showings there
will be the fanfare and glamour typical of
Hollywood in previews. Film cities of cities
in the neighborhood of the preview
showings will be special guests of RKO.

Warner Branch Office Nine
Takes League Championship

Softball team of the N. Y. Ex-
change Office of Warner Bros.
Pictures won the championship of
the Motion Picture League by defeating
20th Century-Fox in the playoff
game. Wednesday night by the score of
6 to 4. Al Babash drove in the winning run for Warner's official home run in the last inning. Dave
Newman managed the Warner team.

Summer Competitors Fade
From Scene In St. Louis

St. Louis — Summer competitors of
local film theaters have quit for the
year, including the Forest Park
Highlands, Westlake, Riverview
and Stauter's amusement parks, while
the Excursion Steamer "The Presi-
dent" will make its last trip of the
1939 season on Sunday.

Roy E. Larson is Elected
President of Time, Inc.

At a meeting of the board of di-
rectors yesterday Roy E. Larson was
elected president of Time, Inc.

Henry R. Luce will continue as
chairman of the board and senior
editor of All Time, Inc., publications.

Erikson Brokerage Fee
Suit vs Schine Ousted

New York Supreme Court Justice
J. Sidney Bernstein yesterday dis-
missed a suit for $35,000 brokerage
fees brought against William I. Louis Schine, and Schine Enterprises
Corp. by Carl E. Erikson. Justice
Bernstein's ruling was based on the
contention that the complaint did not state a
case of action against the Schines, and
permited the plaintiff to amend
within 10 days. The dismissal was
suit against Feny Vesey Enterprises
Inc., remaining defendant.

Complaint alleged that Erikson, a
real estate broker, was hired by
Feny Vesey to negotiate the sale of five
of its Beeberet motion picture
thieves in May, 1937. Plaintiff con-
tends that it secured an offer of
$700,000 from the Schines, but that
Feny Vesey's contract was voided
by the defendant's action deprived him of
commissions amounting to $35,000.

Century Circuit Shifting
House Managers Tomorrow

Century Circuit announced yester-
day the following managerial trans-
ers affecting houses in various sec-
tions of the local territory.

E. Friedman from the Fantasy
Rockville Center to the Grove, Free-
port; Ed Freiberg, from Marine,
Brooklyn, to the Fantasy, Rockville
Center; F. W. Brunelle, from the
Biss, Long Island City, to the
Queens, Queens Village; Walter
Smith, from the Queens, Queens
Village, to the Bliss, Long Island City;
L. Freund, from the Patio, Brook-
lyn, to the Kingsway, Brooklyn;
William Amole鹘, from the Kings-
way, Brooklyn, to Patio, Brooklyn;
R. S. Tretier, from the Avalon,
Brooklyn, to the Marine, Brooklyn;
Ed Cline, from the Grove, Freeport,
to the Freeport in Freeport; Monroe
Schramm, from the Rex, Freeport,
to the Sunnyside, Long Island City;
and Jack Weinstain, from the Sunnyside, Long Island City, to the Avalon, Brooklyn.

Changes are effective tomorrow.

Four More Circuit Deals
Signed by Monogram

George W. Wokes, general sales
manager for Monogram, recently an-
nounced the following mid-town
necirines have closed commitments for the
1939-40 period: the Publix
Exchange, Foxtheas, Chicago; the de
Glen Thompson Circuit, Oklahoma
City; Warner Bros., New England
division, to the Ammons Amusement
Co., Salt Lake City.

20th-Fox Paying on Pfd.

Board of Directors of 20th Cen-
tury-Fox Film Corp., during the
regular quarterly meeting held
September 10, declared as the record
and payable date of record at the close of business Sept. 18, a
common stock dividend of 37 ½c per share for the third quarter of 1939 on the
outstanding preferred stock payable
September 30, to stockholders of record at the close of business Sept. 18.

STANTON GRIFFIS and his wife sail from France tomorrow on the Washington for
New York. JOHN W. HICKS, Jr., arrives this morning from
West Coast district manager, have been at the home office this week for conferences.

BERN CROSY arrived here today from Hol-
lywood for a vacation.

ERROL FLYNN has returned to the Coast.

ODYSSEY arrives in New York tomarrow
from Hollywood.

RUD LORENZEN, district manager for
Walters, HENRY KERBEL, Midwest district
manager, and DONALD ROBERTS, Dallas branch
manager, are due at the home office shortly to confer with sales heads.

DAVID NEWMAN, Michigan exhib., M. N.
SHAPIRO, Pittsburgh exhib., R. V. MCINNIS,
Arkansas exhib., W. R. JOHNSON and J. D.
WEATHER, Colorado exhib., and TOM and JACK
LEVIN, Washington exhib., were visitors this week at the RKO Louise.

ALFRED LUNT and LYNN FONTAINE have re-
turned to New York after spending the Sum-
mer in Wisconsin.

MAUREEN O'SULLIVAN is due here next week
on the Yankee Clipper.

STUART WALKER, associate producer at Para-
mount, leaves the Coast next week for New York by car to spend a vacation here.

JOHN WEXLEY, Warner writer, leaves for
Hollywood to begin a vacation on his Penn-
sylvania farm.

Felder-Wittman Acquire
Three Bronx Theaters

Metro, Congress and Vogue The-
aters in the Bronx have been ac-
quired by Max G. Felder and Sime
Wittman from the Low-Peskay-
Barranco interests, it was announced
yesterday. Felder and Wittman plan
to extensively renovate the Metro
and Congress which are now closed, Vogue is operating at the present
time.

Equity Meets Sept. 29

First regular quarterly meeting of
Actors Equity will be on Sept. 29.
Re-booking "Maginot"

The state of war in Europe has brought about a tremendous public demand for several shows of "Maginot" Viewed around the foreign situation, including "inside the Maginot Line," "Of Harry Michelson, RKO short subject sales manager says this is the biggest story ever of a theater.

Requests for prints are coming in by wire from every section of the country." Michelson said.

ALONG THE LINE with PHIL M. DALY

- • • • THERE is nothing that we can possibly imagine that makes flatter reading than the bare statistics bound up in the campaign on a big picture......understand, we are talking about the Reader Interest in such printed accounts.....to the publicity and advertising depart-
ments which see the factual recording of their Titanic and brilliant efforts set down for the industry's amusement, the stuff reads like a literary classic......to them the account is fascinating, overwhelming......and after they have read in print what they have accomplished on the pic-
ture campaign, they sit back in a sort of stupor and whisper to them-
sew: "My God, is it possible that I have a part in this Titanic Achieve-
mant?".....

- • • • THAT is one of the funny things about this film biz......when for example an account of a campaign on a big pic-
ture is set down in this column, all the gents who had anything to do with it greet us on the day of publication with cries of joy and
admiration......"It was marvelous, Phil!"......."One of the great-
est things you've ever written"......and at least a half dozen
guys in a half dozen other home office outfits give us the hearty
Brons cheer and say in substance: "How the hell can you run such
junk? Ain't you got any pity on your readers?"......conveniently
forgetting that a few days before we ran similar "junk" on the
Titanic Campaign in which their brilliant efforts had been fea-
tured in putting over their company's big picture.....

- • • • NOW you can believe it or not......but all of these gents
are absolutely right in revering OVER THEIR CAMPAIGN.....for though
this chronological account of all the stunts that were pulled in putting
the campaign over may read flat and uninteresting to other hardboiled
guys in the biz......the sum total of this mass of hard work hits the
public as glamorous, exciting stories in the newspapers and mags......
great entertainment on the radio......novel byline that intrigues a
dazed public......in a word......that campaign has created a
GOLDEN HARVEST at the B.O. that repays us for all our headaches
and heartaches......keeps us in a job and otherwise makes life pretty
much worth while......now go on with this chronological account
of another campaign that has just been slammed over......and read it
with Enlightened Eyes as per the dope above set down......it's all
about "Golden Boy"......the Columbia smash that will bring to the
box-offices of the land a Golden Harvest......

- • • • EVERY angle was covered on the "Golden Boy" cam-
paign......timed to begin first and subsequent runs everywhere......William Holden, the screen discovery featured, was
brought to New York before the Music Hall opening......and the
newspaper feature writers and syndicates and wire and photo
services went for the colorful lad in a big way......there was
"Golden Boy" Day at the World's Fair Aug. 23......the Van
Schmus reception at the Hall......two major Coast-to-Coast hook-
ups......the Lowell Thomas dramatization of finding the Golden
Boy......and Gabriël Heather's swell presentation......two tele-
vision broadcasts of the trailer by NBC......in addition to the
regular pub campaign for the Music Hall opening in the local
papers, there was selective advertising in weekly mags......and
finally Holden's personal appearances touring key cities in the
East, with the lad going over in the grand manner with the press,
who liked his naturalness and easy manner......now go on and say
all this is lacking in Reader Interest......but that campaign will
roll in a golden shower for "Golden Boy"......and what do you want?.....Reader Interest or Bank Interest? you can't have both.....

MOMAND FILES SUIT IN EQUITY VS. MAJORS

(Continued from Page 1)

only the Griffith Amusement Co.
operators of three other theaters in Shawnee, file suit against the
Majors.

Named as defendants are Twenty-
Tenth Century-Fox Film Corp.; Para-
mount Film Distributing Corp.; Vi-
tagraphe Inc.; Lion's Inc.; RKO Ra-
dio Pictures; Columbia Pictures
Corp.; Universal Film Exchanges,
Inc.; and the Griffith Amusement Co.

"The plaintiff prays this Honor-
able Court to forthwith restrain and
enjoin said defendants from such un-
lawful discrimination and direct said
defendants to contract with the
plaintiff for the exhibition of such
films," the petition states, "as se-
lected by the plaintiff on a second
and subsequent-run which have not
heretofore been contracted for to be
shown in Shawnee, for a price in line
with the price charged for such
films in tourism similar in population
and location, so that this plaintiff
may keep its business alive, pend-
ing a hearing upon a preliminary in-
junction, and that upon such a hear-
ing for a permanent enjoining; that
the court order and restrain the de-
defendants and each of them and their
officers and agents from so acting on
contract and from so refusing the
plaintiff for exhibition in said Odeon
Theater at Shawnee, motion picture
films and supplies and from unlaw-
fully discriminating against the
plaintiff and from influencing or at-
tempting to influence any other mo-
stor distributor to furnish petitioner
motion pictures and supplies for ex-
hibition in the Odeon Theater at
Shawnee.

Federal Judge A. P. Murrah has
issued an order setting 2 p.m., Sept. 14 as the time for hearing the re-
quest for an injunction in his court
here.

Besides the injunctions the peti-
tion also asks that "the plaintiff herein recover its costs and such
other and further relief as may ap-
pear to the Honorable Court to be
just and proper."

The present suit is brought by
Momand while his 8,000 bond of
trust suits against the same defen-
dants as well as others is still pend-
ing in Judge Murrah's court here.
At one time Momand owned a cir-
cuit of some 28 theaters in Okla-
homa. He at present operates the
aforementioned Odeon Theater in
Shawnee which has five theaters,
three of which are operated by the
Griffith Amusement Company.

Legal counsel for Momand in this
case are Leverett Edwards and F.
Murray Hand, who had not ap-
peared in his previous anti-trust
damage suits.

"5th Avenue Girl"

"Fifth Avenue Girl" wound its sec-
ond run at the RKO Radio Palace
with a press which out-topped the first
week. The one-cast "Skeelengen: Danc-
ning Mother," at the same theater,
according to RKO.
Paramount's "THE STAR MAKER"

... with 99 Kids and Bing, smashes to tremendous first week gross at New York Paramount ... beating year's record and climbs to sock grosses in 47 key cities ... proving Paramount 200% right in predicting last picture, on 1938-1939 schedule, would be box office dynamite.

Paramount has the big
Paramount's New "BEAU GESTE"

...following its sensational three-week run at the New York Paramount, invades the keys to beat record-breaking "Union Pacific" for box office honors, running as high as 50% above "U.P."...averaging a good 20% above "U.P." across the country...proving Paramount 200% right in predicting 1939-1940 would be Paramount's year!
Richey, a representative of RKO, pleaded a cutting in the amount of pictures produced by his company rather than a cutting of quotas as the European crisis throw its shadow over the studio.

Col. Cole urged the convention to present a united front against monopoly. He declared the Neely bill was the only hope of the industry for a cure-all, and stated: "The bill will pass Congress if it is ever brought out of committee.

Commenting on the European situation, Cole said: "I hope the film companies will not consider a lower standard of production in view of coming "funds, etc., and discounts."

Hopes No Quality Let-Down "In fact," he added, "it would be bad faith on the part of the producers if they should not comply with an attempt to make up the European market." Col. Cole's words were later put into the form of a resolution which will be sent to all the major film companies.

A letter was received from Abram F. Myers, Allied general counsel, regretting his inability to be present.

Richey later added to his comments that RKO did not consider the Code dead and that there was hope of coming to an agreement with exhibitors on the matters under dispute.

A resolution was passed inviting the national Allied to hold its next session in Atlantic City as guests of the New Jersey association.

The following nominating committee was appointed: L. Gold, I. Dolinger, D. Shafer, M. Miller and D. Bergton. They will report back at today's session.

Highly attended last night was the annual banquet. Richey was toastmaster.

Eastern Regional Conference Eastern regional conference met in the hotel. Regional Vice-President Frank C. Lydon, of Boston, Mass., presiding. The meeting covered reports of all units on the past year's activities in regard to public relations, which covers legislation and litigation; business relations, which covers service to members in the form of co-operative purchases, film buying, and film company policies, etc., and financial, which naturally has to do with dues to the local and national organizations.

It was definitely established from the various reports received from Eastern units which extend from Washington, D.C., to Maine, that tremendous progress has been made and it was impressed upon the regional directors that under Col. Cole and Lydon that progress was child's play compared to the work which lies ahead. It was pointed out, particularly by the executive directors of the PTA and other effective civic organizations for some of the recent victories, and that it would be most gracious and judicious for members to continue their militant activities in conjunction with these organizations rather than to assume an attitude of snobbish placeman or over-confidence and wake up to find the ground taken from under them.

To Continue Militant Activities All regional directors were definitely charged by Lydon to return to their territories and continue their militant activities for industry reforms and to be prepared to attend the next Eastern regional to be held within two months in Philadelphia, with comprehensive reports of their progress. It was further agreed that future regional meetings shall be held at least every two months and more often in the event of unexpected emergencies.

New Co-op Takes Shape in Indianapolis Field
(Continued from Page 1)

of film theater owners; to reform abuses and secure freedom from unjust and unlawful exactions; to produce uniformity and certainty in the contracts, customs and usages of business; to adjust as far as practicable, controversies and misunderstandings arising between members and also those arising between its members and other theater, theater owners and corporations engaged in the distribution and production of motion pictures.

The corporation will seek to promote a more enlarged and friendly intercourse between members and the members and producers, to prevent unjust and unreasonable discrimination or conspiracy to any member and to act as agent and representative for any member or members in any of the paid and unincorporated activities according to its charters. It is reported that the underlying purpose of the organization is to act as a buying and selling agency.

Any film theater in this city will be eligible for membership. There is no capitalization. Incorporators are: Harry Markum, Oscar Kuschner and Irving Tamler.

"Little Old New York" and "Habeas Fix to Start"

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth-Fox will send both "Little Old New York" and "Habeas Corpus" to "Habeas Happens at Night" before the cameras next week. Former has Alice Playe, Richard Greene and Miss MacFadden in the leading roles while Sonja Henie, with Ray Milland opposite.

Dispute Hearing Today

Hearing before the State Labor Relations Board scheduled to be held yesterday on the jurisdictional dispute between the TMAT and the AFITC to be held over theater exchanges and extensions was postponed until today. It is expected that jurisdiction of the treasurers will be awarded to the IA and managers and press agents will be under the TMAT jurisdiction.

Holden In Buffalo

Buffalo — William Holden, star of "Little Old New York," now on a p.a. tour which includes Washington, Philadelphia, Pittsburgh, Buffalo, Detroit and Chicago as an itinerary, was the guest at a luncheon given in his honor here yesterday, which was attended by city officials, newspaper publishers and others.

Radio War News Recordings Supplied Charlotte Theaters for "Broadcasts"
Charlotte, N. C. — WBT is supplying recordings of news bulletins on the European war to local theaters to be played at the 7 p.m. and 9 p.m. intermissions. Recordings take three minutes and are being broadcast in theater lobbies.

Radio War News Recordings Supplied Charlotte Theaters for "Broadcasts"
(Continued from Page 1)

Charlotte, N. C. — WBT is supplying recordings of news bulletins on the European war to local theaters to be played at the 7 p.m. and 9 p.m. intermissions. Recordings take three minutes and are being broadcast in theater lobbies.

METRO PRODUCTION PLANS UNAFFECTED

The United States yesterday on the Manhattan from Europe. Others aboard the liner included Norman Street, who was greeted by Schermer at the dock; Elia Maxwell, Grace Moore, Gene Autry, Mrs. Violette, Richard Yates, Mrs. Walter Teas, Michael Lipton and Bill Bix, producer who had spent three months in Europe preparing for the Autry tour.

"No change in Republic's production plans in any way, shape or form are contemplated at this time because of the European War, and I am confident that exhibition and distribution in Europe will continue with only minor adjustments necessary," Yates told THE FILM DAILY.

Yates, when apprised of advice that the English theater would be temporarily suspended, stated that it was logical under the circumstances and that he had heard reports that moves were made before he left England. He termed "alarmist stories" as ridiculous.

Yates also stated that the fact that European governments are not going to allow theaters to remain closed under any circumstances must be provided for the public, and a general reopening of English houses can be expected. Yates stated that it was expected that the closing of the film companies was completed according to prearranged plans he had heard discussed before he left. Yates said he estimated that all branches had been severely depleted by mobilization and "everything that was done orderly and adequate replacements are available to fill gaps in the distribution organization's ranks," he stated.

Yates said that his company was approximately six months ahead of schedule in European productions and components, assuring the meeting of all release dates on time as the films have already been delivered. Total of 127 deliveries to England was mentioned. Yates then estimated that other companies were in approximately the same position.

The exec. stated that the company's domestic and foreign business was approximately 25 per cent ahead of last year at the same time and he anticipated a fine year for the organization.

"U-Boat 29" on Sept. 30

Columbia's "U-Boat 29," a drama of espionage and U-boat warfare, with Conrad Veidt in the lead, will be released nationally on Sept. 30.
**REVIEWS OF NEW FILMS**

"Angels Wash Their Faces"

with Ann Sheridan, the "Dead End" Kids. Warners 86 Mins.

GREAT MELLER WITH "DEAD END" KIDS DELIVERING STRONG IMPRESSIVELY.

Strong and stirring meller of prison life, with Brian Donlevy as a police investigator who gets himself sent up so that he can check on the activities of a gang of bank robbers. Several of the members are in the pen on a minor charge trying to evade the heavier rap. The thrill and suspense are well built up, involving the discovery by the prisoners who there is a cap in their midst, the subsequent jail-break, and then the final showdown at Donlevy fights with the escaped convicts as they go to uncover the bank lost. Jacqueline Wells plays the part of the sister of a dead criminal whose name Donlevy has adopted. When she enters the penitentiary, his problem is made difficult, but he wins her over to his side. This film has plenty of gripping scenes, well handled, and Donlevy's work is excellent and convincing.

**CAST:**
- Brian Donlevy, Jacqueline Wells,
- Joseph Cehan, Paul Fix, George Lloyd,
- Dick Curtis, Richard Fiske.

**CREDITS:**
- Director, Charles Barton; Authors, Charles T. Horan, Leslie T. White;
- Screenplay, same; Cameraaman, Allen G. Siegler; Editor, Richard Fantl.

**DIRECTION:**
Good. PHOTOGRAPHY, Fine.

Attorneys for Majors, B & K Ask Contempt Case Dismissal

(Continued from Page 1)

**misal of the government's criminal contempt proceedings in the Federal Court hearing yesterday before Mas-**

**ter Edgar Credling**

The attorneys argued that the government has not offered conclusive, irrefutable evidence of any collusion or conspiracy, merely hearsay and opinions.

**WB Going Ahead With Big Film Production; Two Are Set**

West Coast Bureau of THE FILM DAILY

Hollywood — Warners are going ahead with big picture productions in spite of war situation in Europe. First big picture will be "Virginia City," a tale of the early West, with Errol Flynn, Olivia De Havilland, Ann Sheridan, Alan Hale, Donald Crisp, and Frank McHugh in the cast. Michael Curtiz will direct this original story by Robert Buckner which goes into production in two weeks.

The second picture will be "Sea Hawk," with Errol Flynn, Olivia De Havilland, Geraldine Fitzgerald, and Donald Crisp in cast.

Jack Warner and Hal Wallis have decided to make a series of pictures in a lighter vein to combat the depressing stories in the news. Among these will be the "The Poor Nut," "Stuff of Heroes," "The Smiling Corpse," "Footsteps in the Dark," and others.

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New York City
213 Circuits and Theaters Plug Pix Golden Jubilee

Exhibs. Ignore War Situation as They Line Up Behind Anniversary

Generally accepted as indicative of exhibition confidence despite the situation arising from the outbreak of war in Europe, a total of 213 circuits and individual theaters have reported Golden Jubilee activities to the Fiftieth Anniversary Committee, it was learned yesterday.

In exhibitor circles, opinion was expressed yesterday that the Jubilee instead of receiving a setback as a result of the war actually would benefit from the psychological factor involved. It comes as a timely antidote to the flood of war news and rumors, and serves to spotlight films as an essential medium of escape, it was pointed out.

Newspaper reaction to the Jubilee has been highly satisfactory, it was said yesterday. Since Will H. Hays, MPPDA proxy, announced the anniversary plans, 80 favorable editorials and columns have reached the Committee headquarters. This is exclusive of news stories. Incidentally, it was stressed yesterday that American producers generally have made no cuts in space devoted to films despite the war news pressure. This situation also applies to radio columns.

Many individual angles are being developed in theater campaigns. RKO Theaters have tied up their Golden Jubilee with the Fiftieth Anniversary of RKO Theaters. A talking trailer is now running which uses the combined anniversaries as a news peg for the announcement of new screen attractions. Theaters are decorated and many special celebration stunts are being planned, according to Harry Mandel, director of advertising. "RKO salutes motion pictures! Golden Jubilee of hits," and "This RKO theater proudly joins in the celebration of the Fiftieth Anniversary of Golden Jubilee," are among the slogans being used.

Loew's circuit has tied the Jubilee to its new season product announcement, stressing the strong lineup for 1939-40, it was said yesterday by Oscar A. Doob. Full pages laying up display copy and stories have been used by newspapers in practically all cities.

National Theaters are using the

“Wearger that Life” Plays Wilmington

Warner House Ninth Time for Record

Wilmington, Del.—Universal’s “Ilmination of Life” set a new house record at the Warner-operated Savannah house playing that week. Runnieup to 9-day mark of “illumination” is Para’s “Jungle Princess,” which has played 8 engagements.

Union-Exhib. Parley Will Tackle St. Louis Dispute

(Continued from Page 1)

AAA Board is Reported to Favor “One Big Union”

(Continued from Page 1)

to work to this end. It was also learned that this step was reported to have been unofficially agreed upon between the IATSE and the AAA when they negotiated their peace agreement.

Executive secretaries of all member unions were made members of the committee, with the next step to formation of sub-committees. This step when accomplished will eliminate the dual dues system and consequently the member unions into a solid front that will increase operating efficiency and reduce overhead expenses.

Credo to Continue Eastern Production, Says Rebush

First of the indie producers operating in New York to make public a course of action following the outbreak of war abroad, Roman Rebush of Credo Pictures announced yesterday that he definitely will continue in the production field, in addition to his import, export and distribution activities.

Rebush, who has a new Jewish pix, "Mirele Efros," in the cutting room and plans release about Oct. 1, is at work on a story for another Jewish pix and will follow that with a Negro musical.

Anniversary in connection with their fourth national drive. On his recent tour, Spyros Skouras canvassed the entire FWC circuit, marking the Fiftieth Anniversary an important part of the campaign he outlined before a series of sectional meetings.

Eastern Skouras Theaters are making general use of the anniversary in programs, trailers and advertising. Public relations department of the Eastern circuit divisions are making wide use of Fiftieth Anniversary material in connection with sales, univerities, library and club co-operations.

Warner Bros. is handling its campaign on a decentralized basis. Mort Blumenstock distributed manuals to all theater managers, with each division directed to develop its own campaign.

One of the earliest campaigns to get under way was that launched by the Schine Circuit. Gene Curtis, director of advertising, developed an interesting trailer which opens with the May Irwin-John C. Rice “Kiss” made by the Edison Co. in 1896, Mary Pickford in “The Good Little Devil,” and John Bunny as Mr. Pickwick. It goes on to outline its “Movie Line Contest” and the line-up of new pictures for the season. A 64-page manual outlined the complete campaign for theater managers.

F. F. Vincent, of the Pioneer Theater Corp. in the Minnesota and Iowa area, has planned a series of special luncheons in each of his 12 towns.

The Allied Theaters of Michigan is planning to celebrate the Fiftieth Anniversary in connection with its own 20th Anniversary. Miss P. M. Meister, house manager, is preparing special material for the convention program in Kalamazo, Oct. 2-4.

George P. Hanbury of the Theater Division of the New York Public Library, is planning a special display of historical material on the motion picture in the Fifth Avenue Library the week of Oct. 1.

BRITISH PRODUCTION TO PARTIALLY RESUME

(Continued from Page 1)

naturally dictated. It was indicated on the basis of the advice, that partial resumption of British studio activity was in prospect.

Ralph Hanbury, U. K’s managing director for RKO Radio, cabled Proxy George J. Schaefer that the chief constable of each city has been empowered to reopen some or all cinemas in his district according to experience gained concerning vulnerability of air raids.

Hanbury stated that in his opinion that meant districts far away from the large centers will be permitted to reopen shortly but to a limited degree and with the possibility of restricted screening hours and a restriction on the number of operating houses in each district.

"Unfortunately," said Hanbury's cable, "these far away places are principally non-industrial towns with a thin population." Cable concluded, "Maybe experience will allow some theaters to reopen in main centers such as London, Birmingham, Newcastle, Glasgow, etc., within a reasonable period with perhaps similar screening restrictions."

(A cable to THE FILM DAILY from the Daily Film Renter, London, had stated that it was possible war-shaken theaters might reopen next Monday, the Home Office has represented as sympathetic to the trade's representations).

Murray Silverstone yesterday was advised by cable from Alexander Korda that the war will not interfere with completion of "Thief of Bagdad." Few remaining trick sequences are now being finished at the New Denham lab. In the meantime, the first print of "Over the Moon," another 1938-40 Korda production, has arrived in New York.

New Aschraft Distributor

Detroit—Assurance Supply Co., managed by Ralph Ruben, is taking over Michigan distributorship for Aschraft Projector Lamp.

Facts About Films

For 11 months of 1938, excluding December, 278 American pictures were released, 31.5 per cent of the total. Germany was second with 55 pictures, 15.1 per cent.
British Film Theaters in "Safe" Areas Reopened Saturday

WB TO PRODUCE ALL SCHEDULED LARGE-SCALE PIX

Majors to Go Ahead With Trade Reforms -- Kuykendall

Gov't Code Disapproval Won't Toss Them Into Discard, Says Kuykendall

Major distributors, despite the Code rebuff at the hands of the Department of Justice, are still determined to go ahead with trade practice reforms although at the present time the situation is unchanged, Ed Kuykendall, MPTOA prexy, told The Film Daily prior to his departure from New York for his Columbus, Miss., home Saturday morning.

Kuykendall, who had spent the week in New York conferring with William F. Rodgers, Metro sales exec, and spokesman for the Distributors Negotiating Committee, (Continued on Page 2)

MPTOA'S CONVENTION OFF; BOARD TO MEET

MPTOA will hold no 1939 convention this Fall, and instead the national board of directors will convene for two days, Oct. 23-24, at White Sulphur Springs, sessions being held at the Green Briar Hotel, (Continued on Page 3)

Warner District Managers Meeting to Discuss Sales

Discussion of sales plans under the new Warner merchandising policy will be the chief topic of discussion today when Warner district managers will attend meetings at the home office with their sales managers, Ben Kalmenson, Western and (Continued on Page 6)

GN Sets Financing

Grand National's financing arrangements will be completed this week, Presy Earle Haanmons stated Friday. He insisted that the company's production plans had been unaffected by the European situation at the present time and that they were going ahead on schedule.

Code's Cancellation Provisions Going Into Para.'s Contract, Keough Reveals

Paramount will incorporate cancellation provisions proposed in the Trade Practice Code in its new season contracts as soon as it is possible, Austin Keough, general counsel, told the Film Daily Friday.

Meanwhile, reports that Paramount is planning to put into effect other trade reforms, thus paralleling Warners recent action, and to this end was reviewing its exhibition contract, brought a "no comment" reaction from Neil Agnew on Friday.

CIO ATTACKS IATSE IN THEATER FIELD

Frontal attack on the IATSE and other theatrical unions in the American Federation of Labor fold has been started in the New York City area with a CIO charter granted to the United Theatrical & Motion Picture Service Employees Union giving them jurisdiction over operators, stagehands, ushers, doormen, porters and cashiers, it was learned Friday.

In two instances the new union (Continued on Page 4)

Defendants in Quemos Trust Suit Lose Move to Dismiss

Newark, N. J. -- Quemos Theater Co., former operator of the Mosque, was again successful in preventing dismissal of its $3,652,000 anti-trust damage suit filed nearly two years ago in Federal Court against a group of distributing companies.

Federal Judge Fave has filed a (Continued on Page 6)

LEE NEWBERRY NAMED N. Y. ALLIED'S PREXY

Atlantic City-New Jersey Allied brought its convention to a close here Friday by electing Lee Newberry of Belmar, President to succeed George Gold of Newark.

Other officers elected were Murray Miller, Fassaile, and Ralph Wilkins, Pitman, vice-presidents; Harry Lowenstein, Newark, secretary; and David Snaper, New Brunswick, treasurer.

Directors for the year will be (Continued on Page 6)

Court Denies All Defense Motions in Contempt Case

Chicago-Master in Chancery Eldridge has denied all motions by counsel for B & K and the majors for striking out parts of the Governent's case in the criminal cont (Continued on Page 6)

Brit. Theaters Reopen Sooner Than Anticipated; London's Turn Next

Para. Sales Execs. Meet With Agnew in Chicago

Chicago—Neil F. Agnew, Paramount vice-president and general sales manager, presided over a two-day sales conference with district managers and home office sales ex- (Continued on Page 7)

London (By Cable)—British film theaters in areas considered safe from aerial attack by German bombers opened on Saturday, 48 hours earlier than had been anticipated by the most optimistic following the trade representations to the Home Office on Wednesday.

Home Office decision on reopening (Continued on Page 4)

No Budget Slashes for Para.; Blumberg Sees Retreatment Talk Fading

The American film industry at the week-end gave further impressive assurances that, with the first shock of Europe's new war over, it had caught its second wind.

Harry M. Warner, proxy of Warner Bros., entraining for the Coast on Friday night after a five-day stay in New York following his return from Europe, said emphatically: "Despite unfounded reports from the West Coast, all large-scale pictures announced by our company will be produced on schedule."

Simultaneously on the West Coast Jack L. Warner, Warner production (Continued on Page 8)

UA PRODUCTION SETS NEW ACTIVITY RECORD

With six productions before the cameras, and five more completed and ready for release, in addition to four预防iments released this season, RKO Stock Underwriting Question to be Reopened?

Indicating that delay in passing on an underwriting agreement for the flotation of new RKO common (Continued on Page 7)

And How! ! !

"The Raines Came" to New York Friday at the Savoy from 20th-Fox, and to the entire city via a big storm. Reports were current Friday that the company's publicity department was arranging for a nationwide release of the picture. However, the picture opened in approximately 250 theaters in the eastern states, with long lines forming the theater all day. Reasons was said to be that the public was clamoring for the picture in every theater the company had been able to open.
Auten Request to Examine Natan Before Trial Denied

New York Supreme Court Justice J. Sidney Bernstein on Friday denied an application of Harold Auten for an order directing Bernard Nathan, president, Emil Natan, vice-president, and Marcel Hellman, sales representative, of Societe Pathé Cinema S.A., to appear for examination before trial. Auten had sought the order in connection with a suit for $350,000 brought by the distributors of Societe Pathé to recover proceeds, allegedly due on pictures. Auten was counter-claiming for $127,500 commissions allegedly due for securing of contracts for the plaintiffs with RKO.

Closed Shop for Ushers
Barred by Boston Peace

Boston—There will be no closed shop for ushers at 11 Greater Boston theaters. According to this decision of the N.Y. and the IATSE, has in return been guaranteed that no discrimination will be made against members of the local. The conciliation marks the end of a strike. A union wage scale of 35% cents an hour has been agreed to for the first-run Metropolitan, Strand and Paramount Theaters. The union scale at the other eight houses is 32% cents an hour, with the exception of the Broadway Theater in Chelsea. The walkout was confined to Boston.

Big Grosses Win Extended Dates for “The Old Maid”

Warner’s “The Old Maid” has been playing to top box office over the country since its national release last week. The 28 key city engagements heard from to date report that the feature is outgrossing “Dark Victory” substantially and seems headed for one of the biggest grosses ever chalked up by a Warner feature, it was said at the home office at the week-end.

Of the 28 engagements, 12 already have extended playing engagements with the film, with the remainder expected to follow suit as soon as the film completes its initial week.

San Francisco—Warner’s “The Old Maid” with the added attraction of the group of stars and featured players from the Warner studios who are making a p.a. tour throughout the West Coast territory, gave the Fox Theater a new all-time mark.

So. Calif. ITO Abolishes
The Post of President

West Coast Bureau of THE FILM DAILY

Hollywood—At the annual meeting of the Independent Theater Owners’ Association, an advisory board was created and the office of president abolished. Those elected to the board were: Albert A. Galston, Jack Y. Herman, R. D. Whitson, Mrs. Jenne Dodge, C. A. Ferry, A. L. Goren, H. W. Bruen, and R. A. “Bob” Poole, executive secretary.

Galston, retiring from the presidency, refused re-election and it was decided to abolish the post. He was unanimously elected to the board.

COMING AND GOING

H. M. WARNER, Warner presy, arrives in Hollywood this morning after a short stay in New York, following his return from Europe.

Y. FRANK FREEMAN, Paramount production chief, arrives in Hollywood today after conferences at the home office.

HERMAN WOBBER, director head, the former, arrived on the Coast for studio conferences.

JOHN HAY WHITNEY, Selznick International board chairman, flew to the Coast at the weekend.

NORMA SHEARER is at the Waldorf Towers.

JESSE LASKY has left Hollywood to continue his talent search for his radio show. He is currently in Little Rock, Ark.

ROBERT RISKIN is expected back from England and within the next 10 days when he is likely to announce distribution arrangements for Frank Capra Productions.

BILL CARTNER has arrived in Hollywood to join the Paramount studio publicity staff.

JOSEPH MARSHALL, international vice-president of Studio Artists Union Local 724, is due in Hollywood this week.

JOHN BEAL is on the Coast for a short stay on his personal business.

MICKY ROONEY is back at the Metro studios.

CHARLOTTE GREENWOOD and her husband MARTIN BРОDIE, have returned to the Coast after three months in Europe.

ED KUYKENDALL, MPTA presy, left New York Saturday for his Columbus, Miss. home.

Vaudé “Comeback” Set for 4 Brandt Theaters

The Brandt circuit is going through with its plans to revive Vaudé with “flesh” definitely scheduled for four houses as a starter.

The orchestras of Jimmy Dorsey, Sammy Kaye, Larry Clinton and Cab Calloway are among the attractions booked. The Flatbush Theater, Brooklyn, will have vaudeville beginning Sept. 15; the Audubon, 165th St. and Broadway, and the Windsor, in the Bronx, beginning Sept. 21, and Carleton, in Jamaica, beginning Sept. 28. If the policy is a success vaudeville may be extended to other Brandt houses.

Chi. Union Pact Up Today
Chicago—Film theater operators and exhibitors will meet again today for the 13th time since the declaration of war which has been in negotiation for weeks.

SAFETY—LLOYDS

FILM STORAGE CORP.

Storage by Reel or Vault 729 Seventh Ave.
New York 19 Phone 9-5600

Vol. 76, No. 49 Mon., Sept. 11, 1939 10 Cents

FINANCIAL

(QUOTATIONS AS OF FRIDAY)

NEW YORK STOCK MARKET

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NEW YORK CURB MARKET

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| Technicolor          | 12    | 11 1/2| +1/2|
| Universal Corp.      | 11 1/2| 11 1/2| +1/2|
| Universal Corp. t.   | 11 1/2| 11 1/2| +1/2|

N. Y. OVER-THE-COUNTER SECURITIES

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MAJORS GOING AHEAD WITH TRADE REFORMS

(Continued from Page 1)

and other sales chiefs, emphasized that whatever the ultimate distributor decision as to the Code itself, the major of trade reforms was very much alive.

It was indicated that some attention is being given to possible measures to overcome the D of J stymie.

"Trade reforms are not going to be tossed into the discard because of Governmental disapproval of the Code," said Kuykendall. "There are certain Code provisions that easily can be inserted in contracts and I am convinced that, as an alternative, this will be done generally. The MPTOA is interested in the goal, not the means; I don't care whether trade reforms come through the Code or whether they are assured by some other avenue."

Touching upon desired reforms, Kuykendall characterized clearance as "the sore spot in the industry" and said solution of the problem overshadowed all else.

Soviet Gov't Orders Anti-German Films Withdrawn to Avoid Friction With Nazis

Moscow (By Cable)—Several anti-German pictures have been ordered withdrawn from the theaters in an effort to avoid friction with the Nazis. Among them are "The Road to Victory" adapted from a Tolstoy play, "Professor Mamlock," "The Oppenheimer Family," and "Alexander Novikov."

All comments on anti-German films, historical or contemporary, are being deleted from the public books on the development of the Soviet motion picture new in course of preparation, it is learned.

Warner's to Release Four in October, Says Sears

Warner's will release four productions in October, it was announced over the week-end by Gradwell L. Sears, general sales manager. They are: "Espionage Agent" (FN) featuring Joel McCrea and Brenda Marshall (Oct. 7); "Pride of the Blue Grass" (WB) featuring Edith Fellows and James Cagney (Oct. 14); "Smashing the Money Ring" (FN) with Ronald Reagan and Margot Stevenson (Oct. 21); and "The Roaring Twenties" (B) starring James Cagney with Priscilla Lane, Humphrey Bogart and Gladys George (Oct. 28).

MPA Meets Tomorrow

Regular meeting and luncheon of the Motion Picture Association will be held at the Astor tomorrow. Plans for the annual dinner and dance will be discussed in addition to regular business.

189 Simultaneous Openings for "Dust Be My Destiny"

With the addition of 17 key city dates over the week-end, Warner's "Dust Be My Destiny" starring John Garfield and Priscilla Lane will have a total of 189 simultaneous engagements this week.

Additional dates are:

Warner, Bridgeport; Roger Sherman, New Haven; State, Harrisburg; Orpheum, Sioux City; Capitol, Lancaster; Geneva, Lake Geneva, Wise; Iowa, Cedar Rapids; Warner, Milwaukee; Mary Anderson, Louisville; Palace, Bethlehem; Ohio, Canton; State, Portland; Strand, Hartford; Lawler, Greenfield, Mass.; Keeney, Elmhurst; State, Johnston; and Palace, Danbury.

Indianapolis Reopening

Indianapolis—The Indiana Theater will reopen Friday, according to Kenneth Collins, manager.

MPTOA'S CONVENTION OFF; BOARD TO MEET

(Continued from Page 1)

Ed Kuykendall, MPTOA prexy, announced at the week-end.

Originally the MPTOA had planned a national convention for San Francisco. In all probability, the next convention will be set for the Spring.

Stage Hands, Engineers Talk New Detroit Pacts

Detroit—Local 38, stagehands, is negotiating with all Detroit theaters employing stagehands for new two-year contracts, and is understood to be asking for continuance of present provisions.

Negotiations between theater operators and Local 5, International Association of Operating Engineers are continuing, with day to day operations under the old contracts which expired on Sept. 1. No agreement for two weeks is forecast of insiders, with both sides far apart on conditions.

Re-Issue War Films

Jewel Productions is re-issuing two war films, "It Can Happen Again" ("Forgotten Men") and "War Is a Racket."

Should HE divorce his wife... or was this new romance merely an INTERMEZZO?
BRIT. PIX THEATERS ALREADY REOPENING

(Continued from Page 1) of theaters in the West End and other large centers is expected within a few days—possibly today. (That the Home Office was giving "sympathetic consideration" was hinted while presented by a joint CEA-KRS deputation, was exclusively published in The Film Daily on Thursday.) It was disclosed that those theaters reopening would be permitted not only to operate during the day but would remain open until 10 p.m. The Home Office decision was given the trade Friday and came on the heels of an editorial barrage laid down by the influential Evening Standard of Lord Beaverbrook, which said that closing of the film theaters had brought on increased drinking.

"Madrid watched Charlie Chaplin when Franco was beating at the gates of the city," the Standard thundered, "so why not here? We don’t want to fiddle while Rome burns, but we will fight none the worse for an occasional glimpse of Ginger Rogers and Deanna Durbin who will not distract us from our duties."

Cables received in New York trade circles at the week-end indicated that theaters permitted to reopen by the British Government amounted to 60 per cent.

License of "Bank Nite" Ends Athol, Mass., Fight

Athol, Mass.—The Selectmen, licensing authorities of the town, have announced an agreement with the management of the York Theater for the resumption of Bank Night.

The agreement is an outcome of conversations with Preston Bank Night and Bingo were stopped in March, 1938. Under the new agreement the town will receive fees of $40 for each Bank Night as well as a total of $350.00 to reimburse the town in full for expenses incurred in a lawsuit brought by the theater management since the former Bank Night was stopped.

Under the previous setup the town received but $30 per year for the theater license whereas under the new agreement the amount to be received for a full year means about 20 cents on the tax rate, it is pointed out.

Sophie Tucker Back in AFRA

Sophie Tucker has been reinstated in the American Federation of Radio Artists, following the recent settlement of the union jurisdiction dispute with the stagehands’ union. She was suspended from AFRA for her activity in support of the American Federation of Actors.

CIO ATTACKS IATSE IN THEATER FIELD

(Continued from Page 1) has petitioned the State Labor Relations Board for recognition as the bargaining agent for ushers, cashiers and doormen at the RKO Metropol.

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ALONG THE RIALTO

with PHIL M. DALY

• • • IN a recent issue we ran a box about an usher at the B & K Chicago theater being appointed to Annapolis....this story intrigued the folks at the Orpheum Theater in Madison, the one house of the Ashley Theater Co. in the Wisconsin city....because one of their ushers made the grade at West Point...

• • • SOME time ago Rollin Hamelin was an usher on the Orpheum’s main floor, assigned to aisle three....in his spare time he attended the University of Wisconsin....one day he told J. H. Rupp, Director of Service Staff, that he would be leaving soon, as he had completed his examinations and qualified for West Point. "Rolly" used the ushering job as a stepping-stone to better things....every once in a while he comes back to Madison from the military academy to visit his folks....he drops in to see his old theater pals, and tell them how much benefit he received from his training as an usher....he has made the ushers very proud of him....he has shown them how to look ahead and visualize a future while working up and down a theater aisle ushering patrons....and so Director Rupp sends sincere best wishes to this B & K usher from all the Orpheum staff in Madison....just a lil’ Human Touch between theater workers many miles apart who don’t even know one another...

• • • ACCORDING to Besa Short of the Interstate Circuit down in Dallas...things are a-goin’ on down in the Southwest that we should know about.....ever since Blanche Ratton, Interstate’s only woman manager of the Melrose Theater in Dallas, put on an All-Short Subject Program without a feature picture....the idea has been catching on and cashing in....not only for Interstate but for the other large circuits in that territory....

• • • ONLY recently Charlie Meeker, Interstate’s Dallas assistant city manager, and Henry Long, manager of the Melrose Theater, put over an All Short Subject Program....and not only broke several records but increased business 300 per cent....

• • • THE idea of the All-Short Show as several shorts booked with a feature is growing by leaps and bounds....Standard Theaters of Oklahoma City are doing swell business with a regular weekly Variety Show at the Midwest Theater where Spice Pierce uses five or six outstanding shorts with an average feature....Jefferson theater’s Irwin Waite at the Paramount in Marshall, Texas, is having great success with All Cartoon Shows....Rob & Rowley’s Don Douglas recently booked an All-Short Show in Huntsville, Texas, and doubled the take....so.....Besa Short figures that this favorable reaction to Shorts when they are given a break deserves suitable recognition....so we do.

• • • SMASH publicity break....for Little Irene Dere of RKO Radio’s “Breaking the Ice”....in the Hearst newspapers....with the youngster featured in the color section.

Albany—First important test to powers of the New York censors, “Ecstasy,” which was banned nearly four years ago, comes for the second time today before the Appellate Division of the Supreme Court in a modified manner.

“Ecstasy” is a Czech-Slovakian picture to which distribution rights are owned in this country by Eureka Productions, Inc., today’s appellant. Banned as “indecent” by Irwin Esmond, chief New York censor, in its original sequence, the film has been reshelved into a 1939 “streamlined” version in which a marriage proposal is supplanted by some of the objectionable scenes. Film was again rejected by Esmond and the reviewers early in February, however, and since has failed to get a license on appeal to the Board of Regents, hence today’s resort to court test.

Sennett to Produce

Waltz Coast Bureau of THE FILM DAILY Hollywood.—With a feature comedy, “Gas Masks,” planned as the first production, Mack Sennett says he will remain as an indie producer in 60 days.
The Rains Came
with Tyrone Power, George Brent, Myrna Loy, Brenda Joyce
20th-Fox
104 Mins.

BRILLIANT STORY SUPERFY PROJEC-TO THE SCREEN WITH STAR-CASTED THEUM IS A SURE-FIRE BOX OFFICE SMASH.

Exhibitors can advertise this as a "must," it sweeps breathlessly through its dramatic telling to a climax that will leave movie-goers both glad and sad. And, mark this, it cannot fail to please every type of audience. Clarence Brown has delineated the characterizations sharply and honestly, and he makes the most of every situation provided by the well-knit script Philip Dunne and John Farrow, the Louis Bromfield best seller. George Brent is excellent as a hard-drinking, shift- ing Feudal millionaire who makes a ruin of his daughter's life. The discarding of the old marriageable granddaughter for the young opening the door of the menacing Zodiac. Pauline Moore plays the part of a mind-reader, and is of great assistance in helping the sleuth track down his quarry. She almost loses her life as she is about to reveal him as the killer of the author, but Chin moves in swiftly and the criminal is in the tood of the law. Sidney Toler is impressive in the part of the crime specialist. Cesar Romero as the great Rhandini is fine. San Yung is the amusing son of the general detective.

CAST: Sidney Toler, Cesar Romero, Pauline Moore, Myrna Loy, Brenda Joyce, George Brent, Myrna Loy, Brenda Joyce.

PHOTOGRAPHY, 59 Mins.

SUSPENSE AND THRILLS FOR THE FANS IN CHARLIE CHAN WHO-DUNIT. Charlie Chan in the picture is the sleuth played by Sidney Toler starts on the trail of a master criminal operating at the San Francisco Fair. The criminal is a magician who deals in occult science in a Temple of Magic. A writer has been murdered and his death made to appear suicide, but the Oriental sleuth learns that he was writing a book exposing the tricks of the occultist. Chin works on the murder and with success. Sidney Toler, as the detective and another magician (Cesar Romero) in unravelling this and other crimes is played by Douglas MacGregor. Kenne Duncan

CHARLIE CHAN AT TREASURE ISLAND
with Sidney Toler, Cesar Romero, Pauline Moore
20th Century-Fox
59 Mins.

DIRECTIONS AND THRILLS FOR THE FANS IN CHARLIE CHAN WHO-DUNIT.

Full Confession
with Victor McLaglen, Sally Eilers, Joseph Calleia
RKO Radio
75 Mins.

FULL PERFORMANCE BY MCLA-GLEN AND CALLEIA IN EMOTIONAL DRAMA MAKE SWELL ENTERTAINMENT.

Here is a highly tense-dramatic production that brings Victor McLaglen back to the type of performance that shot him to the heights in "The Informer." He handles an exacting part with impressive ability, as does Joseph Calleia who forsakes his heavy roles to play a priest. McLaglen on Christmas Eve breaks into a department store to steal a fur coat for his girl (Sally Eilers) who has expressed a wish for one. Surprised by the watchman, (Barry Fitz- gerald) he knocks him out, steals his gun, and makes his getaway from the police. The discarding gun later convicts the old watchman, who is sentenced to death. McLa- glen has cunningly had himself committed to jail for a short sentence for a minor offense, by breaking a window of a store to drive off the cop's murder, thus establishing an alibi if he should be im- plicated in the crime. A quarrel between convicts results in McLaglen's serious injury, and he is thought to be dying. He confesses the murder to the priest, who is bound by his oath to keep the secret, even though it parishes the watchman, is about to pay the penalty for the other's crime. Then the drama of the story grows with increasing intensity as the priest exerts every effort to persuade McLaglen to confess. In a tense scene, he does finally give himself up to the police, and the priest has won a great victory. The picture ends on a high note of spiritual exaltation. Here is a film that will exert profound influence on religious elements. It will also appeal to the average film audience with its powerful emotional appeal, and splendid acting of the two principals. Great direction by John Farrow, and the acting throughout is exceptionally fine.

CAST: Victor McLaglen, Sally Eilers, Joseph Calleia. Screenplay, Jerry Cady; Editor, Harry Marker.

DIRECTION. Excellent. PHOTOGRAPHY. Fine.

Blarney to Alexander
William Alexander has secured the American and Canadian rights to the British play "Blarney" starring Em- mio O'Don, Dublin stage comedian. Film will have its American premiere at the Academy of Music, Brook- lyn, Sept. 17.

Director, Clarence Brown. Based on the novel by Louis Bromfield; Screenplay, Philip Dunne and Julian Josephson; Editor, Barbara McLean.

DIRECTION, ACES. PHOTOGRAPHY, Brilliant.

The Girl From Rio
with Movita, Warren Hull
Meller for Naborhood Fare Has Movita Spreading Her Charm.

Fair number for the naborhoods, with Mo- vita as the South American singer in New York, endeavoring to secure the rich Neville, her brother who has been framed on a firebug charge through the conniving of the owner of a night club whose side- racket is collecting insurance on incendiary happenings he has created. She is aided by Warren Hull, who with the help of an insurance investigator, plans to get the evi- dence from the racketeer by having Movita planted as a singer in his night club. She secures the evidence in showing that the valuable stamp collection on which he col- lected the insurance is intact in his safe. She helps the rich Neville, friend of the night club owner discovers what the new singer's real objective is. The dramatic finale has the hero entering in time to save Movita from her tragic fate at the hands of the racketeer, and facing him with his guilt. Movita is very personable and appealing, and she sings with her Spanish numbers.


DIRECTIONS: Editor, Russell Socheongrad.

DIRECTION, Fair. PHOTOGRAPHY, Good.

"Prisoner of Corbal"
with Nils Asther, Noah Beery
Unity
75 Mins.

ADAPTATION OF SABATINI NOVEL IS WEAK AND UNINSPIRED.

A very weak and disjointed production attempts to bring to the screen the Rafael Sabatini story of the French Revolution. The trouble is that it jumps around from romance to the melodramatic, then kicks in with some rather risque incidents, some of which have been obviously clipped, so that the entire film is disjointed, choppy and uneven. Hazel Tully plays the role of the girl who is saved finally from the guillotine. Nils Asther plays the part of the bandit—a role far better suited to fine as the aristocrat in love with the girl. Noah Beery does a characteristic bit as a soldier.


DIRECTIONS: Editor, Karl Grune; Author, Rafael Sabatini; Screenplay, S. Fullman; Producer, Otto Kantorek; Editor, Barbara Stovikis.

DIRECTION, Weak. PHOTOGRAPHY, Fair.

"Stop, Look and Love"
with Jean Rogers, William Frawley
20th Century-Fox
57 Mins.

STARTER FOR NEW FAMILY SERIES SHOULD DO OKAY WITH POP AUDI- ENCES.

Looks like the launching of a new fam- ily series, the family being the Hallers. The story revolves principally around the efforts of Jean Rogers to have herself a boy friend, with mother (Minna Gombell) gumming things up by making the young man believe he is already part of the family. So daughter has to get her enter- tainment away from home with the ad- mirer. Richard Kolland plays the suitor. Then there is dad, played by William Frawley; Cora Sue Collins the kid sister who wants to crash the movies; Harry Neville, a likeable youngster who is sweet on Cora; Jay Ward as the jitterbug type. The cast seems to have the edge on their material, but the pix should do okay with popular audiences.

CAST: Jean Rogers, William Frawley, Robert Kolland, Minna Gombell, Rafael Collin, Cora Sue Collins; Jay Ward, Roger McGregor, Lilian Haid.

DIRECTIONS: Producer, Sol Wurzel; Direc- tor, Otto Brower; Author, Harry Duff; Screenplay, Harold Tarliss, Sada Cowan; E. Cameron, Lucien Adroit; Editor, Nick de Maggio.

DIRECTION, Fair. PHOTOGRAPHY, Good.
LEE NEWBERRY NAMED N. Y. ALLIED'S PREXY

(Continued from Page 1)

DOMESTIC
WAR AND FILMLAND: Outbreak of hostilities in Europe found the film industry here also calm and resigned to effectuate every step necessary to keep in normal high gear. Hollywood at the week's outset let it be known that the conflict overseas will not stop dream curtailment to include schedules. 20th-Fox and Metro took the lead in announcing that they would not go on strike. A.A.ATSE manager, the consensus of other companies showed full agreement. The distribution and exhibition fields also took in prize-worthy stride across the Atlantic. Well-informed executive sources admitted that a curtailment of activity on the Continent was inevitable, but expressed conviction that there would remain, and some substance of the European market open. It was also stated that, with careful planning and in light of the cessation of British and French production, Hollywood films would be in line to fill playing time left open in foreign markets.

LAW: Over the Labor Day weekend, the A.A.ATSE manager prevented a strike in the threatened labor war. Negotiations brought about a peaceful settlement of the case, the A.A.ATSE manager, the reinstatement of Miss Sophie Tucke; pact of the unions not to invade any other province's No mention was made in the agreement of Ralph Whitehead, who had been a vortex of the bitter controversy

THE COURTS: The court in the Big Labor Day week-end was the filing in Federal Court here of a list of 61 questions raised by the defendants in the trade journal's case. The Government's equity action by the

Charles Loewenberg Dead
Milwaukee, Wis.—Word has been received here by H. J. Fitzgerald, general manager of the Fox-Wisconsin Amusement Co., of the death in Cincinnati of Charles Loewenberg, advertising and publicity manager for the circuit. Loewenberg had been suffering from arthritis for the past year and had gone to Cincinnati five months ago to regain health. He had been associated with Fox-Wisconsin and Fox-Midwest for many years and prior to that with Paramount in Cincinnati and Indianapolis. He is survived by his wife and a daughter.

Shift Premiere Place
"A Brivole Der Mamen," Joseph Green's newest Yiddish picture, previously announced to open at the Waldorf Theater, will, instead, have its American premiere at the Belmont Theater next Thursday. The picture, which was made in Poland by the Sphinx Film Co., has English titles.

"End of a Day" Opening
"The End of a Day," French film, being released by I. E. Lopert of Jumbo Films, Inc., will have its American premiere tonight at the Filmarte Theater for the benefit of the Actors' Fund of America.

TO "Tugen" IN WB
West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros., has acquired the picture rights to the "Tugen" Annie" stories from M-G-M. The stories will be produced by Bryan Foy, with Alan Hale playing a leading role.

Name Larsen Time Prexy
Election of Roy E. Larsen as president of Time, Inc., succeeding Henry R. Luce, was announced at the week-end, following a special board meeting. Larsen had been vice-president. Luce continues as board chairman.
REVIEWS OF NEW FILMS

★ SHORTS ★

“The Story That Couldn’t Be Printed”  
(Passing Parade)  11 mins.
Fine Patriotic Red

The dramatic story of how the foundation for freedom of the press was laid in America. Back in early Colonial days, a printer named Zanger exposed the rights of an official who was misappropriating public funds. A friend of his, John Alexander, undertook to secure positive proof so that the other could gain the facts. Zanger was jailed. At the trial, Andrew Hamilton, the lawyer, defended him and went into the courtroom and announced that he was there to defend the prisoner. His plea was so eloquent that the jurors swept off their feet and brought in the verdict of innocent, thus securing freedom of the press in this nation. Directed by Joe Newman.

“One Against the World”  
(M-G-M)  10 mins.
Excellent Medical Drama

The dramatic story of Dr. Ephraim MacDowell, who was hailed in surgical history as the first doctor to perform a major operation with a horse as an anesthetic. On Christmas Day 1860 in a small American town, Jane Crawford lay dying, an operation her only hope. The doctor started operating as a bigoted mob outside threatened to break in andlynch him. As they threw a rope over a tree, ready to Lynch the “murderer with a knife,” the husband of the sick woman comes to the room and dramatically proves the operation has proved successful. Directed by Fred Zinnemann.

“Betrayal” at Little Carnegie

“Betrayal,” film portrayal of the life of Catherine the Great, will have its U. S. premiere at the Little Carnegie Theater Friday. Based on the novel, “The Princess Tarakanova,” by G. P. Danilevski, is re-leased by World Pictures Corp.

Daly Reopening the Lily

Plainfield, Conn. — Michael Daly, operator of the Capitol and Victory, Lowell, and the Daly, Hartford, reopened his newly-acquired Lily Theater here Friday on a six-day a week schedule with Edward Sokolovsky, formerly of the Capitol, Lowell, as manager.

Kathryn Kidder Rites Held

Funeral services were held in New York Friday for Kathryn Kidder, 71, veteran actress and wife of Dr. Louis K. Ansapher.

“Rhumba Rhythm”  
(A Miniature)  10 mins.
Good Hollywood Fun

A couple of young girls, film fans, visit Hollywood and crash the exul-tation Green screen in order to get a close-up view of the picture greats. There is a rhumba contest scheduled, and two male partners ask the girls to team up for the prize. They both are declared winners, and the silver cup is given to the girls. But they get an awful shock when their par-tners present their cards and bill as professional instructors. The girls are Helen Treen and Sally Payne. George Murphy acts as the contest judge. Directed by Sammy Lee. Produced by Lewis Lewyn.

“Take A Cue”  
(Pete Smith Speciality)  9 mins.
Expert Billiards

A remarkable exhibition of billiards by the champion, Charles Peterson. He starts off with the elementary shots, and then "works into a series of brilliant plays, one more magical than the other. His amazing trick shots will leave the audience gasping. Directed by Felix Feist. Pete Smith gives his usual crisp narration. Pete has a store of booky gags against the champ to score the guffaws.

“The Bookworm”  
(M-G-M Cartoon)  9 mins.
Fine Fantasy

A melodrama enacted in the library, with the various fictional characters coming to life. "Macbeth" starts it when the three witches brewing a devil’s potion require a worm. The "Raven" is assigned to get the worm. He goes in search of a bookworm, and the chase is on. The chase calls into activity such characters as Paul Revere, King Ar-thur, the modern Gang Busters, who finally save the poor bookworm from going into the witches’ brew.

Linda Hill In P.A.’s

Linda Lee Hill has completed a week of personal appearances at the Academy Theater in Lebanon, Pa., in conjunction with the film, "Lure of Hollywood," in which she is starred. Pix was made by Allied Productions of Philadelphia, and p.a. tour is scheduled throughout Pennsylvania theaters.

New O. C. Suburban House

Oklahoma City — Another new suburban theater is under contemplated construction in Oklahoma City. Building is being planned by H. C. Keaton, owner of the Keaton Ice Co. There are no other houses within a mile of the location at present.

HOLLYWOOD

New Linda Ware Vehicle

CHARLES R. ROGERS has set a new picture for Linda Ware, who appeared in the "Star Maker." It will be titled "A Star Is Born," story by William Pierce and Mildred Barish.

Start New Holt Picture

The Larry Darmour-Jack Holt production, "Illicit Cargo," to be released by Columbia, is under way. Cast includes Jack Holt, Irene Ware, Eduardo Cianelli, Harry Carey. Director will be Lewis D. Collins.

Lyrics by William Le Baron

Going back to his first love, song writing, which originally brought him into the business of making entertain-ment, William LeBaron, production head of Paramount studios, has contributed the lyrics for most of the top songs in "Victor Herbert," now being produced at LeBaron’s plant. LeBaron has for long been an admirer of Victor Herbert, and had at one time contemplated writing an extensive biography of the great American composer.

New Pact for Priscilla Lane

Following her performance in "Four Wives," Warner Bros. has awarded a new term contract to Priscilla Lane. New deal becomes effective in two weeks.

Metro Retains Cummings

Jack Cummings signed a new contract as producer at Metro.

London Play for Robinson?

Warners is rushing preparations on "Footsteps in the Dark," as a possible vehicle for Edward G. Robin-son, who returns to Hollywood in a few days from New York and a vaca-tion in Europe. Decision on the pic-ture will be reached following the star’s return to the Burbank studio. "Footsteps in the Dark" is based upon a London stage success of last season.

Pagnol Cancels N. Y. Trip

The French Cinema Center has received a cable from Andre Boisson, general manager of Les Films Marcel Pagnol in Paris, stating that Marcel Pagnol will not be able to come to the U. S. as planned to sit in the proceedings now under way to have the New York censor ban on "Har-vest" lifted. Pagnol has joined his regiment.
Major Studios Going Full Steam Ahead With Production

"Beau Geste" Intake 10-80% Ahead Of Average in 9 Pre-Releases

(Continued from Page 1)

Chief, emphasized there would be no pre-release print commitments, said that the company looks to the domestic market to offset any foreign business drop. He also stated there would be no salary cuts, but there would be tightening up on unnecessary expenditures.

Jack Warner declared there would be no spreading of release dates on big pictures and that between Sept. 1 and Jan. 1 the company releases will include "The Old Maid," "The Roaring Twenties," "The Private Lives of Elizabeth and Essex," "Our Yesterdays," "We Are Not Alone," "Invisible Stripes," "Four Wives," "Espionage Agent" and "Dust Be My Destination," which with one other release for that period, represents a cost of approximately $10,000,000. "Espionage Agent," has been delayed at the Strand Sept. 22, it was said.

More Big Warner Pix

Among pictures not announced at the sales convention which Warner Bros. will release in "The Fighting 69th," "Virginia City," "The Pat Ledger Kid," "The Sea Hawk," "Captain Horatio Hornblower" and "We Shall Meet Again.

Warner announced that anti-frauds pictures will be produced in view of the American declaration of neutrality.

Declaring that Paramount would not alter its production plans in any way, slash budgets or retrench along other lines at the present time because of the war, Y. Frank Freeman, studio production chief, left for the Coast Friday night after conferring with executive. He is to return in 10 days with Barney Balaban, Neil Agnew and other execs.

Freeman, who was accompanied to the train by Balaban, said that the studio was about six months into its 1938-39 program, half of its product being completed. He said that Para. had not planned to distribute any of its British-made pictures here this year and therefore no replacements would be necessary on the schedule.

Record Intake for "Beau Geste"

Strongly indicating that the American box-office was not adversely affected by the war, it was disclosed by Para. at the week-end that "Beau Geste" running from 10 to 80 per cent above average in nine pre-release key cities while in nine other engagements the picture is outgrossing "Union Pacific.

Best showing thus far has been at the Metropolitain, Boston, where the 80 per cent figure was scored. At the Paramount, Newark, "Beau Geste" is from one cent ahead, while the Center, Salt Lake City, reported 48 per cent, the United States in Paterson, 45 per cent, the Majestic, Houston, 25 per cent, and the Palace, Rochester, Great Lakes, Buffalo and Alabama, Birmingham, all 10 per cent.

John W. Hicks, Jr., Para.'s vice-president in charge of foreign operations, who arrived in New York Friday on his trip to Australia and New Zealand, found his prediction that theater business there would not be adversely affected by the war substantiated in a cable received here on the same day by Dan Carroll, Australian circuit operator.

Australian Biz Up

Cable advised the Aussie exec, that Para.'s "Jamaica Inn" in the week which saw Australia enter the war gave the Prince Edward Theatre in Sydney its best biz in three years. Carroll, who conferred with the producer that night, said that the news of the end of the war, by the minds of American producers who were of the impression that theater grosses abroad would drop considerably due to war conditions.

Nate Blumberg, Universal prexy, returning Friday to New York after three months spent at the studio, was of the opinion that the present war crisis would have little effect on the company's course and added that once the industry could get a complete analysis, based on reliable information, much of the current retracements in Hollywood would dissipate.

Blumberg to The Film Daily expressed unqualified satisfaction with the company's condition, present and future.

"The remarkable tribute paid to Universal through the Exhibitor Sponsored Testimonial Drive" said Blumberg, "cannot be measured in cash and cents alone. More important by far is the expression of exhibitor confidence in the company's progress, which means that from now on Universal may contemplate production expansion along lines that would have called for the greatest degree of caution in the absence of such knowledge."

Blumberg said that no change in U's production plans in regard to the number of features announced is contemplated, adding that the embargo on production is an expression of the drive with big pictures. "That's the language every exhibitor must understand," he put it.

Full Steam Ahead at UA

Murray Silverstone, UA top exec, expressed anew of UA's plans that UA and its producers were following the "full steam ahead" signal. Silverstone foresees the next six months as one of the most important periods in the industry's history, with the screen meeting a most vital need at a time of unsettled world conditions.

Expressing a representative exhibitor viewpoint, Ed Kayeendall, MPTOA, on Sunday urged the industry to avoid the jitters and paint their pictures without the usual stock of the war situation. Kayeendall deplored alarmist talk of drastic production curtailment and called for sanity along the line.

"It looks to me that some are attempting to cross the river before they come to the bridge," he commented. "In my judgment, we should have very good business for some time to come. Inevitably, films will benefit from prosperity, and war trade, if experience counts, means that for the United States."
65 Per Cent of Paris Film Theaters Reported Operating

NO WAR CURTAILMENT IS PLEDGED BY MORE MAJORS

Broadway’s Picture Grosses Continuing at High Level

“The Rains Came” Gives Roxy
New Sunday House
Record

Paced by record-breaking business at the Roxy where the 20th-Fox picture “The Rains Came” established an all-time house record for Sunday afternoon, Broadway houses over the week-end continued their upsurge in business over recent week-ends with a number of holdovers resulting from the improved attendance figures.

“The Rains Came” at the Roxy was reported to be paralleling the all-time house records set by “Alexander” and a new record for Sunday day business was established. Ex-

(Continued on Page 3)

100% CO-OP PLEDGED
BY PARA. PARTNERS

Chicago—Paramount, prepared to proceed with its seasonal production schedule without deviation as a result of the European war, has pledged 100 per cent co-operation by its theater partners, the assembled sales executives were told here at a meeting called by Neil Agnew, distribution chief.

Agnew said that the company
(Continued on Page 6)

WCAU Applies for Television Transmitter in Philadelphia

Philadelphia—Application for permission to construct a television transmitter in this city was filed yesterday with the FCC by station WCAU, which states in its application that it wishes to study studio
(Continued on Page 6)

NLRB Sets Sept. 20 for Vote on Studio Workers’ Bargainer

West Coast Bureaus of THE FILM DAILY

Hollywood—NLRB has set Sept. 20 for the election at which time studio workers are to decide whether
(Continued on Page 6)

Spaniards Spurn Nazi Pix Gala Program

Burgos (By Cable)—Gala performance of Nazi films, under sponsorship of the Falangist party and with German and Italian ambassadors attending, was flopped.

German pix debacle was in marked contrast to the 200-block salute by a nearby house which, in opposition, played a revival of the Spanish version of “All Quiet on the Western Front.”

MPTOA Board of Directors to Tackle
17 Unsolved Problems at Va. Parley

With the MPTOA board of directors scheduled to convene in White Sulphur Springs, Va., Oct. 23-24, “for a point by point, forthright discussion and consideration of industry problems,” Prexy Ed Kuykendall yesterday released a general bulletin which cited 17 important problems as demanding serious consideration by responsible exhibitors.

To be tackled are these questions:

(1) Can the industry work out a practical trade practice program under present conditions?
(2) Will the Dept. of Justice really try to block a practical, effective solution of trade practice problems?
(3) Would a Code (any Code) solve the existing situations?
(4) Do exhibitors (and distributors) prefer to settle disputes and grievances on unreasonable clear-

New Momand Suit Hearing Scheduled for Thursday

Oklahoma City—Hearing on A. B. Momand’s request for a court order, forcing distributors to sell him second and subsequent-run product for his house at Shawnee, has been set before Federal Judge A. P. Murrah for Thursday.

Suit was filed here last week in the name of Oklahoma Theaters, Inc., operator of the Odeon theater at Shawnee against Vitagraph, Inc., 20th-Fox, Metro (through Loew’s), RKO, Paramount, Universal and Columbia as well as the Griffith Amuse-
ment Co., opposition to the Odeon in Shawnee.

French Provincial Theaters, Except
Those Near German Frontier, Running

Paris (By Cable)—Approximately 85 per cent of the theaters in the Paris area were operating last week, with attendance figures reported returning to a nearly normal basis.

Provincial theaters, with exception of those in areas near French-German frontier, are said to be open. Mobilization has affected about 90 per cent of all employees in film companies here, but replacements have been secured in most instances.

Production Plans of 20th-Fox, Universal and Columbia to Stand

American production prospects continued to brighten yesterday as top executives and on the Coast emphatically announced that seasonal programs would proceed, unaffected by hostilities abroad.

In Hollywood, Joseph M. Schenck, 20th-Fox board chairman, asserted that his company will not curtail production or lower quality or cut salaries, limiting its retribution to the elimination of waste and the exercise of strict economy.

Herman Webber, general manager of distribution, returning to New York from Coast conferences, said any economies would not detract from picture quality, predicted an increasing upswing in business and said that reports indicated a nationwide wide general improvement.

Also in Hollywood, Harry Cohn, President of MGM, said that his company will maintain output and will not curtail salaries or cut expenses here, asserting that his company will march with the other majors.

“U” REPORTS 39-WEEK NET OF $389,995.21

Consolidated net operating profit of $389,995.21 for the 39 weeks ending July 29, after all charges but before provision for Federal income taxes, was reported yesterday for Universal by J. Cheever Cowdin, board chairman. This figure represents a

UA English Sales Force on Job, Carr Cables Kelly


Wis. Assembly Turns Down Exhiz. Revenue Suggestion

Madison, Wis.—The State Assembly last week failed to reach an agreement on the Senate tax bill, the

TEN CENTS
The Mad Monsters Of War In Europe Are Loose... and civilization trembles on ‘r brink of disaster!

"Hitler--Beast of Berlin"

It's a bonanza of timely, dramatic, record-shattering screen entertainment!
Adapted from the inspiring story, "Goose Step," by Shepard Traube.

NO MATTER WHAT YOU THINK OF THIS DICTATOR—He’s Big News!

Radio chains, newspapers, magazines and just plain folks at home are your advance agents for the

Greatest Exploitation Picture Ever Made!

"Hitler—Beast of Berlin"

National Release OCT. 8th. Wire Now for Pre-Release Bookings.

Producers Distributing Corporation
1436 N. Beachwood Drive
Hollywood, Calif.
Exchanges Everywhere

COMING AND GOING

HERMAN WOBER, general manager of distribution for 20th-Fox, and WALTER J. HUTCHINSON, director of foreign distribution, returned yesterday to the home office after studio conferences.

JAMES R. GRANGER, Republic proxy and general sales manager, returned to the home office after a trip to 20th-Fox.

CLIFF WORK, Universal vice-president and general manager of foreign office, flew to the Coast last night via United.

OSCAR MORGAN, Southern division manager for Paramount, and C. B. J. FRAWLEY, home office exe., arrived here last night from Chicago via Unied.

MATHEW FOX, Universal vice-president, leaves for Hollywood today.

ARTHUR M. LOWE, Metro vice-president in charge of the foreign department, is on the Coast.

BOKIS MORROS left the Coast yesterday for New York.

W. RAY JOHNSTON, Monogram prey, arrives in Hollywood this week.

ROBERT CULHAM, Paramount ad, and sub, chieftain, in Hollywood for studio conferences.

JAMES CAGNEY has cancelled his New York trip to start work in a new picture at the Warner studios.

ELSA MAXWELL is at the Waldorf.

GENE AUTRY and his wife fly to Hollywood tonight from Chicago.

EDDIE ALBERT plans a vacation here as soon as he completes his role in Warners’ “Four Wives.”

PAUL MUNI arrives here next week to appear in a new film.

ROBERT TAYLOR and BARBARA STANWYCK plan a motor trip East in the near future.

WALTER BRENNAN arrives here in several weeks for a vacation.

GEORGE RAFT has left for the Coast.

Dr. Hugo Riesfeld, Pix Veteran, Dies on Coast

West Coast Review of THE FILM DAILY

Hollywood—Dr. Hugo Riesfeld, 60, for many years musical director for theaters and studios, died here yesterday.

Dr. Riesfeld was one of the early exponents of good musical accomplishments for motion pictures. Between 1917 and 1925 he was managing director of the Rivoli, Rialto and old Criterion theaters for Paramount, and developed many presentation features which are still in vogue. During that time he selected accomplishments for films, in cases only composing original music.

With sound making his work unnecessary in theaters, he became musical director for United Artists on the Coast between 1928 and 1930. Later he returned to New York to supervise music for the “Ziegfeld Follies,” and for a time conducted the roxy orchestra.


Product deal has been closed by Republic with the Minnesota Amusement Co., it was learned yesterday, with the return of James R. Grainger, Republic proxy and distribution chieftain, to the home office. Deal calls for the entire 1939-40 product line-up. Grainger. Max Rohr, midwest district sales manager, and Gilbert Nathanson, Minneapolis franchise holder, represented the distributing company.

John Fried, Minnesota Amusement Co. proxy, and John Branton, represented the theater chain.

Marcus Loew $3.50 Dividend

Montreal—Directors of Marcus Loew’s Theaters, Ltd., have declared a dividend of $3.50 per share on the seven per cent preferred, reducing arrears on the stock to $15.75 a share. The dividend is payable Sept. 30 to shareholders of record Sept. 16.
MPTOA TO TACKLE 17
UNSOLVED PROBLEMS

(Continued from Page 1)
ance and overbuying to deprive a competitor of pictures by:
(a) Mediation and voluntary agreement?
(b) Enforceable decisions of an arbitration board?
(c) Lawsuits, intervention of public prosecutors, boycotts and reprisals?
(5) Is there any fair, impersonal, and practical, standard for clearance between theaters?
(6) Do exhibitors want a simplified exhibition contract?
(7) Should short subjects, newsreels and trailers be a part of every product deal?
(8) Would exhibitors prefer to get trailers direct from each company or through the medium of a complete service from a trailer company?
(9) Will buying combines solve the buying problem of the individual exhibitor?
(10) Do we want the Neely Bill, or any other law to prohibit and prevent any distributor from offering better prices and terms in order to induce the exhibitor to buy more than one picture?
(11) Should non-theatrical showings of theatrical motion pictures be curred and confined to non-competitive situations?
(12) Should radio competition of motion picture talent and material be curbed?
(13) What should be done about double feature competition, give-aways, premiums, lotteries, cut-rate admissions, etc.?
(14) What can exhibitors do about the music tax extortion by Ascap?
(15) Why doesn't the government prosecute its four-year-old anti-trust suit against Ascap?
(16) Should exhibitors in this country refuse to show any propaganda pictures favoring either side in view of the present European war and the expressed determination of this country to keep out of it?
(17) What organized and unified effort should be directed by exhibitors and exhibitor organizations to combat the adverse publicity against the industry?

No Tele Dead Spots
Fear of television dead spots has been allayed by experiments conducted by NBC at straw and porcelain insulators in the 50-mile area served by W2XBS. Surveys conducted in New York and the surrounding area show that high buildings and metal construction do not interfere with image reception, it is said.

B'WAY PIX GROSSES
STAY AT HIGH LEVEL

(Continued from Page 1)
pected attendance for the first four days was $96,000, with a total of 76,303 for first three days, 25,056 passing the b.o. to set the Sunday mark. Warners "The Old Maid," at the Strand, continued to record high attendance figures in its fifth week, and holds one more week.
At the Paramount, Para.'s "The Strangeafi" line, only made generally under the tremendous business the picture did there last week-end. This is the second week for the picture. Columbia's "Golden Boy" did excellent business at the Music Hall and was expected to carry through.
Metros "Lady Of The Tropics" opened strong at the Capitol with the week-end business well above average, and way over recent week-end business for other pictures, with picture to be held another week starting Monday. Other houses also reported improved business, and Broadway showmen optimistically point to these figures as a definite indication that the fall season is off to a fast start.

Neb.'s Ascap Case May Be
Heard in Lincoln or Omaha

Lincoln, Neb.—After more than two years, decision on the anti-Ascap legislation of 1937 which was enacted into law, will be made in a 3-judge federal court session next Monday. Whether the session will be held here or in Omaha is unannounced as yet.

Framed by Senator Frank Brady, an Atkinson, Neb. rancher, the Nebraska anti-Ascap bill seeks to re- strain operations of any and all music combinations and associations for price control. It does not name Ascap, but covers it fully. Shortly after the bill became a law, Ascap filed the test action, gained an in- junction, and has been operating under it since.

Morros Eastbound on New
RKO Distribution Deal

West Coast Branch of THE FILM DAILY

Gentle Hint
Vincent Trotta and Hap Nadey, those two art directors extraordinary, returned to New York yesterday after performing that arduous task of helping to select Misses and their models at the Miss City Beauty Pageant. Tough on those two to have to look at curves, angles and then again more angles and curves when their very own vocations require so much of that very sort of thing. Couldn't the pageant give the trade paper columnists a chance next year?
Signed, Sealed and Delivered to the leading showmen in

FIRST OF THE TREMENDOUS COMPLETE AND WAITING

WARNER
NO WAR CURTAILMENT, MORE MAJORS PLEDGE

(Continued from Page 1)

Columbia proxy, announced that the studio contemplated no changes or lessening of any kind in its production activities. Single exception, said Cohn, was a withdrawal of the Jesse L. Lasky Foundation's production of "Arizona." Columbia's exec. forecast a change in story trends, due to the war.

In New York, Universal's confidence was reflected both by statements made by Proxie Nate Blumberg and Cliff Work at a trade press luncheon yesterday for the latter and in a letter sent to the company's stockholders last night by J. Cheever Cowdin, board chairman.

Blumberg, speaking at the luncheon in the Rainbow Grill Lounge, reiterated that Universal will deliver its announced program of 61 units without modification and without resort to cutting in production, to layoffs or to salary reductions. "Every picture scheduled to be delivered to our exhibitor customers will be delivered," he stated.

Work, vice-psyx and studio general manager, disclosed that the company not only had a strong backlog of product at the present time but would have 43 of its 61 units finished by Dec. 15. Double production shifts are at work at the studio.

Cowdin's letter stressed the company's progress, mentioned principal factors that then turned to the exhibition presented by the war. Better American general business, due to the war, "might be expected to lead to a stronger picture business than otherwise" it was stated.

The letter pointed out that more than half of English theaters are again operating, and added that experience has been that war tensions created an insistent demand for entertainment of all kinds. "U" has not operated in Germany and France has been a relatively unimportant market, the letter continued.

Cowdin saw "some expansion" to be "inevitable" to the company's present outlets in Holland, Belgium, the Scandinavian countries as well as Latin America, Canada and the other British dominions.

Ohio Houses Must Install Emergency Lighting Equipment by Censor's Orders

Toronto—By order of O. J. Silverthorne, chairman of the Motion Picture Censor Board, all movie houses in the city must install emergency lighting systems. If Silverthorne states this order is to prevent the danger of panic entailing if the regular lighting system should fail. Silverthorne warns failure to comply with his order will result in the exhibition of thousands of dollars for new lighting equipment, there being several hundred theaters in Ontario.

Calgary Branch Finishes First in Schaefar Drive

(Continued from Page 1)

Calgary, whose Sparkey at Detroit and C. Boasberg heads the Buffalo exchange staff.

thirteen branches crashed over four towns to best the awards of those who reached 100 per cent or better. The quota reaching branches in the order of their standing, after Calgary, Detroit and Buffalo, are: Montreal (M. Pottel, manager); New York (Bob Wolff, manager); Washington (R. J. Folliaird, manager); New Haven (B. Pitkin, manager); Albany (B. G. Kranz, manager); Toronto (M. J. B. Staal, manager); Denver (J. H. Ashby, manager); Charlotte (Charlotte was piling up 100 per cent pollings since been promoted to manager of Atlanta. N. J. Colquhoun, who is now manager at Charlotte, was one of the remaining salesmen while at Memphis); Memphis (A. M. Avery, manager); Los Angeles (N. P. Oliver, manager).

San Francisco, G. Wm. Wolf manager, took first place in the "Fisherman's Whip." The sales staff under the leadership of Branch Manager Stanley Jacques and spurred by Ad Manager Stanley Jacobs, was tops in the Ad Sales Bonus Plan.

Eight New Features Going Before Hollywood Cameras

(Continued from Page 1)

West Coast Bureau of THE FILM DAILY

Hollywood—Eight new pictures are scheduled to go into work this week.

At Columbia, "His Girl Friday," star announced.


"Sudan" to Pam-O-Film

Pan-O-Film Exchange Inc., of Buffalo will distribute "Sudan" in the Buffalo and Albany territories as a result of a deal set with Elecna M. Paradises by Mitchell Leitch. The film will be ready for the trade later in the month.

WCAU Applies for Television Transmitter in Philadelphia

(Continued from Page 1)

WCAU will apply for a pick-up technique and other factors involved in successful television transmission.

Only existent coaxial cable at the present time runs between New York and Philadelphia, with television station WCAU to be used in part for experimentation of transmission of New York programs by this means if license is granted. A station here would also allow experimentation over radio links of television transmittal in cities not over 100 miles apart.

Station plans continuous experiments of various outdoor events and direct programs in the building it would use. Experimental broadcasts have been under way by the station for past two years over station WAXIR as a proving ground for measurements of field strength and sound transmission of television programs in this area.

NLRB Sets Sept. 20 for Vote on Studio Workers' Bargainer

(Continued from Page 1)

The IATEB or the United Studio Technicians' Guild is to be sole bargaining agent for them.

Around 7,500 workers are eligible to vote. Polling will be open from 6 a.m. to midnight.

12 Hollywood Air Shows to Start Within 60 Days

With radio programs to be started in next 60 days, new high of 58, a survey shows that 12 of the shows will originate in Hollywood. Data surveyed covers Columbia, NBC, and Mutual networks, includes new and renewal bookings. Programs, sponsors and starting dates are as follows:

CBS-Lux Radio Theater (Lux Toilet Soap), last night; Star Theater (Texas Co.), Sept. 13; Silver Theater (International Silver Co.), Oct. 8; Big Town (Laver Bros.), Sept. 19; Burns and Allen (Himlin's), Oct. 4; Jimmie Elder (Brene), to night; Hedda Hopper (Sunkist), Nov. 6; It Happened in Hollywood (Horrel), Oct. 9; Dr. Christian (Cheesborough Mfgs.), Nov. 1.

NBC-Boo Hoppe (Peposodent), Sept. 19; Charles Boyer (Andrew Jergens), November.

MBS—Let's Go Hollywood (Cooperative), Sept. 29.

Schmidt Forms Company

Detroit—Radiant Lights Co. has been organized by A. T. Schmidt, and will handle theatrical fluorescent lighting. Offices are at 7715 12th St.

65% of Paris Houses Reported Operating

(Continued from Page 1)

with sales promotion and internal distribution in the country itself principal problems at present.

Offices here in a large part have been set open. The new H. M. N. S. is installed in the home of Roland Armor and the Fox Moviola New staff is making its headquarters at Russell Muth's suburban home.

Communication with most continental countries has been completely shut off, with film staffs here getting their first-hand information by cable from New York.

Studios here are at a complete standstill, with little hope held that any will be reopened until the end of the year. So far as expected to do so, some producers may attempt production on the Riviera, but nothing definite on that account.

All French cameramen have been assigned to Army work, with the Army issuing one lavendar per letter. Permits for Army personnel are not issued here. Department organized by the government is called Press Films, and weekly issue has been entitled Le Journal de la Guerre. Whether or not special cameramen of newsreel organizations who are not at present engaged in Army work, are allowed to take any pictures of Army activities has not been announced as yet by the Government.

Newsreel companies here yesterday stated that action similar to the move by the French government might be put into effect in England, although nothing has been done as yet. It is considered unlikely organization of a "newsreel bureau" similar to the French department.

On the first day, a Canadian company's westward tour, which took a three-day break in Los Angeles, brough shots of Athena survivors and actual war preparations in England.

Critics From 16 Georgia Towns at "Cavell" Preview

Atlanta—A representative of Governor Rivers and of Mayor Hatfield of Atlanta were among those who met Herbert Wilcox and Anna Neagle, the producer and star of "Nurse Edith Cavell," upon their arrival here yesterday from Washington. Film critics and newspaper writers from 16 Georgia cities were present as the producers previewed the picture's preview last night at the Fox Theater, at which Wilcox and Miss Neagle spoke.

Italian Calls Only

Only European country with which American distributors are in regular commu- nicate by transatlantic phone yesterday was Italy. Calls for England and France were not accepted, lines being open for emergency use only, foreign manager said.
This Year's GREAT GOLDWYN PICTURE
Pulse-firing action drama of America in the Philippines presenting GARY COOPER in a roaring, fighting role and confirming the stardom of 1939's most exciting new player, DAVID NIVEN

REAL GLORY
The story of a man and woman
to rival WUTHERING HEIGHTS
The story of action-swept adventure to surpass
THE HURRICANE

SAMUEL GOLDWYN presents

Gary COOPER
THE REAL GLORY

with
DAVID NIVEN • ANDREA LEEDS
REGINALD OWEN
BRODERICK CRAWFORD • KAY JOHNSON
Directed by Henry Hathaway
FROM THE NOVEL BY CHARLES L. CLIFFORD
RELEASED THRU UNITED ARTISTS
Cost of Theater Games Not Deductable
As Operating Expense, Fla. Court Says

Tampa, Fla.—A suit over rent on the Tampa Theater building has been settled by a
degree of Circuit Judge Parks holding the theater could not deduct as operating ex-
pease the cost of putting on Bank Night and Screes, outlawed a few months ago
by the Supreme Court. Under the order, Tampa Theater Buildings, Inc. collected
$3,578 additional rent on its lease to the Tampa Theater Corp. The judge's order said
the lease provided for a rental of 12.5 per cent of gross receipts, with minimum guar-
antee. While certain deductions for operating expenses were allowed, it was held the
theater had no right to deduct expenses of $28,600 incurred for Bank Night, Screes
and the "Question Box Review." Therefore the building corporation was entitled
to 12.5 per cent of this amount.

Wis, Assembly Turns Down
Exhib. Revenue Suggestion

(Continued from Page 1)

major piece of legislation blocking
adjournment of the present eight-
months-old session and a vote for
reconsideration placed the measure
on the calendar for today.

In its present form, the tax bill
will raise about $10,000,000 for the
1939-41 biennium through a cigaret
tax and through re-enactment of a
60 per cent pension surtax. Diver-
sion of $7,500,000 of highway reve-
uue, a step suggested at a recent
hearing by exhibitor leaders, was
stricken from the Senate bill by the
Assembly. The measure is now
about $18,000,000 short of raising
the estimated revenue required to
meet biennium appropriations.

100% CO-OP PLEDGED
BY PARA, PARTNERS

(Continued from Page 1)

has 26 completed features, eight
more shooting and 17 definitely
scheduled for production within the
next few months.

"All of these pictures were cast,
budgeted and planned with the pos-
sibility of the European crises in
mind and not one will be dropped
from our schedule nor will there be
any budget revisions on any of
these," Agnew said. "We will de-
iver 100 per cent." Pictures which Para, will proceed
with were named by Agnew as
"Opened by Mistake," "Road to
Again," "Buck Benny Rides Again," "Comin' Round the Mountain," "The
Golden Gloves," "Royal Canadian
Mounted Police," "Hot Ice," "Broken
Heart Cafe," "Woman from Hell," "Light of Western Stars," an un-
titled Colbert production and three
more "Hopalong Cassidy's."

Rialto, Wilmington, Ready

Wilmington, Del.—Sept. 28 is ten-
native date for reopening of the newly
enlarged Rialto Theater which
closed July 1.

 Should SHE surrender everything for his love? Or was it just an INTERMEZZO?
ALL-TIME ROXY RECORD FOR "THE RAINS CAME"!

Biggest Sunday in entire history of theatre, topping even "Alexander's Ragtime Band" and "Jesse James"! Hundreds standing even after box-offices were closed for last show!
RKO Adds Arbitration Clause to Exhibition Contract

U.S. Biz Situation Backs "No Cuts" Decisions

Theater Investments Prevent Pix Curtailment—Schenck

Loew Proxy Says Majors Have More Money in Theaters Than in Production

Because the producing companies are, themselves, large exhibitors and have three to four times as much capital invested in theaters as in production, "it is foolish for anyone to think that our other major companies—will curtail production or lower the quality of pictures," Nicholas M. Schenck, president of Loew's, Inc., stated yesterday in defining the position of the industry in the present world crisis.

"If we are to operate our theaters successfully, we must have outstanding pictures and plenty of them," he added.

Schenck's statement explained the remarks he made exclusively to The Film Daily last week.

Because of considerable speculation.

(Continued on Page 4)

EQUITY DEFENDANTS SEEK POSTPONEMENT

All major defendants in the Government's equity suit joined hands yesterday in asking Federal Judge John C. Knox to defer action on the D of J's application for a preliminary injunction.

(Continued on Page 7)

Alliance 12-Fix Schedule to be Unaffected by War

The war in Europe will have no effect on Budd Rogers' plans to distribute 12 Alliance Films productions this year. Rogers, vice-president and general manager of Allied, indicated:

(Continued on Page 4)

CEA at Home Office on More Reopenings

London (By Cable)—Majority of English theaters still dark may be authorized to resume operation following a further Home Office conference today. The Home Office will receive a CEA deputation. Approximately 3,000 houses have already reopened, with business reported as good.

HAYS PREDICTS TELE TO BE FILM ADJUNCT

Television looms as an adjunct of the screen, not as a threat, in the opinion of Will H. Hays, MPPDA prexy.

Discussing television's relationship to the films in the current issue of Liberty, Hays says: "Many theaters will be equipped to bring in by television particularly important spot.

(Continued on Page 8)

AFA Executive Council Says It Will Not Dissolve

The American Federation of Actors Executive Council announced yesterday that the union would not.

(Continued on Page 4)

RKO Arbitration Clause in Contract Provides for Three-Man Local Boards

"U" Readies "Uncensored Version" of "All Quiet"

Re-edited and treated with up-to-date sequences, "All Quiet on the Western Front" will be released by Universal next week and will be billed as "The Uncensored Version." Decision to distribute the picture.

(Continued on Page 7)

Nation-Wide Survey, Covering Eighteen Large Cities, Reflects Optimism—Gains for Motion Pictures Are Indicated

On the basis of the present industrial situation in the United States, film biz has nothing to fear domestically as a result of European war. Announced decisions by leading American producers to avoid production cuts and adhere to peace-time seasonal programs, thus assuring both the domestic and foreign markets a steady flow of quality pictures, were thus belated in unmistakable fashion yesterday by the result of an industrial survey made by The Film Daily.

Designed to provide a broad and accurate picture of American business in the light of the war, the survey covered 18 cities. The reports in general were highly encouraging, indicating that the war would have no effect on business or that it would serve to stimulate industry.

With the rise and fall of theater business closely linked to national prosperity, business trade reports

(Continued on Page 7)

PRODUCTION IN EAST UNAFFECTED BY WAR

Production plans scheduled for Eastern Service Service Studios will not be affected by the European war.

(Continued on Page 4)

RKO Radio To Establish Own Branch in Singapore

RKO is establishing its own exchange in Singapore to serve theaters in the Straits Settlements, British.

(Continued on Page 8)

Third Week Record

"The Old Maid" has given Warners the largest number of third week holdovers since the company released "Forty-second Street" six years ago, the home office reported yesterday. Pix is staying a third week in 27 spots.
Appellate Division asks what's sexy in "Ecstasy"

Albany—Counsel for the New York Department of Education was sharply questioned on what portions of the film "Ecstasy," directed by Murnau and produced by Pathe, should receive the rating of "adult sex" from the State Commissioner of Education. Censor Irwin Esmond and his reviewers maintained to be "sexy," with favorable judgment. Judge J. P. Hill of the Appellate Division, Second Department, reviewed the film.

Presiding Judge Hill asked Brind to elaborate on his reply that "the entire picture places undue emphasis on sex." The State placed part of its emphasis on the grounds that the same court had upheld censorship on "Ecstasy" in the latter part of 1937, but now two new censorship boards have since been appointed, Judge Gillespie Schenck of Albany and Judge Christopher Hef erman of Amsterdam.

"Ecstasy," has been shown throughout the country, Counsel Brind, appearing for Eureka Productions, appellants, stated, without trouble from censorship except in New York and Pennsylvania.

Appoint New Sales Heads for Two Mexican Offices

Mexico City — Enrique Molina Reyes, for many years chief booker with Paramount Films, S. A., has been appointed general sales manager of the Para., exchange to succeed James Buhles, who resigned to go to Trindad.

Louis Moulinier, formerly general sales manager of the Mexican exchange of Metro-Goldwyn-Mayer, has assumed a similar post at the local office of RKO Radio Pictures, succeeding Alfonso Valadas, resigned.

Outline Convention Plans at W. Pa., MPTO Luncheon

Pittsburgh—Annual convention of the MPTO of Western Pennsylvania, will head the sixth annual "Night of Stars," the gigantic theatrical benefit for the settlement of Jewish Refugees in Palestine, which will be held on Wednesday night, Sept. 15, at Madison Square Garden in New York City, by arrangement with the United Jewish Appeal. Strauss succeeds the late Harold Jacobo, who occupied the chairmanship for three years. The original group, under the chairmanship of the "Night of Stars" during its first two editions.

At his first move, Strauss has called upon 800 correspondents to a special luncheon at the Hotel Astor next Tuesday, Sept. 14, to discuss his original plans for the affair.

Nathan Strauss Will Again Head "The Night of Stars"

Nathan Strauss, administrator of United States Housing Authority, will head the sixth annual "Night of Stars," the gigantic theatrical benefit for the settlement of Jewish Refugees in Palestine, which will be held on Wednesday night, Sept. 15, at Madison Square Garden in New York City, by arrangement with the United Jewish Appeal. Strauss succeeds the late Harold Jacobo, who occupied the chairmanship for three years. The original group, under the chairmanship of the "Night of Stars" during its first two editions.

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RKO Radio Sets Releases on 12 Features to Nov. 24

RKO will release 12 features between Sept. 15 and Nov. 24, it was announced yesterday. Among the releases are "The Poppy Seed," "Conspiracy," "Full Confession," and "The Fighting Gringo," three of the popular releases prior to the 15th. "Full Confession" was the first picture on the 1939-40 schedule.

Pictures and their release dates up to Nov. 24 include:

- "The Day the Bookies Went," Sept. 15;
- "Fifth Avenue Girl," Sept. 22;
- "Nutty Nutty Cavel," Sept. 26;
- "Everything's On Ice," Oct. 2;
- Three Sons," Oct. 15;
- "The Flying Deuces," Oct. 20;
- "Allegheny Frontier," Oct. 27;
- "Queen of Destiny," Nov. 5;
- "The Marshal of Mesa City," Nov. 3;
- "Vivit in the Night," Nov. 10;

"Leslie," "Fourth Street" and "Everything's on Ice" are 1938-39 releases.

Court Orders Wanger's Suit vs. Daily News to Trial

New York Supreme Court Justice Felix Benchvenga yesterday upheld the legal capacity of the complaint of Walter Wanger and Walter Wanger Productions, Inc., which seeks $1, which it alleges is for alleged libel committed by News Syndicate Co., Inc., publishers of the New York Daily News and Ed Sullivan, columnist.

The Court, in denying an application to dismiss the complaint or to strike out parts of it, ordered that a jury decide whether an article written by Sullivan for the Daily News on the Goldenwyn dispute with United Artists is libelous as far as Wanger is concerned.

The opinion stated that it was a "closed question" whether the article charges Wanger with inaccuracy and merely attempts to be a producer or whether it was merely fair and honest comment, and that different influences could be drawn by different persons reading the article.

COL. H. A. COLI, president of Allied States.條件, is a member of the panel of experts in Los Angeles. In the coming issue of 'Young Hollywood', a writer-star-director-producer for RKO.

MAURICE O’SULLIVAN will leave Ireland on the first flight tomorrow morning, according to an arrangement released at RKO’s Studio in Hollywood, California—New York, N. Y. Phone Bly 1938, special line to THE DAILY.

Wednesday, September 13, 1939

COMING AND GOING

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HATS IN THE AIR!

UNTOLD STORY
- now reveals Yankee heroism against U-boat terror in the last war!
- Timely! Thrilling!

THUNDER AFLOAT

with CHESTER MORRIS - VIRGINIA GREY

Screen Play by Wells Root and Commander Harvey Haislip - Directed by GEORGE B. SEITZ - Produced by J. WALTER RUBEN

TIMELY AS THE HEADLINES!

(One after another. Oh boy!)
THEA. INVESTMENTS
BAR PIX CURTAILMENT

(Continued from Page 1)

dissolve and would continue as exclusive bargaining agent for its members with a strong possibility reported that the union might affiliate with the CIO, further confusing the organization of the variety field and directly threatening the recent peaceful settlement of the actors' unions jurisdictional dispute.

With the AFA refusing to quit, des- ide secession of a previous charter from the AAA, what the results of this ac- tion will be could not be determined last night. AFA executives yesterday asserted that the union "was by no means through and had a plan as the rank and file membership in a large majority refused to stand for the dissolution of the union."

In an official statement from the AFA last night it was pointed out that the union had not been consulted when the AAAAA and the IATSE entered into their agreement, and therefore refused to be a party to it. They accused AGVA of being an illegally chartered union and in let ters to all AFA members informed them to pay no attention to the attempted organization by any other union and continue their membership in the organization.

AFA Executive Council
Says It Will Not Dissolve

(Continued from Page 1)

2. OKAY,—and now for the moral in the form of a query—Isn't personal contact twist the pix house of today—and its custom- ers lamentably on the wane as compared to the yesteryear??

Once upon a time, we recall, one could barge into a community and say: "Who all runs your movie house?"...and you could get the answer — he was a personality—much closer to the wants of the people and hence their pocketbooks than is currently the case...Ah, you say, filmland has grown up!...Sure it has, but alas, personal contact hasn't grown proportionately with it...and it should...for methods can be devised which are just as bad as the problem which is to be met —Take, for instance, the biggest personal contact problem of all—the relationship of the industry to the public—Why have we no high-handed, effective and efficient Public Relations Bureau?...a group of young Joe Fields...whose "field" would be the nation...not just Burton, Ohio.

— R.I.P. —

CROSSING the personal-ties, as it were—members of Loew's publicity-ad dept. tendered a tasty testimonial tidbit ye'day to Anna D. Ellmer, office manager...because she's only been with The Friendly Company for 25 years...a lunch-eon it was...Up Bridgeport way there were more congrats via Connecticut's Governor Raymond E. Baldwin...who best- wished Matt Saunders, manager of Loew's Poli...twice house's 17th birthday.... If you have 11 minutes and 5 seconds of reading "running time"...suggest that you grab current issue of mag Liberty...wherein (starting on page 25) you will find "an exciting, authoritative look ahead at the wonder of movie magic in 1960"...author WILL H. HAYS...title: Living Pictures Tomorrow: A Hollywood Prophecy.

— ANOTHER article of extra-industry interest...is christened Walt Disney's Donald Duck...A Chronicle...A Career...Dis- sension of the blog of the flat-footed ducks...is KKO-Radio's Runners Nelson...If you have a theater, a duck farm, a brood of youngsters, or anticipate appointment as Secretary of Agriculture...by all means annex a copy...

—

PRODUCTION IN EAST
UNAFFECTED BY WAR

(Continued from Page 1)

war, Frank Speidel, president, stated yesterday.

Two more calling for three features each, will be carried through to completion, he said, and negotiations are reported to be underway for additional eastern-made pictures. The Jack Wildberg-Jack Skibball pact for three pictures to be released by Columbia and the Lee Garnes commitment for three to be distributed by RKO are set definitely for production this season.

Meanwhile, there is some indica- tion that certain pictures which had been designated by the majors for production in England may be shifted to Eastern Service Studios. While no negotiations thus far have been started, it is understood that the Hollywood studios will be pressed to capacity in turning out this sea- son's programs and it is possible that at least part of those pictures which had been slated for the English studios will be made in New York.

Alliance 12-Pix Schedule
to be Unaffected by War

(Continued from Page 1)

Alliance yesterday announced that he will not curtail his schedule in any way and that he will release one picture a month as originally planned—"Dead Men Tell No Tales," "Black Limelight," and "Housemaster"—are already in the theaters and October will see a melodrama of espionage in the British Navy, "North Sea Patrol," on the market. "Just Like A Woman" is set for November release and following that "Spies of the Air," "One Night in Paris," "The Hidden Menace," "The Terror," "Little Miss Molly," "Black Eyes," and "Mystery of Room 13" will be readied for distribution.

Wisconsin Indies to Open
Milwaukee Meet Sept. 27

Milwaukee, Wis.—The Independent Theaters Protective Association of Wisconsin has scheduled its annual convention here for Sept. 27-28.

An all-industry outing under the auspices of the Association will be held at Lake Geneva, next Monday.

WEDDING BELLS

Irving Daskin, manager and film buyer of the Savoy Theater, Jamaica, L. I., and Sylvia Sagrans of Philadelphia, were married in Phila- delphia Friday. Mr. and Mrs. Daskin are spending several days in At- lantic City and are planning a de- layed honeymoon during the winter months.
Those

“HONEYMOON IN BALI”

UUUUUMFFF GIRLS...

They've got what it takes

Lookeee...
Hollywood Critics Hand Paramount's
"HONEYMOON IN BALI"
the Polynesian Palms!

Paramount's "HONEYMOON IN BALI"
"All honeymoons are fun, this one is special fun."
—Jimmie Fidler

Paramount's "HONEYMOON IN BALI"
"Boxoffice tonic. An incessant bombardment of delicious fun. Its timeliness, smartness, brightness and its marquee-name strength combine to predict it as a sure thing."
—Hollywood Reporter

Paramount's "HONEYMOON IN BALI"
"Here is a pungent and luscious piece of adult entertainment, headed for praise and coin. The slickest dialog and smoothest story telling heard and seen in many moons and honeymoons."
—Daily Variety

Paramount's "HONEYMOON IN BALI"
"A boxoffice natural in a time when light entertainment is a necessity."
—Showman's Trade Review

Paramount's "HONEYMOON IN BALI"
"Get out the banners and wave them for 'Honeymoon in Bali,' the smoothest, most polished romantic comedy in many a moon. One of the best pictures to come out of Hollywood in a long time."
—D. M., Los Angeles Examiner

Paramount's "HONEYMOON IN BALI"
"Exhibitors can ballyhoo 'Bali' from the housetops. Has everything. Contains all the elements of good celluloid entertainment."
—Jay Emanuel Publications

Paramount's "HONEYMOON IN BALI"
"A tender love story which makes it a highly acceptable bundle of entertainment to please theatre patrons of all ages."
—Boxoffice

Paramount's "HONEYMOON IN BALI"
"A Bali Bali swell picture. A first class job by all concerned and well worth anybody's money."
—Erskine Johnson, columnist

Fred MacMurray • Madeleine Carroll
Allan Jones in
"HONEYMOON IN BALI"
A Paramount Picture with AKIM TAMIROFF • Helen Broderick
Osa Massen • Carolyn Lee • Directed by Edward H. Griffith
Screen Play by Virginia Van Upp • Based on Stories by Grace Sartwell Massen and Katherine Brush

World Premiere Wed., Sept. 13
—off Broadway Theatre, Wheeling, W. Va. Bands, parades, official welcoming committees, and, of course, the little guest of honor, CAROLYN LEE, herself.

Wheeling Steel Corp. Party in honor of CAROLYN LEE broadcast from coast to coast on Tuesday over 122 Mutual network stations.
BIIZ SITUATION BAKS “NO CUTS” DECISION

(Continued from Page 1)

ports from Boston, Easthampton, East
and West, were interpreted as in-
dicting attendance gains in many
territories.

Continued, the reports from the
field:

DE. — Return to production in
the auto industry with a conse-
quent rise of consumer purchasing
power is expected to provide the
necessary stimulus for a better-
than-average movement of fall mar-
ketandise. Reports by wholesalers
indicate sales ranging from 10 to
5 per cent above a year ago, with
collections holding up well.

CHICAGO—Wheat and corn
are the best in more than a year.
Retailers expect above-average fall
trade.

CLEVELAND—Steel production
expected back at 80 per cent of ca-
cacity. New car sales about dou-
ble in some parts of the city and
used car sales up 25 per cent.

INDIANAPOLIS—Steel mills in
Indiana reporting running 60 per
cent of capacity, highest peak in
ear.

With recent release of “In
Some Only” and “The Star Maker”
in this territory, film business is on
the up-and-up and should con-
trinue.

MILWAUKEE—Activity has
been reported by the wave of
buying-business in the city.

Theatrical trade generally good,
with some department stores report-
ing from 3 to 10 per cent in-
crease.

CINCINNATI—Trade generally
fair, with some department stores
reporting from 3 to 10 per cent in-
crease.

Trade in Boston, al-
though not enjoying the rise in com-
nodities that is going on in the
South and Mid-west, is nevertheless
leading with an increase from 3 to
10 per cent. Shipping business nor-
mal. Employment pickup noted.

BUFFALO—Loss of Canadian re-
tail trade should be offset by in-
creased activity in grain, steel and
paper.

WASHINGTON — The war will
doe no effect on business in this
area.

ST. LOUIS—Effect of war news,
now here, has been to increase optimism
in the building trade.

SAN FRANCISCO—General busi-
ness tone around town is good,
although there is some talk that
the war will do to our shipping
here. It already has hurt some, as
onage has dropped and will drop
more.

SEATTLE—There is no anticipa-
tion that the war will hurt business
in this territory.

SALT LAKE CITY—The market
prices of fruit and vegetable prod-
ucts has shown an increase, along

“Equity Defendants Seek Postponement”

(Continued from Page 1)

trial until the Court has decided
what matters must be an-
swered by the defendants and the
date for answering them. The
request was made by Attorney
John F. Caskey, attorney
associated with Dwight, Harris,
Roegel & Caskey, representing
203-Co., and an affiliate of Ernest Finkel-
stein, of Schwartz & Froelich, at-
torney for Columbia Pictures.

Caskey, in his affidavit, stated
that he was authorized to represent all
majors except United Artists and
Columbia and pointed out to Judge
Knox the fact that the interroga-
tories covering a very broad field
had been served on the defendants
on Sept. 1. Caskey argued that all
prior estimates as to the date when
the motion picture "OIL" be released
trial must now be discarded if they
must devote many months to the
preparation of answers to the Gov-
ernment questions.

He contended that Government ac-
tion had confirmed statements made
to Judge Knox by the defendants on
July 21, when the preference move-
ment was argued as to the scope of
questions which must be heard during
trial, and the magnitude of the task
necessary for adequate preparation.

The Government, by PICTURES
proved, the affidavit said, that the
defendants could not concentrate
on particular localities and transac-
tions, but must include statistical
surveys of production, exhibition and
distribution and the examination of
conditions in practically every city
and town in the country.

The affidavit pointed out a number
of specific questions which would re-
quire many months to answer, and
concluded by stating that a decision
by the preference motion should prop-
erly be deferred “until a determina-
tion has been made either by order
of Court or by appointment of the
parties as to the interrogatories
which are to be answered and the
time when said answers are to be
delivered.”

Columbia’s affidavit asked for a
complete denial of the preference
motion and claimed that it would re-
quire a full year to answer interro-
gatories. It cited one instance in
which Columbia would have to give
details on 450 films exhibited in 27,-
000 theaters. For the most part the
arguments raised by the other majors

“U” Readies “Uncensored Version” of “All Quiet”

(Continued From Page 1)

was made by Universal, officials after a
reported heavy business was
challenged at the St. Louis Thea-
ter. By Oct. 1, when asked by a sales
manager, said yesterday rush
orders had been made on new print
versions and that a new press book
and accessories were being pre-
pared.

“Honeymoon in Bali”

with Fred MacMurray, Madeleine Carroll,
Allan Jones, Akim Tamiroff
Paramount 95 Mins.

HOLLYWOOD PREVIEW

GAY, REFRESHING COMEDY BRIL-
LIANTLY DIRECTED SHOULD REGI
STER AS TAP TOPPER

Here is one of the gayest, most re-
freshing comedies to come to the
screen in many moons, Edward H. Griffith’s
directorial touches make the picture a de-
light and interest is held to the
end. Virginia Van Upp’s dialogue is snappy
and bright, while her screenplay is full of
clever touches. To Jeff Lazarus goes gen-
erous credit as producer. Fred MacMurray
has never done better work than as a
resident of Bali, whose visit to New York
undoubtedly upsets Madeleine Carroll’s scheme
of living. Miss Carroll is especially good
work by Miss Carroll. Miss Carroll is a
newcomer, helps Fred dispel that idea, as does
Akim Tamiroff, a window cleaner, who likes to
dance Madeleine. Allan Jones is
as a concert singer, who is Fred’s
drame. Helen Broderick gives her usual good performance, while Osma
Masse, a newcomer, is a splendid choice for the role of the girl, who pursues Fred. To New York Fred falls in
love with Madeleine, but she rejects his
proposal, feeling that her “freedom” is
more valuable. It is after he returns to Bali that she discovers she cannot live
without him. She hurries to Bali, only to
learn that he is to marry Osa. Heart-
broken, she returns to New York. Soon,
Fred is cloy back in Manhattan and when
Madeleine learns that he did not marry
Osa, the picture ends with the lovers in
each other’s arms.

CAST: Fred MacMurray, Madeleine Car-
roll, Allan Jones, Akim Tamiroff, Helen
Broderick, Osa Massen, Carolyn Lee, Astrid
Alwyn, Georgia Caine, John Qualen, Fritzi
Brunette, William B. Davidson, Binnie Bar-
lett.

CREDITS: Producer, Jeff Lazarus; Di-
rector, Edward H. Griffith; Screenplay,
Virginia Van Upp; Original Story, Grace
Santwell Masen and Katherine Brush: Phy-
ography, Ted Tetzlaff.

DIRECTION: Brilliant. PHOTOGRAPHY,
Fine.

SLRB Hearing Today May
Settle TMAT Brooklyn Strike

A possibility that the current strike of the Nelson-Remer-Endicott
Circuit in Brooklyn by the TMAT
might be settled with the New York
State Labor Relations Board hears
the case today was reported last
night.

A deadlock has existed between
the union and the circuit since the
strike started 20 days ago, with the
circuit’s houses being picketed. Ray
don Theaters-TMAT hearing is also ex-
pected to come up before the SLRB
today.
ARBITRATION PLAN IS ADOPTED BY RKO

(Continued from Page 1)

A disinterested party and one who is outside the industry.

Disputes in which RKO pictures are involved may be arbitrated in every key city in which the company has a branch. It is understood that the arbitration plan will be put into effect immediately.

RKO Radio to Establish Own Branch in Singapore

(Continued from Page 1)

ish Malaya, Federated Malay States, Unfederated Malay States, Borneo and Sarawak. Approximately 100 theaters are operating in those territories. Heretofore, RKO distributed its product in the area through franchise holders.

A new corporation, known as RKO Radio Pictures (Malaya), Inc., has been chartered in Delaware and directors will be named tomorrow at a meeting of the RKO board.

Resumption of Native Production Sees Five Films Shooting in Mexican Studios

Mexico City—Following a period of almost complete inactivity, Mexican studios have reopened, with five new pictures being produced simultaneously at the Cinematografica Latino Americana, S. A. (Clara), studios, the Garcia Moreno (Azteca) plant, and the Stahli (Mexico Films) factory. Two are before cameras at the first two mentioned, and one at the latter.

Crescent’s Reply to Trust Action Now Due on Oct. 8

(Co-Continued from Page 1)

affiliates and the distributing agencies. This moves the date up to Oct. 8. Armistead states that the defendant’s answer will be ready by that time.

Construction of several new theaters by Crescent is being continued. A new house in Murfreesboro is nearing completion.

Nat’l Parenthood Week Tie-in for Warner Pix

Campaign plan for Warners’ “A Child Is Born” is being distributed to exhibitors this week. Exploitation section contains a number of promotion ideas intended to aid in tying in with “National Parenthood Week” sponsored by Parents Magazine during the week of Oct. 23-29, during which period the film is scheduled to have its greatest number of showings.

Allied Would Accept New York Unit, Says Cole

(Co-Continued from Page 1)

elled from the national body because of policy differences. It has been understood that the State association would continue as an unaffiliated unit.

Col. Cole said that the matter of invading the New York territory with another unit had not been discussed “officially” and that there were no plans for a board meeting before January. Col. Cole returns today to his home in Dallas, after having attended the New Jersey Allied convention in Atlantic City last week.

Amdur’s Father Dead

Pittsburgh—Hyman Amdur, 70, father of Bennett Amdur, who operates the Garden Theater in this city, died after a lingering illness. He is survived by three sons and three daughters.

HAYS PREDICTS TELE TO BE FILM ADJUNG

(Continued from Page 1)

news events. It is unlikely that dramatic presentations will be televising to theaters.

Hays, seeing television sharpening the movies’ showmanship to a greater extent, asserts, “That’s all the good The motion picture industry, therefore, sees not danger but benefit ahead in television.”

Expressing the belief that “the will be no substantial shift of production from California,” MPPDA proxy comments that “additional pictures doubtless will be produced in the East” and, in that connection, sees television a stimulating factor.

With reference to tomorrow’s theaters, Hays offers the opinion that they will be relatively smaller at more numerous and forecasts a substantial development of circuits and special theaters for specialized audiences within the decade.

Sperling-Lowe Building

Pittsburgh—Sperling & Lowe, who operate theaters in McMehl and Moundsville, W. Va., have started construction of a new 600-seat theater in Cameron, W. Va.

Should SHE take her husband back if this new love of his was only an INTERMEZZO?
Mexico Decrees Compulsory Exhibition of Native Pix

20th-Fox Considering Arbitration Clause in Contracts

Universal, Paramount and Eastman Issues Lead as Amusement Stocks Show Advances

Amusement stocks on the Big Board strengthened yesterday, with Universal's preferred, Paramount's preferred and Eastman Kodak's common leading the procession. "11" advanced 6% to close at 57. Para, was up four to finish at 77 and Eastmanrose to 153, a gain of 22 points. There was trading in all amusement issues listed on the Board and only one stock showed a drop while two held unchanged. Loew's common went up 2½ to 38½; others to score more than fractional advances were Warners preferred, up 1½ to 44; 20th-Fox common, up 1½ to 13½ and Columbia Preferred also up 1½ to 19½. (For full financial tables, see page 2.)

DOLLAR REMITTANCES TO PARAGUAY

Paramount has reached an agreement with the Franco government in Spain whereby remittances in dollars will be made to the American company. These remittances, which represent money accumulated before and during the civil war, have started to come through, and will start shortly, a Paramount executive said yesterday. This agreement was reached at a meeting in Paris, (Continued on Page 3)

Producers Expected to Nix IA Request for Wage Boost

West Coast Bureau of THE FILM DAILY

Hollywood—With an IATSE victory apparently assured when the studio workers vote on September 15th, a 12-hour work week is expected. (Continued on Page 12)

ONE CARD, ONE DUES PLAN DRAFTED BY 4A

The AAAA will present a plan to its members within two weeks that will feature a one-card and one-dues payment system, bringing the organization's drive for consolidation of all its member branches into "one big union" a step closer, it was learned yesterday. It was also stated by a 4A exec, that it was (Continued on Page 12)

Producer Studio Survey Off

As Jimmy Roosevelt Quits

West Coast Bureau of THE FILM DAILY

Hollywood—Association of Motion Picture Producers' survey of studio conditions is off, at least for the present, it was indicated yesterday following the announcement that Mr. Roosevelt had decided to leave the survey. (Continued on Page 4)

All Mexican Theaters Must Play One Native Film Monthly, Gov't Directs

Rep. District Managers Inoperative Under Plan

Personnel experimentation to determine the extent of duplication in work is being effectuated immediately by Republic, which was learned yesterday, the program, contemplated for some time, calling for franchise

British Tele Hit

London (By Cable)—British television seems to be a major war casualty. All English talk programs and experiments have been cancelled because of the hostilities. Decrees from elaborate plans for expansion of theatrical television and, additionally, in talks circles here is regarded as opening the way for the U. S. industry to seize the leadership in that field.
Vaudeville Tests Will Determine Brand Policy

The Brandt circuit tomorrow launches its vaudeville program in Flatbush Theater with Sammy Kaye and his orchestra headlining. Circuit will experiment with the vaudeville policy in three of its other houses and if the shows click at the box offices, stage shows will be incorporated in more of the Brandt theaters.

The Audubon joins with Sammy Kaye and his orchestra, plus the Harvest Moon dance winners next Thursday, and the Sammy Kaye show shifts to the Windsor on the same day. The Kaye troupe moves to the Carleton on Sept. 28.

When these engagements are completed, circuit execs, will decide whether vaudeville will become permanent.

Mexican Producer Will Distribute Republic Pix

Morris Goodman, vice-president in charge of foreign distribution for Republic, has closed a deal with Luis Lemenza, of Mexico City, for the exclusive distribution of Republic product in that territory.

Up to a year ago Lemenza was in charge of RKO's distribution in Mexico. He resigned his RKO post to engage in the production of Mexican pictures, which branch of activity will be continued by him in conjunction with Republic distribution activities.

Warner Seasonal Product Deal Closed With Reade

Walter Reade Enterprises, has closed a seasonal product deal with Warners, G. L. Sears, general sales manager, said yesterday.

The deal, involving 40 theaters in New Jersey, New York State and Metropolitan areas, was arranged by Roy Haynes, Eastern and Canadian sales manager, and Ed Schnitzler, Eastern district manager, for Warners, and by Walter Reade for the circuit.

WB Starting Four More Top Budget Pix Before Oct. 1

West Coast Bureau of THE FILM DAILY

Hollywood—Warners will send four more top-budget pix before the cameras during the balance of the month. "The Fighting 69th" starts Monday, "The Sea Hawk" on the 26th, "Brother Rat and the Baby" the following day and "Dr. Ehrlich" on the 29th.

Chaplin Starts Picture

West Coast Bureau of THE FILM DAILY

Hollywood—Designated as "Production No. 6," Charles Chaplin starts work today on a feature in several years. Story is reported to be a travesty on dictators. Supporting cast is headed by Paulette Goddard. United Artists will distribute.

Metro Again Asks Collins Litigation be Dismissed

M-G-M Pictures Corp., M-G-M Distributing Corp., Colwyn Corp., and Loew's, Inc., filed a motion yesterday returnable on Sept. 19 seeking an amendment to the suit of Delores Lacey Collins, administratrix of the estate of Jimmy Collins, for an injunction, an account—will have $1,000,000 damage. Application, which is based on a claim that the complaint fails to state a cause of action, will seek to show by exhibiting the motion picture "Test Pilot" that it has no resemblance to the book written by Collins with the same name. Circuit Court of Appeals recently reversed a dismissal by Federal Judge Alfred C. Cox and ordered a rehearing of the application to dismiss.

General Films Abandons Making Howard Pix in Eng.

West Coast Bureau of THE FILM DAILY

Hollywood—Lawrence Fox, Jr., president of General Films, Inc., just bought out the entire interests of his company has abandoned production in England of the new Leslie Howard vehicle, "The Man Who Came Back."

The picture may be made in Hollywood, but plans are indefinite. Fox was at the studio here today to take East for the production of animated pictures based on the "Babar" books of Jean de Brunhoff.

Para. Has Two English Pix Finished; Third in Doubt

Paramount is expecting a print of a Ralph Murphy English-made picture, "The Daring Mr. C," which may be the last English-made Paramount picture to be received for some time. The print is believed to be on the seas en route to the U. S. but definite information has not been received.

"Live and Let Live," a comedy based on the last war, was reported to have been completed at about the time the present war broke out, but distribution plans for the U. S. are indefinite.

Plans for the production of "The Adorable Crichton," which has been made in England with Charles Laughton starring, were reported yesterday to be at a standstill.

Defer UA Board Meet

Scheduled meeting yesterday of United Artists' board of directors was postponed until next week due to the absence of Mary Pickford and James Mulvey. New York representative for Samuel Goldwyn. Mulvey flew yesterday to the Coast.

Vogel's Fall Furl Hunts Fatal

Pittsburgh—Clarence J. Vogel, owner of the Liberty, Vaudeville and Colonial Theatres of Pittsburgh, Bahn, O., and head of the Vogel Construction Co., died here Tuesday as a result of a fall while making a building survey.

Best wishes from THE FILM DAILY on the following their birthdays:

September 14
PITTSBURGH, PA.
FRANK R. TISHEFF

October 14
NASHVILLE, TN.
FRANK M. THOMAS

October 15
BOSTON, MASS.
FRANCES A. ROY

October 16
TULSA, OKLA.
M. R. HANNA

October 17
PHILADELPHIA, PA.
HERBERT J. REISMAN

October 18
CARDIFF, WALES
FRANCES J. VESTER

October 19
MORMANT, ILL.
CARLTON A. RUMMEL

October 20
SANDUSKY, OHIO
JOSEPH I. WEINBERG

October 21
SPRINGFIELD, MA.
HAROLD A. GIBB\n
October 22
ST. LOUIS, MO.
WILLIAM J. STOUT

October 23
FT. WORTH, TEX.
FRED H. WILSON

October 24
HARTFORD, CT.
WILLIAM R. PLATNER

October 25
DETROIT, MICH.
JEROME J. KALIN

October 26
BIRMINGHAM, ALA.
PAUL H. VESTER

October 27
BUFFALO, N.Y.
LEONARD S. PersHING

October 28
JOHNSON CITY, TENNESSEE
EDWARD M. KELLY

October 29
SEATTLE, WASH.
FRED E. RIVIERS
“THE RAINS CAME”
DAILY PULLING FARTHER AND FARTHER AHEAD OF “JESSE JAMES”
AT THE ROXY!

First week will beat “Jesse” by thousands of dollars!
D OF J WOULD ENJOIN SCHINES’ EXPANSION

(Continued from Page 1) argued Monday before Federal Judge John Knight. At the same time, United Artists, which was named in the Government’s action, asked that the case be dismissed on the ground that the Government did not “state facts sufficient to constitute a cause of action.” A similar motion was filed last week on behalf of the Schines. It is also returnable Monday. Schines additionally have demanded a bill of particulars.

Fred Wood, well known anti-trust attorney who figured prominently in the St. Louis conspiracy case, has been named as counsel by the Schine circuit in the current trust suit brought against the organization by the Department of Justice. Wood will work with Willard McKay, Schine attorney on the case, who filed the motion for a bill of particulars in Federal Court in Buffalo on Tuesday.

Producer Studio Survey Off As Jimmy Roosevelt Quits

(Continued from Page 1)

James Roosevelt, Sam Goldwyn’s vice-president, found the task a full-time job and accordingly was stepping out.

Designation of Roosevelt to make the survey was made about a fortnight ago. Objective was described as “The closer co-ordination of inter-studio relationships.”

In his withdrawal letter to Prexy Joseph M. Schenck of the Association, Roosevelt said the task requires “unlimited devotion, not part-time, by a person thoroughly steeped in knowledge and tradition of the industry,” and that “the present situation in the industry due to the war crisis is not conducive and naturally so, to producers giving the time necessary for adequate approach to the various problems.”

He recommended that the M. P. Academy should be revitalized as a common meeting ground for all parts of the industry. He also suggested that a strong, centralized body be created to decide jurisdictional questions of inter-relationship and said such organization would in no way conflict with the Hays organization, but would confine its activities wholly to the problems of the producers of Hollywood.

WEDDING BELLS

Medford, Wis.—Frank Perkins, of the Avon Theater, was married to Miss Mae Ams.

Monon, Ind.—M. G. Merrill, manager of the Howard Theater here, was married recently to Katherine Burke of New Castle, Ind.

20TH-FOX CONSIDERS ARBITRATION CLAUSE

(Continued from Page 1) portions of the dominant trade practice code into effect so that its legality would be assured.

If 20th-Fox adopts an arbitration clause, it will be the third major company to take such a step. Both Warner Bros. and RKO have set up arbitration systems for the settling of claims and other disputes. It is also reported that RKO has re-vamped its contract clause pertaining to sales and special state taxes.

Houses Closed for Summer in N. Y. Area Re-Opening

With majority of houses shuttered for the summer already reopened it was expected yesterday that by the end of this month only a handful of houses will still be closed in this area. Park, Newburgh; Juliet Arlington; Avalon, Bronx; Shubert, Brooklyn; Colony, Sayreville, N. J. and the Broadway, Yonkers, will be reopened by the end of this month. Construction on the new house built at Broadway and 43rd St., reportedly by Consolidated, is expected to be completed by Christmas.

STOKRS!

Cards have been received from Bert Reisman, RKO Radio’s manager for Peru, announcing the arrival of a daughter, Miss Penelope Margaret Reisman. “Mr. and Mrs. Bert Reisman,” the card reads, “take great pleasure in announcing their feature presentation for 1939.”

Cleveland—Al Bowers, owner of the Cleveland Theatre, is the father of a daughter, Peggy, born this week. This is the Bowers’ second child and second daughter.

Youngstown, O.—Jack H. Steinberg, owner of the Home and Strang theaters, Youngstown, and the Harbor at Ashtabula Harbor, is the proud father of a 7 1/2 pound daughter named Flora.

Fowler, Ind.—Dick Vlastos, operator of the Dreamland Theater, is the father of a new son, born recently in St. Elizabeth Hospital, Lafayette, Ind. He was named Dick Jr.

Bloomfield, Ill.—Myers Flater, operator of the Citadel Theater here is the father of a baby girl, Karen Kay Flater.

Warren, Ind.—Mrs. Claire Stukay wife of Claire Stukay, operator of the Orpheum Theater here, presented her husband with a baby boy recently.
NO WAR
OF
NERVES
FOR
PARAMOUNT
EXHIBITORS

Because . . .
**There will be absolutely NO curtailment of Paramount Pictures production!**

**1.** What effect will the European War have on picture production?

**2.** Will production schedules be curtailed?

**3.** Will product be cheapened?

These are the most important questions in the picture business today!

**OKAY, Mr. Exhibitor**

... here's Paramount's answer!
None of Paramount's huge line-up of pictures for 1939-40 will in any way be affected by the foreign situation!

2 Paramount will not back down ... on Paramount promises!

3 No Paramount picture is, or will be, cheapened in production!

On the next two pages we proudly print Paramount's amazing product story for the 1939-40 season. Read it and you'll know why the European War cannot hand any Paramount exhibitor the PRODUCT JITTERS!
Your insurance against a shortcut
PARAMOUNT PRODUCTIO

COMPLETED 100%

“Death of a Champion”
“Range War”
“Beau Geste”
“$1,000 a Touchdown”
“Honeymoon in Bali”
“What a Life”
“Jamaica Inn”
“Television Spy”
“Disputed Passage”
“Rulers of the Sea”
“The Cat and the Canary”
“St. Martin’s Lane”
“Seventeen”

“French Without Tears”
“Geronimo!”
“Happy Ending”
“Our Neighbors—the Carters”
“The Light that Failed”
“Parole Fixer”
“Dr. Cyclops” [Technicolor]
“Untamed” [In Technicolor]
“Diamonds Are Dangerous”
“Emergency Squad”
“The Llano Kid”
“Law of the Pampas”
“The Medicine Show”
**SHOOTING**

<table>
<thead>
<tr>
<th>Started</th>
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<tbody>
<tr>
<td>July 27</td>
<td>Aug. 29</td>
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<tr>
<td>&quot;Remember the Night&quot;</td>
<td>&quot;Knights of the Range&quot;</td>
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<td>July 31</td>
<td>Sept. 5</td>
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<td>&quot;Typhoon&quot;</td>
<td>&quot;The Farmer's Daughter&quot;</td>
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<td>Aug. 14</td>
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<td>&quot;Gay Days of Victor Herbert&quot;</td>
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<td>Aug. 25</td>
<td>Sept. 5</td>
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<tr>
<td>&quot;Campus Wives&quot;</td>
<td>&quot;Strange Money&quot;</td>
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<tr>
<td>Max Fleischer's &quot;Gulliver's Travels&quot; (in Technicolor)</td>
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**SCHEDULED FOR PRODUCTION**

<table>
<thead>
<tr>
<th>Shooting Date</th>
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<tbody>
<tr>
<td>Sept. 13</td>
<td>Jan. 2</td>
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<tr>
<td>&quot;Opened by Mistake&quot;</td>
<td>&quot;Royal Canadian Mounted Police&quot; (in Technicolor)</td>
</tr>
<tr>
<td>Sept. 25</td>
<td>Jan. 10</td>
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<tr>
<td>&quot;Road to Singapore&quot;</td>
<td>&quot;Hot Ice&quot;</td>
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<tr>
<td>Sept. 28</td>
<td>Jan. 17</td>
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<tr>
<td>&quot;The Way of all Flesh&quot;</td>
<td>&quot;The Broken Heart Cafe&quot;</td>
</tr>
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<td>Oct. 2</td>
<td>Feb. 14</td>
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<tr>
<td>&quot;Safari&quot;</td>
<td>Colbert Production</td>
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<tr>
<td>Oct. 10</td>
<td>&quot;Woman From Hell&quot;</td>
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<tr>
<td>&quot;Texas Rangers Ride Again&quot;</td>
<td>&quot;Light of Western Stars&quot;</td>
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<tr>
<td>Oct. 15</td>
<td>Three More</td>
</tr>
<tr>
<td>&quot;Buck Benny Rides Again&quot;</td>
<td>&quot;Hopalong Cassidys&quot;</td>
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<tr>
<td>Nov. 8</td>
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<tr>
<td>&quot;Comin' Round the Mountain&quot;</td>
<td>... others to be announced</td>
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<tr>
<td>Nov. 15</td>
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<tr>
<td>&quot;The Golden Gloves&quot;</td>
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The Paramount Seal is Your GUARANTEE of QUALITY of PRODUCT

QUANTITY of PRODUCT

This Year

More Than Ever Before!
Thursday, September 14, 1939

REVIEWS OF THE NEW FILMS

"The Housekeeper's Daughter"
with Joan Bennett, Adolphe Menjou and John Craven.

"Blondie Takes a Vacation"
with Larry Simms, Arthur Lake.

"Million Dollar Legs"
Paramount, 59 Min.
PLEASING CAMPUS YARN FOR THE JUNEVILES HAS BEVY OF INTERESTING YOUNG TALENT.
A pleasing campus picture that stems back to a musical comedy that was filmed three years ago. It makes great use of the youngsters of 'teen age of both sexes, being essentially Juvenile fare. The legs reference is to the underclothing of the college crew principally. The students in order to secure a crew against a domineering school board, resort to a twenty to one shot on a race to get the wherewithal to start. The film is filled with the usual line of campus antics, plenty of rah-rah cheering, and of course the big thrill is the boat race. This has been well handled, and should give the fans their money's worth in the college brand of entertainment. Betty Grable as the girl the college dotes on is very appealing. Among the others, Dick is gone by John Hartley, Donald O'Connor, Buster Crabbe, Jackie Coogan, Joyce Mathews and Dorothy Kent.

CAST: Betty Grable, John Hartley, Don-
ald O'Connor, Jackie Coogan, Larry Crabbe, Peter Hayes, Dorothy Kent, Richard Den-
ver, Warren, Edward, Wray, Thomas Thorston, Hall, Roy Gordon, Matty Kemp, William Tracy, Joyce Mathews, Russ Clark.

CREDITS: Director, Nick Grinde; Author, Lawrence Stacey; Screenplay, Larry Fortas; Photography, Frank Richeld; Cameraman, Harry Fish-
beck; Editor, Stuart Gilmore.

DIRECTION, GOOD. PHOTOGRAPHY, fine.

Standard Leader Revision
before Council Committee

"Song of the Streets"
with Madeleine Ozeray, Jean-Pierre
Aumont, Vladimir Sokoloff.

Mayer and Burston.

REALISTIC STORY IS CAPABLY PRO-
duced by two films.

Although various American audiences have seen the several times on U. S. screens with various types of juvenile delinquents, in this story of children of Paris slums it is endowed with effective and compelling realism. The cast is very good, with Vladimir Sokoloff, Madeleine Ozeray, Jean-Pierre Aumont, Marcelle-Jean Worms, Roger Legris and other capable players in the principal roles. The direc-
tion is by Jean-Pierre Aumont.

"Heartbeat"
with Orane Damazis, Fernandel,
Henri Poupp.

French Motion Picture Arg. 90 Min.

WEAK STORY CONSTRUCTION FAILS TO MAKE FILM CONVINCING AL-
THOUGH ACTING IS GOOD.

Believe it or not, the story of the farmer's daughter has been brought to life in this one, and its telling is hackneyed and faltering. In brief, the story concerns the betrayal of Orane Damazis by a wandering worker. Her father permits her to return to her home for a few weeks, and her child stay concealed in the cellar. However, she is finally released from her under overlap bond by an offer of marriage from a boy who falls in love with her. The actors do all they can to redeem the picture, but the story doesn't give them much opportunity.

CAST: Orane Damazis, Fernandel, Henri Poupp, Edward Delmont, André, Toiron, Jean Chalaut, Jean Delattre.

CREDITS: Produced and Directed by Marcel Pagnol; Based on novel by Jean Giono. Presented at the 55th St. Playhouse with French dialogue and English titles.

DIRECTION, O. K. PHOTOGRAPHY, Good.

New Oswego, Ore.—Paul C. Murphy, Jr., will direct a new $40,000 theater seating 500.

"First Love" Set Back
Universal, will make the release date

"Heartbeat"
with Orane Damazis, Fernandel,
Henri Poupp.

French Motion Picture Arg. 90 Min.

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DIRECTION, O. K. PHOTOGRAPHY, Good.

Postpones LR B Case
Hearing scheduled for yesterday by the State Labor Relations Board of the TMAT-Nelson-Renner-Endi-
cott case was postponed until Saturday.

Hearing on the TMAT-Ray-

Back Case was adjourned to next Wednesday.
**DECIDE ON MORE BRIT. REOPENINGS FRIDAY**

(Continued from Page 1)

held in abeyance until schedules can be re-arranged from Hollywood studios.

It does not seem apparent at this time that the Government will repeal the quota, but some revision to ease conditions is expected.

Outlying studios, such as Welwyn, Shepperton, Ealing and Denham, are carrying on, few of the key men, most of whom are over military age, having been called for active service. Studios generally are well equipped with air-raid shelters, first-aid stations and ventilators.

Denham has a miniature Maginot Line under its stages, an air-conditioned, bomb-proof, gas proof setup.

Alexander Korda, it is expected, will make propaganda pictures for the duration of the war in the service of the British propaganda ministry and several other prominent producers are bringing their units into the same organization. Although Warners' Teddington plant is closed down, Sam Sax is still here. Bob Kane, production head here for 20th-Fox, is in Hollywood and the company's plans have not been sealed, it is said.

Metro's plans are also underwritten at this time with producer Ben Hecht, who was to accompany Richard Thorpe on route to the U. S. now for conferences.

Herbert Wilcox may return here this week-end on the Clipper, and with certain agitation in government circles for production to be continued as much as possible, it is likely that studios will keep working barring circumstances which might force a complete shutdown.

London's Wardour Street Is Moved Out to Suburbs

London (By Cable)— Wardour Street, for the first time in film history, bears little association with the industry, film stocks, records and personnel having been removed outside the London area, due to the air raid precautions.

Distributors have transferred their actual film distribution to the studios. Twentieth Century-Fox is operating from the Wembley Studios; Warner Bros. from the Tedinning Studio; ABFD from the ATP Studios at Ealing; British Lion from the Becontree Studio; British Film Service from the Netfield Studio at Walton-on-Thames; ABPC and Pathé from Welwyn; Paramount from the laboratories at Acton.

M-G-M's inspection and shipping of films is at Denham, with administrations considered.

**WHO'S WHO IN HOLLYWOOD**

- Introducing Interesting Personalities: Nos. 215-216 -

**HUGH HARMAN** and Rudolf Ising. Cartoon producers. They established their first cartoon company in Kansas City, Mo., in 1923. In 1928 the boys with the trick name combination came to Hollywood. Their firm of Harman-Ising produced the first talking cartoon ever made, “Rosko, the Talking Ko.” Harman-Ising produced the first five series of “Loney Tunes” and “Merry Melodies,” in association with Leon Schlesinger, with distribution by Warner Bros. Then came Technicolor and an M-G-M release for product of Harman-Ising Pictures, Inc., in 1934. Both Harman and Ising joined M-G-M as staff producers. They believe the cartoon feature will be the most important future phase of motion picture production.

**RUDOLPH ISING**

**HUGH HARMAN**

**PRODUCERS EXPECTED TO NIX IA REQUEST FOR WAGE BOSS**

(Continued from Page 1)

20, as per the National Labor Relations Board's order, it is expected that when negotiations are opened with the producers either by the locals individually or through a negotiator representing all the locals, a flat rejection will be tendered by the studios to any request for salary increases.

It has been reported that the IA locals plan to ask for a general increase of 15 per cent all along the line, with reports indicating that the producers will ask for a 15 per cent decrease from present wage levels due to losses expected as a result of the European war.

It is hoped that no serious dispute will occur, and in all probability the situation will remain status quo regarding wage scales. IA execs are not expected to take any action in granting a charter to the ASC unless approval is granted by Local 659, the ASC.

Joseph M. Schenck yesterday announced that he would appoint a committee to discuss wages and working conditions with an IATSE representative, as requested by William Bloch, who heads labor's negotiating committee.

**Oscar Brachman Dead**

Milwaukee, Wis. — Oscar Brachman, 52, local real estate man who had an interest in building local theaters, including the Wisconsin, Tower, Uptown, Garfield and Oriental, is dead here.

**Rep. District Managers Inoperative Under Plan**

(Continued from Page 1)

holders to operate in their respective territories without the assistance of district sales managers representing the home office.

Franchise holders, it is pointed out, have always under the Republic system been in full charge of their individual operations, the company district managers being aides delegated to them on a voluntary basis. Accordingly, for the next three months, Jack Bollman, Eastern district sales manager; Harry L. Vine, Central district; Clair Higgin, Southern district; Max Roth, Midwest district; William Benjamin, Central-Mid-West; and Grover C. Parsons, Western district, will remain inoperative, as the situation stood last evening, with the probability that a number of these district managers will be assigned to home office duties.

The San Francisco, Los Angeles, Atlanta and Buffalo districts are not affected, as they are already under arrangement with the company district sales manager and the latter will be delegated to the home office, it is learned.

**BOOKERS' DRIVE SENDS WB AUGUST BOOKINGS UP 27%**

(Continued from Page 1)

have not been completely checked, but figures indicate that the contest was a very close one. During the drive the Warner bookers took on the added duties of salesmen in their areas, and by dint of extra playing time for the company's releases. From the results so far gathered, the company has decided to make this competition an annual event.

**Reopen Victory, New Haven**

New Haven—Michael Tomasino, owner of the Palace Way and Victory, will reopen the latter house, dark for the summer, Friday. The house will have regular weekly Jewish pictures.

**EXPECT WAR TO BOOM DOMINIONS' PIC Biz**

(Continued from Page 1)

expected to offset the tax situation.

However, American majors can expect heavy restrictions in both countries, the French said. Difficulties may arise in getting it play out of Australia for the duration of the war. The same status may prevail in Canada, but the American companies believe that the large amounts of money that will accumulate in both countries will be safe.

Restrictions on money from England loom as a strong possibility because of the war, the executive said, in spite of the 1936 agreement to bring about in Great Britain, France, Italy and the U. S., all of whom pledged to avoid exchange restrictions.

**Wuthering Heights Plays to Standout Biz in Sydney**

Reports of standout business on "Wuthering Heights" at the New Century Theater, Sydney, were received here by Arthur W. Kelly, head of United Artists' foreign department. Picture outgrossed "The Hurricane," previous record-holder, and gave the theater its biggest opening since the house opened.

It deputed out that this news was the first demonstration of what may be expected in the way of public reaction to certain types of pictures in countries where a state of war exists.

One Card, One Union Dues Plan Drafted by AAAA

(Continued from Page 1)

hoped the plan could be put into operation within two months. Various sections of the AAAA have been granted, as yet held, with elimination of the multi-card and dues system certain to be included in any future revision of any such plan. Up to this time there was also a certain amount of opposition from at least two of the member unions to the “one big union” idea.

However, the recent dispute with the IATSE has apparently affected a solid front among the member branches with elimination of the multi-card and dues system certain to be included in any future revision of any such plan. Up to this time there was also a certain amount of opposition from at least two of the member unions to the “one big union” idea.

**Honeymoon In Bali**

Wheeling, W. Va.—World premiere of Para's "Honeymoon In Bali" starring Madeleine Carroll and Fred MacMurray, was held at the Wheeling last night with Carolyn Lee, four-and-a-half year old starlet who debuts in the pix, making a p.a. House was a sell-out a week ago.
DOLLAR REMITTANCES TO PARA. FROM SPAIN

(Continued from Page 1) conference between the executive and Garcia Vinolas, head of Spain’s propaganda bureau and chief of the country’s motion picture industry, who recently returned to Spain after several weeks in the U. S. The conference, it was said, resulted in indications that business prospects in Spain for Paramount and other majors were bright.

United Artists Joins Move to Delay Equity Suit Trial

(Continued from Page 1) date in the Government’s equity suit when it filed an affidavit of Benjamin Pepper, of O’Brien, Driscoll & Rafferty, UA attorneys, in the Federal Court. The affidavit incorporated within it the arguments raised by the other defendants and stated that for brevity’s sake it would not repeat in length the contentions already made by the other defendants. It added that United Artists felt that in view of the interrogatories filed recently by the government the trial should be postponed until the defendants had an opportunity to file answers to them.

Managerial Shifts Made by Portland Pix Houses

Portland, Ore. — Albert Forman, for many years associated with the Danz Theaters in Seattle, has been named manager of the Orpheum Theater here. House is now in the Danz chain. He is assisted by Ron Harrington, formerly with the Hamrick-Evergreen Theaters.

Henry Pincus, recently connected with theaters in Cleveland, O., will manage the Esquire Theater, playing foreign films.

Frank L. Newman, Jr., has moved his headquarters from the old Orpheum to the Liberty Theater, which goes first-run.

Zollie M. Volchock has been named manager of the New Rivoli Theater, recently added to the Hamrick-Evergreen chain.

Hoffberg Sets Premiere

American premiere of “Mademoiselle Ma Mere,” French film starring Danielle Darrieux, has been set by J. H. Hoffberg, distributor, for the 55th St. Playhouse on Sept. 18.

“Old Maid” Stays Fourth for Brooklyn Para. Record

Warners’ “The Old Maid” sets an all-time record at the Brooklyn Paramount by starting a fourth week there today. It’s the first pix ever to be held a fourth. Para’s “Million Dollar Legs” is also on the bill.

New Indie Distributor

Cleveland — Nate Gerson has formed Real Art Pictures as an independent distributing company, with offices in the Warner Bldg. He will announce his line-up within a week. Gerson was formerly a partner of Harry Lande in the Independent Film Service.

Score by Vladimir Heifetz

Vladimir Heifetz, Russian composer, has been engaged by Roman Rehn of the Buffalo Synagogue to write incidental music for “Mirele Efros,” new Yiddish film production starring Berta Gersten, which Josef Berne is directing for Credo Pictures, Inc.

SHOWING NATIVE PIX REQUIRED IN MEXICO

(Continued from Page 1) one Mexican-made picture at least once a month for the period usually given to every picture shown at such houses. The measure was adopted in a desperate effort to remedy the situation in which native producers have found themselves of late, with close to 35 pictures completed and on the shelf because of a lack of playing dates or an open refusal on the part of film theater owners to book them.

“Rulers of Sea” Trek On

West Coast Bureau of THE FILM DAILY Hollywood — Para’s two-month-long ballyhoo for “Rulers of the Sea” via an $5,000-mile tour of the U. S. by two replicas of transatlantic vessels and four young contract players got under way yesterday with departure ceremonies here. Making the trek are Ruth Rogers, Kathleen McCormack, Kay Stewart and Jean Phillips.

Riesensfeld Rites Held

West Coast Bureau of THE FILM DAILY Hollywood—With industry leaders in attendance, last rites for Dr. Hugo Riesensfeld were held yesterday at the Crane and Eberle Mortuary.

Can ANY WOMAN find happiness in stolen love that she knows can only be an

INTERMEZZO?
NEW FAVORITES

EASTMAN’S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry.


EASTMAN

PLUS-X for general studio use

SUPER-XX for all difficult shots

BACKGROUND-X for backgrounds and general exterior work
War Will Not Cut Production of Technicolor Features

2,000 MORE BRITISH THEATERS REOPENING TODAY

Col. In Move to Stimulate Latin-American Business

McConville Sails Tomorrow for Two Conventions and Survey

As a first step towards the quick stimulation of Latin-American business, Columbia will conduct two sales conventions, one in Havana and the other in Buenos Aires. J. A. McConville, foreign manager, and Charles Roberts, home office supervisor, sail tomorrow on the Oriente for Havana, first stop on a tour of Central and South America.

The Havana convention, at which McConville will preside, is scheduled for Sept. 20-22, while the Buenos Aires meeting has been set for Oct. 23-Nov. 1. The survey tour (Continued on Page 4)

MICH. ALLIED PLANS FORUM AT CONVENTION

DetroIt—An open forum on industry problems and an "old timers' party" are features included in the program, announced yesterday, for the 20th annual convention of Allied Theaters of Michigan, which is to be held at the Burdick Hotel, Kalamazoo, Oct. 2-4.

Conference gets under way with (Continued on Page 4)

St. Louis MPTO Labor Com. Will Seek to End Dispute

St. Louis—Labor committee of the MPTO of St. Louis is scheduled to meet today or tomorrow with representatives of the service staff's union and the studio hands local in (Continued on Page 4)

Mortgage on Loew's State, Boston, Retired Via Loan

Washington Bureau of THE FILM DAILY
Washington—The SEC yesterday reported that changes in registration statements had been filed with the SEC by Loew's Boston Theaters Co., (Continued on Page 4)

Measure to Prohibit Bank Night Passes Wis. Senate and Is Messaged to Assembly

Madison, Wis.—The Paulson bill prohibiting Bank Night and similar games of chance passed the state Senate and was messaged to the Assembly. Senator Oscar Paulson, author of measure, says it would not prohibit rings.

D & J Plan for Business Advisory Group on Anti-Trust Laws Shelved

Washington Bureau of THE FILM DAILY
Washington—Plans announced some time ago by Attorney General Frank Murphy for a business advisory group on anti-trust laws have been shelved amid war crisis activity. It was indicated here yesterday.

As originally conceived by Murphy, the group was to have been representative of the D & J and other governmental agencies which have special knowledge of economic conditions, and there was some disposition to see in such a group a solution to the problem confronting the film industry.

The shift in attitude, if observers here are correct, is illustrated by what Thurman Arnold, Assistant Attorney General, and sparkling of the wave of anti-trust litigation in which the film industry is now ind (Continued on Page 4)

3 Stumbling Blocks Stymie Play Financing Pact

Proposed pact in negotiation between the producers and the Dramatists Guild for the financing of Broadway plays appeared to be no nearer to conclusion yesterday than when negotiations started. It was learned that three major points in the pact have not been agreed upon, with neither side apparently willing to make concessions.

The amount of advance payment for film rights to a play, the percentage of the weekly gross which a film company would also pay for the rights, and a formula for deciding when a show should be closed legitimately are said to be the stumbling blocks.

No Cancellations of Technicolor Pictures; Schedule of 20 Stands

Uniform Action to Stop Animal "Abuse" Planned

Albany—The American Humane Association with 600 affiliated societies proposes uniform action to prevent "further abuse to animals" in films. "Eric H. Hansen told the association convention yesterday, Hansen assailed pix for "violent..." (Continued on Page 4)

Home Office Orders Restores Exhibition to Near-Normalcy

London (By Cable).—British exhibition returns to near-normalcy today with the reopening of more than 2,000 theaters.

The Home Office yesterday, acting 24 hours earlier than expected, issued the "Go ahead" signal to those theater owners and operators whose houses had remained dark.

Principal national restriction under which theaters will function is a curfew, fixed at 6 p.m. for West End theaters and 10 p.m. for others. Yesterday's decision by the Home (Continued on Page 5)

ENOUGH FRENCH PIX TO MEET U.S. NEEDS

Most of the American distributors of French pictures have enough product on hand to take care of this season's demands, a checkup yesterday revealed. There are enough pictures completed in France to supply the American market for more than a year, if the pictures can be brought over, it was said.

French distributors here said yes-... (Continued on Page 4)

New Morros RKO Contract May Be Signed Next Week

Borris Morros is in New York to discuss a new producing contract with RKO. He flew in from Hollywood Wednesday night with a print (Continued on Page 4)

Wildberg-Skibral Talking Deal With Dorothy Arzner

Dorothy Arzner, noted woman director, may direct the first Jack Wildberg-Jack Skibral feature, "Angels Is 22" which is to be made at (Continued on Page 4)
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FILM 42% 103%

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...-Treasurer; New York, 127-133 W. 56x557. City 127-133 W. 56x554.

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Broadway, 15, 9x628. New Delevan 1309. New


...-Treasurer; New York, 127-133 W. 56x557. City 127-133 W. 56x554.
The selection of Leo, Jr., was the biggest national publicity stunt ever staged for a short subject. A nation-wide hunt by International Lions Clubs! The winner at Lions' international convention at Pittsburgh! Crowned at New York World's Fair! The flight to Hollywood to become the living symbol of M-G-M's superior short subjects.

THEY CAN'T HOLD LEO, JR.! He's roaring to go! Here are a few of his new shorts!

ASH CAN FLEET

FOOTBALL THRILLS OF 1938
PETE SMITH'S annual review of U.S. gridiron classics. 176 pigskin stars in 8 breath-taking games from Coast to Coast. Release date Sept. 16.

SET 'EM UP
PETE SMITH bowls 'em over with a natural for exploitation. (Remember " Strikes and Spares"!)—Release date Sept. 30.

DRUNK DRIVING
This CRIME DOES NOT PAY shocker will save lives! 1001 Traps! Guaranteed to top "Hit and Run Driver!"
Coming soon.

WAR! ATHENIA SUNK BY SUBMARINE

45,000,000 FANS AWAIT OPENING NEW GRID SEASON

14,000,000 BOWLERS RETURN TO ALLEYS

SAFETY GROUPS LAUNCH WAR ON DRUNK DRIVER MENACE
ENOUGH FRENCH PIX TO MEET U. S. NEEDS

(Continued from Page 1)

Dof J Shelves Biz Advisory Group Plan on Trust Laws

(Continued from Page 1)

Mortgage on Loew's State, Boston, Retired Via Loan

(Continued from Page 3)

Keith-Albee-Orpheum Co., and Monogram Pictures Corp.

Loew's Boston Theater Co. reported making a $200,000 note payable to the First National Bank of Boston bearing date of Aug. 4, with interest at 4% per annum payable on Jan. 1, 1942. The loan was made by the bank to the theater company to enable it to purchase additional equipment.

Uniform Action to Stop Animal "Abuse" Planned

(Continued from Page 1)

Challenging an cruelty laws in nearly any state of the union in an "effort "to secure spectacular animal scenes at expense of great suffering and often death" of animal actors, Hansen, reporting after a month's survey of producing units on location, called upon the industry to abandon the use of pitfall and camouflaged stockades.

Wildberg-Skibard Talking Deal With Dorothy Arzner

(Continued from Page 1)

Eastern Service Studios for Columbian release. Wildberg, who left yesterday for the Coast, said that negotiations with Miss Arzner but no pact had been signed. Wildberg said he expected the Sinclair Lewis story to be one of the cameras about Nov. 1. With Skibard, who is on the Coast, Wildberg will obtain talent for their first picture.

New Morros RKO Contract May Be Signed Next Week

(Continued from Page 1)

of his first picture for RKO release, "The Flying Deuce," starring Stan Laurel and Oliver Hardy. Morros said yesterday that he expected to make an announcement regarding the extension of his RKO contract and the number of pictures it will involve early next week.

War Not Halting 1939-40 Technicolor Commitments

(Continued from Page 1)

completed. Columbia has postponed the production of "Arizona" in Technicolor for 60 days, but the picture was cancelled.

Technicolor's English plant is functioning, it was stated yesterday.

U. S. Television to Register Another "First" With Initial Original Revue

Television in the U. S. will register another "first" Tuesday night when NBC telecasts "The Bachelor from Pomona," a new musical revue. Edward Padula is the producer, piece is in Norman Zeno and Lew Daly and cast includes Imogene Coca, Grace Mailman, Doris Day, Charlene Foy, Marie Nash and Robert Stackleton. Program goes out over W2XBS at 8:30 p.m.

COL. TO HOLD SALES CONVENTIONS IN S. A.

(Continued from Page 1)

iterinerary includes visits to the following countries: Colombia, Brazil, Argentina, British West Indies, Mexico, Panama, Venezuela, Peru, Chile, Eil and Brazil.

These conventions, first to be held by Columbia in Latin-American countries, were said yesterday to be in line with the company's policy in relation to that market. McConville says particular stress on these meetings in the view of change in the world picture which resulted in drastic economic conditions. He emphasized, however, that Columbia would go through with its heavy production budget, spending $5,000,000 more than at any time in the company's history.

Four pictures made in Mexico, one in France and the Hollywood-made product are available for the Spanish speaking countries.

Convention delegates attending at Havana include: E. P. Smith, P. Martinez and C. Perez, Cuba; E. Kerner, B.W.I.; H. B. Prosdocimi, Panam; R. Jeroud, R. S. Sevilla, Mexico; M. Ramirez Tompico, Puerto Rico and C. Van der Ree, Venezuela.

Al Buenos Aires, the Argentinian delegation will embrace L. Goldstein, A. Muruzeta, C. B. Rosmarin, M. Planas, C. Flaherty, J. Antun, and E. Martinez, Brazil will send A. M. Noi, E. Steinberg, A. Zonari, J. Barbono, I. A. Ekerman, and W. Grezette, Uruguay, Chile and Peru will also be represented.

Curtis, Schine Ad Chief, to Fill Rochester Post

Gloversville—Gene Curtis, head of the Schine Rochester publicity and advertising department for the past year and a half, has been transferred to Rochester, where he will be special home office representative in Rochester, East Rochester and Fairport. He will headquarter at the Riviera theater.

Curtis, departing, was presented a fountain pen desk set by his associates as a farewell gift. A scroll bearing the names of his well-wishers went with it.

In connection with the shift, Robert Quinilvan goes from the Riviera, Rochester, to the Avon, Watertown, as manager. Lou Levitch continues at Schine Rochester city manager.

Pending the selection of Curtis' successor, Harold F. Slater will have charge of the advertising-publicity department.

AERIAL GRIND-UP

West Coast Bar: THE FILM DAILY

Hollywood—Fourth Fox will make "Aerial Thrill's" a sequel to "Aerial James," Henry Fonda will have the key role.

Frank James"

West Coast Bar, THE FILM DAILY

"Frank James" Next

Hollywood—Twentieth-Fox will make "The Adventures of Frank James" as a sequel to "Aerial James," Henry Fonda will have the key role.

"Frank James"

West Coast Bar, THE FILM DAILY

"Frank James" Next

Hollywood—Twentieth-Fox will make "The Adventures of Frank James" as a sequel to "Aerial James," Henry Fonda will have the key role.
**Rules of the Sea**

with Douglas Fairbanks, Jr., Margaret Lockwood, Will Fyffe

Paramount

(HOLLYWOOD PREVIEW)

SEA TALE DEFINITELY IN THE HIT CATGORIES SHOULDN’T SEND TIDAL GROSSES IN THE BOX OFFICES.

Here’s a tale of the sea definitely in the hit class—a picture that should send tidal grosses into the box offices. Frank Lloyd, responsible for so many outstanding sea sagas in the past, has more than repeated here. There’s human interest, suspenseful action and appealing romance, artfully woven together. It’s the story of a man, who had a dream—a dream to send boats over the Atlantic by steam—and how the dream came true.

The story is that of Will Fyffe as the Scott machinist who had the vision to see that steam power would end the sea as a place of violence and the sea as a place of war. Margaret Lockwood is a very valuable member of the cast as Fyffe’s plucky daughter, with whom Fairbanks, Jr., falls in love. George Bancroft does fine work as a sea captain, who, with Fyffe, at the use of steam, while Vaughan Glaser gives a good performance as a ship’s agent, puts up the money to have the “Dog Star” equipped with engines, to attempt the trip across the North Atlantic. David Torrence, Montague Love, Lester Matthews and Lawrence Grant are among the important principals. Lou Smith functioned as associate producer and James Haines as associate director. Talbot Jennings, Frank Caven and Richard Collins contributed a strong screenplay, based on the original story. When Fyffe is about to give up hope that his engine will ever be used, he meets Fairbanks, Jr., who inspires him to continue work on it. The young seaman and his mother, with the help of Sam and financing Fyffe. Many obstacles have to be overcome before the “Dog Star,” a doughty, little paddle steamer, is overhauled and ready to attempt the crossing of the Atlantic. Then the trip starts by steam power alone.

In mid-ocean engine trouble develops and it seems help will be needed from the scooping Bancroft, commanding the nearby “Falcon,” but the trouble is righted in time. Fyffe, who has been scalped by escaping steam, dies, but not before the “Dog Star” reaches New York and his dream has been realized.


CREDITS: Producer, Frank Lloyd; Director, Frank Lloyd; Associate Producer, Louis B. Loew, Assistant Directors, Frank Caven and Richard Collins; Photography, Theodore Sparkuhl, A.S.C. and Archie Stout, A.S.C.; Art Direction by Hans Kuhn.

**Blackmail**

with Edward G. Robinson, Ruth Hussey, Quinn Williams, Gene Lockhart

M-G-M

(HOLLYWOOD PREVIEW)

CORKING DRAMATIC STORY IS PACKED WITH SUSPENSE AND ACTION FROM START TO FINISH.

Here is one of the better pictures. It is packed with suspense, the cast’s work is excellent, and the direction is flawless in building the story to its dramatic climax. Edward G. Robinson is outstanding as an innocent victim of a robbery who has made a new life for himself after his escape from a chain gang. Ruth Hussey, his wife, is exceptionally attractive and extremely capable. Gene Lockhart gives a top-notch performance as the blackmail. Quinn Williams fits the role of Robinson’s henchman in the oil business like a glove. “Bobbie” Watson is good as Robinson’s son. H. C. Potter directed the picture and George Archainbaud, in his direction, is so fine that it is only a pity that he can’t be used to more advantage.

Warners to Spend $400,000 On New Studio Sound Stage

West Coast Bureau of THE FILM DAILY

Hollywood—Warners has decided to increase to $400,000 its appropriation for the sound stage being constructed over the lake on its backlot, Jack L. Warner says. Work on the new stage, the largest on the Burbank lot, is now scheduled to be completed about Oct. 1.

**Coast Federal Grand Jury Meets on Pix Matters Thrs.**

West Coast Bureau of THE FILM DAILY

Hollywood—Among matters that Charles H. Carr, special assistant to U. S. Attorney General Frank Murphy, declared would be considered by a Federal grand jury which convenes Thursday are alleged reports of $100,000 being paid to William Biff, and details surrounding the merger of 20th Century Pictures Corp. and the Fox Film Corp. Sessions will last several weeks.

**Organize Shorts, Inc.; Will Make 52 Melody Puzzles**

West Coast Bureau of THE FILM DAILY

Hollywood—Carl Hajes and Emile Sellid have formed Shorts, Inc., to make 52 one-reel Melody Puzzles which will be used by exhibitors for contest purposes. The first four are being made at Warner Bros. Studios. A 35-piece orchestra will be used in each subject. Hajes has copyrighted his idea for the series.

**“The Real Glory”**

with Gary Cooper, David Niven, Andrea Leeds, Reginald Owen

Goldwyn-U.A.

(HOLLYWOOD PREVIEW)

SWELL GARY COOPER VEHICLE PACKED WITH ACTION SHOULD CLICK AT THE BOX OFFICES.

This story of a handful of American officers, who drilled and led a group of Filipinos against a dangerous Moro chieftain and his men is packed with action and is a real thriller. Gary Cooper is the dominating figure as an army doctor, who so inspires the Filipinos that they throw off their fear of Tetsu Komai and his warriors and fight so bravely that they gain a gallant victory. Henry Hathaway did a grand job of directing crossing suspense and maintaining interest to the end. To Samuel Goldwyn goes credit as producer and to Robert Roberts, as production man. David Niven does splendid work as a brave, carefree officer, while Broderick Crawford gives his best performance to date as a heroic, arid soldier, whose hobby was growing flowers. Reginald Owen is fine, especially in his portrayal of the fact that he is going blind. Andrea Leeds is excellent as his daughter, with whom Gary falls in love. Tetsu Komai is convincing as the chieftain, while Vladimir Sokoloff plays his cunning lieutenant. Kay Johnson, Russell Hicks, Roy Gordon and Charles Walden do good work, and Benny Inocencio is appealing as a Moro boy, who is befriended by Gary. Jo Swerling and Robert R. Pressnell fashioned a gripping screenplay, based on the novel by Charles L. Clifford. Although two commanding officers have been slain by the Moros, Owen refuses to allow his men to pursue Komai into the jungles. Komai damns the river that supplies the settlement with water, and cholera grips the natives. Sokoloff, planning to have Owen and his soldiers ambushed, leads them into the jungle, but Cooper comes to their rescue. He captures the chieftain and returns to the valley to lead the natives against the bloodthirsty Moros. The Filipinos, determined to take their land, rout the Moros and Komai is slain.

CAST: Gary Cooper, Andrea Leeds, David Niven, Reginald Owen, Broderick Crawford, Kay Johnson, Russell Hicks, Vladimir Sokoloff, Benny Inocencio, Charles Walden, Rudy Robles, Tetsu Komai, Roy Gordon, Henry Kolker.

CREDITS: Producer, Samuel Goldwyn; Associate Producer, Robert Riskin; Director, Henry Hathaway; Screenplay by Jo Swerling and Robert R. Pressnell; from the novel by Charles L. Clifford; Art Director; James Russell; Photographer; Edward Multe, A.S.C.; Musical Direction by Alfred Newman; Costumes by Jeanne Beakhurst; Special Effects, R. O. Binger, A.S.C. and Paul Eagle, A.S.C.; Dialogue Director, Jo Swerling; Film Editor, Daniel Mandell; Sound Technician, Jock Noyes; Technical Advisor, Dr. William H. Shattan; Assistant Director, Adrian Talmage; Assistant Director, Eddie Bernorny.

DIRECTION, GRAND. PHOTOGRAPHY, Excellent.

**Apel Tunes, Inc.**

Detroit—Del Apel has closed the office of Tunes, Inc., here. Future plans are uncertain.
UPSWING IN BUILDING FORECAST BY EBERSON

Philadelphia—Widespread building and remodeling operations nationally will feature the Autumn and early Winter, it was asserted here yesterday by John Eberon, film theater architect, prior to his return to his headquarters in New York.

He declared that the upsweep in production and operations already evidenced the consequent promise of increased film attendance during the 1939-40 season—spurring exhibition interest in virtually all sections of the country, to initiate improvements to their houses.

Eberon disclosed that the present schedule of work in his own offices comprises in the extensive remodeling of the Grenada Theater, Buffalo, for the Schine Circuit, and also the remodeling of their Riverside Theater in the heart of the other complete rejuvenation of the city's Palace in Syracuse.

He also listed plans for preparation for the new 800-seater which Lord J. Wineland, as president of the Fairlawns' installation, of which will construct in Washington, D. C., and plans for Warners' new Astor Theater in Philadelphia, which will entail complete demolition of the present house by that name. The new theater will be a 1,500-seater.

The Taft Estate has also selected Eberon as architect for a new Times Theater building to be erected at Sixth and Walnut Sts., Cincinnati, and under lease to L. Lilson of that city. Contract for the new "Taft Theater," in Cincinnati, to be known as the Grand Theater, and under lease to KRO, has been awarded to Frank Messer & Sons, Inc., there. Eberon is the architect.

Eberon is also preparing plans for the Ebellaters' new house in Steubenville, Ohio.

Among other Eberon jobs now under way are the new theater in Ridgefield, Conn., for Prudential Playhouses; the new house which is being built in Massillon, Ohio, for the account of Pyramid Theaters, and the new Melfie Eberries Building in Houston, Texas, being erected at a cost of several million dollars.

Four-Color Lighting Plan For Ames' Capitol Canopy

Ames, lA.—The Capitol Theater is getting a new front with the Ames Theater company spending 3,000 for a re-decorating the house. Improvement work has been under way for several weeks and has included the painting of box-office, new drapes for entrance and exit doors. Powder blue, apple green, pink and purple are the colors used in new lighting scheme.

USC Expands

Minneapolis—The Alex Smith Contract Division is reported in Minneapolis. Among the jobs recently completed are the Highland Theater and the West Theater both of St. Paul while across the river in Minneapolis Alexander Smith Carpet has been installed in the Variety Theater and in the Radisson Hotel.

Rural Minnesota has likewise been experiencing a Smith boom with theater installations at White Bear Lake, Parkers Prairie, Cook, Gaylord, Winthrop and Sauk Centre.

Heberlee Ice Machine Co.

Detroit—Heberlee Ice Machine Co. has moved to new quarters at 430 E. Woodbridge St. The company is completing installation of a 60-ton capacity Viller machine unit, with complete air conditioning, at the Lakewood Theater for William A. Gruetsche. Heberlee Co. is also completing an installation with the Grand Theater, under lease to KRO, has been awarded to Frank Messer & Sons, Inc., there. Eberon is the architect.

Eberon is also preparing plans for the Ebellaters' new house in Steubenville, Ohio.

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Four-Color Lighting Plan

For Ames' Capitol Canopy

Ames, lA.—The Capitol Theater is getting a new front with the Ames Theater company spending 3,000 for a re-decorating the house. Improvement work has been under way for several weeks and has included the painting of box-office, new drapes for entrance and exit doors. Powder blue, apple green, pink and purple are the colors used in new lighting scheme.

RADIANT LAMP CORP.

EXPANSION APPROVED

A plan to expand the corporate and financial structure of the Radiant Lamp Corp., 260 Sherman Ave., Newark, N. J., submitted by Felt & Baldwin, partner in the firm, has been enacted by stockholders, according to Ernest L. Wagner, vice-president. While under the new plan a group of financial and business interests associated with Felt & Co. will become substantial stockholders and take an active part in the business, the present factorty and sales executives, who have long been connected with the lamp business, will continue in direct charge of these divisions.

Since its organization over five years ago, the Radiant Lamp Corp., has grown steadily. Its plant is said to be the largest in the world devoted exclusively to the manufacture of concentrated filament lamps. The company manufactures a complete line of motion picture projection lamps, floodlights, spotlights and lamps for motion picture production, aeronautical and general outdoor and sports lighting. Its products are distributed throughout the world.

Among the new directors of the Radiant Lamp Corp., are Byrne E. Wood, former president of the firm, and James R. Dugan, former president of Smith and Company, and director of National City Bank. The new officers,组成 the Board of Directors, are: Byre E. Wood, President, Bagby Smith, Executive Vice-President, and W. Leake, former president of Film Supply, Inc., and Trustee in the company's stockholders, will act as general counsel.

Heywood Wakefield Re-seats Madison Theater, Detroit

Bryan, O. — Construction of the new Bryan Theater, on the west side of the court square, has been begun by the Guy Johnson Lumber & Supply Co., Steubenville, to cost an estimated 40,000, and with seating capacity of 700. House is being built by the Eberon Co., which also operates the Temple Theater in this city. G. H. Redhead is in charge of construction.

Cincy Supply Biz Brisk

Cincinnati—J. Stallings, Mid-West Theater Supplies comments new supply business is exceptionally brisk, due to the unusual number of new theaters in and around this city. Mid-West is completely equipping Willard Vane's new house in Newport, Ky., also the new Hilltop Theater, being erected by R. T. Teich and William Morrison, in North College Hill, Cincinnati. Mid-west will also equip the new Elmwood Theater, now under construction.

MANY millions say daily, in substance, "Let's go to the movies." A weekly average, statistics disclose, some 85,000,000 entertainment-seekers do go.

Such a mass overturning causes the alert theater operator to talk over the stock of how best he can gain a desired share of the patronage logically open to him in his community. The so-called stock-taking naturally embraces such factors as the regulation of the features available to draw the players; extent art type of the programs; admission scale; accessibility of the house, parking facilities; promotional campaigns; proper theater maintenance courtesy of employees; and comfort offered the customer.

Under the latter heading come the all-important factor of seating, for any decision on the part of patron to attend a film program, whatsoever be his thought of getting a good seat. To the average picturegoer, the term good seat does not necessarily mean a satisfactory vantage point, for no seat can be called good which isn't comfortable

THEATER

The Public Alon

By GEORGE F. CAHILL

Equipment Etc.
amples of operators taking the
re-shot by the horns and do-
re-seating exclusively, although
such a step would admittedly be a
widened builder.
A curious psychology, a seating
company's representative points out.
Attempts to prevail among theater
owners who do launch into action
re-seat their properties.

The tendency is for such a purchaser to
dudge the comfort of a theater chair
basis of how comfortable the
chair is to him personally. This fal-
acy is often as rife with danger as
the booking of a particular fea-
ure film purely on the books per-
nal taste, it is cited.

The comfort incorporated in a
theater chair by its manufacture is
matter of scientific formula which has
been evolved via long and inten-
tive research. The anatomical form
individuals at large dictates con-
cons, together with the personal
habits of sitting posture of the pub-
taken generally.

MANUFACTURERS' research
and sales organizations have
stered expressions of likes and
likes of thousands from coast to
coast, thus providing an incompar-
able guide and check in deter-
iminating the factors which assure the
greatest comfort for the greatest
number. In the instance of the
American Seating Co., when these
thousands of reactions are com-
pared, and conflicting opinions
analyzed and sifted, there arise
definite principles which their re-
search investigators have developed
from studies of anatomy and the
hygiene of sitting.

One of the best arbiters in the
matter of selecting theater chairs
can safely be said to be the theater
architect—and very rarely the in-
dividual purchaser who sets himself
up as a public yardstick.

ANEMOSTATS END AIR
DISTRIBUTION PROBLEM

An extensive remodeling program
which included a complete change in
air distribution methods in the Se-
ate Theater, Detroit, has just been
completed by Ben Cohn.
The Senate has been equipped with
a well-water air cooling system for
a number of years, but air distribu-
tion had been unsatisfactory. Cold
air was introduced to the theater
through two large sidewalk grilles,
each measuring 4 ft. wide by 6 ft.
high. The bottom of these large
grilles was at the arm rest level of
the seats.

Hugh Lenane, engineer for Ameri-
can Refrigerating Co. of Detroit,
found that great masses of cold air
moving from the old grilles caused
unpleasant drafts throughout the
theater and a warm "dead spot" un-
der the balcony.

To solve the problem, Lenane ex-
pected the air supply ducts up the
back wall of the auditorium to six
Anemostats located in the ceiling.
New outlets were also installed un-
der the balcony to offset "dead air"
conditions. Two existing tunnels
under the floor are now used to take
return air from the front of the
stage.

Because the Anemostats, product of
the Anemostat Corp., 10 E. 39th
St., New York, diffuse cool air to all
parts of the theater with equal vel-
cy and mix the cold air with the
warm air which rises to the ceiling
of the theater, tests have demon-
strated that temperature differen-
tials are now held within 2°F. in all
parts of the theater.

FILM DAILY

M E N T

STUDIOS
- FURNISHINGS
- SCREENS
- SOUND SYSTEMS

CONSTRUCTION RISES
IN L.A.'S OIL FIELDS

New Orleans — The Gulf States
territory of Louisiana, Mississippi,
and parts of Alabama and Florida,
built in over $500,000 in new the-
ter construction since January, a
FILM DAILY survey reveals.

Most of the building seems to have
been done in the oil sections of
Louisiana. The houses, either con-
structed or under construction, and
their approximate values are: Louisi-
ana—Vacherie, $25,000; LaPlace,
two, one at $17,000, another at $10,0-
00; Carencro, $10,000; DeRidder,
$45,000; New Orleans, two, one at
$125,000, another at $25,000; Baton
Rouge (contemplated) $30,000; La-
Rose, $15,000; Norco (contemplated;-
value unknown); Abbeville, two, one
at $10,000, another at $25,000;
Franklin, $45,000; Vidalia, $10,000;
Golden Meadows (reported value
about $25,000); Mississippi— Mc-
Comb, $45,000; Jackson, $40,000;
Alabama—Mobile, two, one at $70,0-
00, another at $45,000.

Franklin Research Issues
Rubber Gloss Wax Booklet

The Franklin Research Co., 5134
Loneaster Ave., Philadelphia, Pa.,
announces a new illustrated booklet
on its product, rubber gloss wax,
available on request.

This descriptive literature titled,
"Yes, They Look Alike," expresses
the necessary qualities a practical,
economical and safe floor wax must
have. Simple equipment for testing
the "water resistance" and the "co-
efficient of slip" (slipperiness) of a
wax is illustrated and offered free
to those interested in comparing dif-
ferent products.

The booklet contains descriptive
bar charts and an analysis of the
cost of maintaining a floor with a
water emulsion wax, the latter
having been made by a respected super-
intendent of a large building in Phila-
delphia.

FILM DAILY

ANEMOSTATS END AIR
DISTRIBUTION PROBLEM

Organ Installation
Cleveland—Organ recitals will make
their bow at the Lorain Fulton Theater
starting Sept. 17. Harry Hendry, man-
ager, has installed a Hammond elec-
tric and will offer concerts of both
classical and popular music.

FILM DAILY

GRIEVES ORDER TO STANLEY

Chicago — The Stanley Theater
Equipment Co. will supply Wenzel-
Ave projectors, a streamlined canopy
with Wagner letters, Ashcraft lamp-
houses, Hurley screen, American Seating Co. seats and a porcelain front
for the new Cine Theater, now
under erection at Brazil, Ind., by
Samuel Grieves.

ALEXANDER SMITH CARPET

"HOTEL FOR WOMEN"

A hotel for women is no place for a
man. Neither is a theatre the place
for drab, cheap looking carpet. Which
is one reason why most of the country's
successful theatres have Alexander
Smith Carpet.

ALEXANDER SMITH CARPET
The even color balance of high intensity projection light gives natural and pleasing screen reproduction of color features.

Lack of blue and excess of red in low intensity projection light distort the natural hues and beauty of color features.

Simplified High Intensity projection provides 2.7 times the volume of screen illumination obtained from low intensity lamps. This gives a clear screen image at a comfortable level of general illumination.

Simplified High Intensity lamps provide 2.5 times as much screen light per watt as low intensity. You cannot afford to retain low intensity projection when a few cents more per day will give you snow white projection light in more than twice the volume.

The words "National" and "Suprex" are trademarks of National Carbon Company, Inc.
NATION-WIDE REPORTS INDICATE STRONG VAUDE COMEBACK

MAJORS WOULD LIMIT GOV'T ON INTERROGATORIES

Silverstone Sees Public Preferring Pix to News of War

THE WEEK IN REVIEW

DOMESTIC W.R. AND U. S. PRODUCTION: Four major producers, at week's beginning, declared their companies would not curtail production of pix because of the war in Europe. The four were Warner Bros., Paramount, Universal and United Artists. Joseph M. Schenck, 20th-Fox board chairman, said that theater investments would prevent any production curtailment. Harry Cohn, Columbia prexy, said his company would make all pictures scheduled, spending $5,000,000 more on them than in any previous year. Austin Krich, head of Eastern Service Studios expressed the opinion that the war would not affect production in the East, and Technicolor stated all 20 pix announced to be filmed in its color system would be made...Film Daily survey in 18 large U. S. cities, showing business expansion proved the wisdom of the majors' "no cuts" declaration.

TRADE REFORM: Ed Kuykendall, MPTO'A prexy, announced early in the week that major distributors would go ahead with trade practice reforms despite Thurman Arnold's blast at the Code commission's failure to consider the price-fixing monopoly power of the majors. MPTO'A board set in July unsolved trade problems to be tackled.

SEE "TREATY" ENDING UNION RIVALRY

UNION TELE RIVALRY

Actors Equity and its affiliate unions are again turning their attention to the unionizing of television performers, a matter that.

TO OF OHIO JOINS FIGHT ON OLD AGE PENSION PLAN

Columbus, O.—Independent Theater Owners of Ohio has tossed in its lot with an emergency Committee.

VAUDEVILLE BOOKINGS REPORTED HEAVY IN MIDWESTERN AND EASTERN THEATERS

Warner Club Golf Tournament Tomorrow Attracts Execs.

The Sixth Annual Golf Tournament of the New York Warner Club will take place tomorrow at Glen Oaks Golf Course, Great Neck, Long Island.

Over 100 golfers are expected to

BROADWAY PIX GROSSES RISE

Biz Pace Equals or Better Thaf of Labor Day Week-end

Business on Broadway for the past four days, under the impetus of a two-day Jewish holiday, visitors here for the World's Fair, and an influx of New Yorkers returning from Summer homes, boomed at box offices at a pace equal to if not better in a great many cases than that at the Labor Day week-end.

The Rivoli, Roxy, Music Hall and Strand played to capacity crowds from Thursday on. The Rivoli, with.

Expect Anti-Games Bill in Wisconsin Will Die

Milwaukee, Wis.—Although the Paulson bill, which would bar Bank Night, Hollywood and similar theater games, has been passed by the senate, exhibitor leaders are not greatly concerned regarding the final passage since it is quite likely that the legislature will be adjourned before final action is taken on the bill. Exhibitors are opposed to the bill since it apparently does not ban Bingo from church halls.

EQUITY SUIT CONFERENCE BETWEEN COUNSEL, D OF J IN PROSPECT

Developments crowded forward on the week-end in the Government's New York equity action against the majors, Friday bringing disclosure from sources close to the litigation that a conference is looming at which counsel for the defendants will make strenuous representations to the D of J for a satisfactory limitation of the sweeping 68 interrogatories filed by the Government.

Should the D of J, it is said, be unwilling to hear the private argument concerning the fairness of curtailing both the number and scope of the interrogatories, a formal motion will be made.

DISTRICTS RECEIVE BERLIN COLLECTIONS

American companies' offices in Berlin are performing more normally than those in Paris and London and collections are coming through from Germany. The Paramount home office on.

Amusement Stocks on Big Board in Three-Day Climb

Amusement stocks on New York's big board, starting mid-week, went into a three-day climb. One.

RESTRICT EXHIBITION OF WAR PIX IN RIO

Rio de Janeiro (By Cable)—First steps to restrict exhibition of war pictures have been taken here. Number of such films is to be limited, with the regulation applying to World War stories as well. Additionally, wartime showing of newsreel subjects dealing with the present hostilities is prohibited. War reels can only be presented after 8 p.m.


dated to continue...
The Broadway Parade

Picture and Distributor

Goodbye, Mr. Chin (Metro-Goldwyn-Mayer)—19th week
The Old Maid (Warner Bros.)—13th week
The Star Maker (Paramount Pictures)—3rd week
The Cat and the Canary (20th Century-Fox)—2nd week
Blackmail (Metro-Goldwyn-Mayer)—3rd week
Golden Boy (Columbia Pictures)—10th week
The Real Glory (United Artists-Goldwyn)—4th week
Pennies from Heaven (Majestic)—5th week
The Day the Books Came (RKO Radio Pictures)—2nd week
Panama (Mercury)—1st week
Treasure on the High Seas (20th Century-Fox)—Central
In Old Caliente (Republic Pictures)—Central
Fifth Avenue Girl (RKO Radio Pictures)—5th week
Adventures of Sherlock Holmes (20th Century-Fox)—Palace

FOREIGN LANGUAGE FEATURES

The End of the Century (Sound Films)—2nd week
Filmarco
On His Own (Amkin)—Cinecom
Beryl's Last World Pictures
Little Canarpa
Harvest
A Briviale de Marnan (Sphinx Films)
Belmont
Madameoble M. and M. (J. H. Hoffner)
55th St. Playhouse

FUTURE OPENINGS

Honeymoon in Bali (Paramount Pictures)—Sept. 20
Paramount
The Lost Man They Couldn't Find (Columbia Pictures)—Sept. 21
Columbia
Pride of the Blue Grass, featuring Edith Fellows and society, fam-

ulous blind jumping horse. Oct. 28
The Roaring Twenties, starring James Cagney with Priscilla Lane
Nov. 11
Private Lives of Elizabeth and Essex, co-starring Bette Davis and Errol Flynn.
November 1st

Tobias Will Distribute

Keeno-Quiz, New Game

Milwaukee, Wis.—The action of
Charles W. Trampe, head of the
Monogram-Midwest Film Exchange
here, against the Bafi Frei hall to
restrain the playing of Bingo at the
hall, has been taken under advis-
ance by Circuit Judge Charles L.
Aarons and counsel have been in-
structed to file briefs by tomorrow

Warner's Australasian
Convention Opens Today

Warner's annual Australasian con-
vention opens today in Sydney with
managers throughout the territory
attending. Ralph Clark, Australian
manager for the company who re-
cently returned to Sydney after a
New York visit, will preside. Sales
policies and new product will be out-
lined at the huddles which are ex-
pected to last about a week.

Dallas Variety Club's
Fall Tourney on Oct. 16

Dallas—The Variety Club will
stage its Fall golf tournament on
This will be the Monday following
the Tournament of Champions which
usually brings large numbers of
showmen from all parts of the
Southwest.

Warings Set 3 for October
and Two for Nov. Showings

Warner national release schedule
for October and November has been
revised as follows:
Oct. 7. The Screen Agent, star-
ing Joel McCrea with Brenda Mar-
shall and Jeffery Lynn. Oct. 21—
"Pride of the Blue Grass," featur-
ing Edith Fellows and society, fam-
uous blind jumping horse. Oct. 28—
"The Roaring Twenties," starring
James Cagney with Priscilla Lane.
Nov. 11—"Private Lives of Eliza-
thabeth and Essex," co-starring Bette
Davis and Errol Flynn. November 1st

Briefs Due by Tomorrow

in Trampe's Bingo Suit

Milwaukee, Wis.—The action of
Charles W. Trampe, head of the
Monogram-Midwest Film Exchange
here, against the Bafi Frei hall to
restrain the playing of Bingo at the
hall, has been taken under advis-
ance by Circuit Judge Charles L.
Aarons and counsel have been in-
structed to file briefs by tomorrow.

Tobias Will Distribute

Keeno-Quiz, New Game

Lester Tobias has acquired Keeno-
Quiz, a new theater game, for dis-
tribution.

Illinois IATSE to Converse
Today; Chi. Men to Attend

Chicago—Most of Chicago's film
executives are expected to attend the
Illinois IATSE meeting which will
be held today in the city. It is reported
that many important
problems have been slated to
be placed before the convention
Frank Olson, state chairman, will
preside.

Varinghaus Named Booker

Detroit—Joe Varinghaus, Warner
poster clerk, has been made booker,
succeeding Joe Tracy. resigned. Jim
MacKay is new poster clerk.
SEE "TREATY" ENDING UNION TELE RIVALRY

(Continued from Page 1)

was in abeyance during the AAAAA-IATSE jurisdicational dispute.

Developments which might fasten organization of the tele field are agreements calling for closed co-operation between Equity and the American Federation of Musicians and also with the IATSE and with Equity's affiliates.

Equity sees the working agreement with the AFM as an aid in negotiating with television stations. The bitterness engendered between Equity, the AFPA and the SAC by Equity's assuming of control of the tele field may fade out in view of the closer relations of the three unions, with a possibility that the "treaty" may result in the theatrical unions sharing the tele field.

Amusement Stocks on Big Board in Three-Day Climb

(Continued from Page 1)

Stock on Wednesday showed a decline from Tuesday's close; two that were traded in were unchanged; all others closed at an advance of from one-half point to five points.

On Thursday very stock on the big board was traded in, and again with but one minus sign and two unchanged; all others advancing from one-quarter to six and one-half points.

On Friday all stocks save four were traded in, with four unchanged from the previous day's closing. All other stock showed gains for the day if from one-quarter to two and one-quarter points.

ITO of Ohio Joins Fight on Old Age Pension Plan

(Continued from Page 1)

see to fight the Bigelow constitutional amendments. These amendments would provide for a $60 to $80 old-age pension system for all persons over 60 years of age, and would also over the standards for submission of constitutional amendments and to initiate legislation.

SAYS PUBLIC PREFERS PIX TO NEWS OF WAR

(Continued from Page 1)

international hostility, Silverstone said:

"Motion pictures are a basic industry. Like any of the public utilities—transportation and communication and power—motion pictures are a vital adjunct of every-day living. Indeed, they have become almost as important as the basic necessities of food, clothing and shelter.

"Recent events have proved to us that there are no conditions so forbidding as to keep people from going to motion picture theaters. We have all heard how, in the midst of attack and bombardment, the ruins in London followed by screen entertainment was enjoyed.

"One of the facts learned in the past two or three weeks is that the reception of news of the war is a much more cumbrous thing than with first thought. The flash items, the 'stop-press' bulletins, are fewer and further between than they were just before hostilities began. It is no longer like listening to the broadcast of a prize fight with decisions of victory or defeat coming every few minutes. The armies are moving slowly, the decisive military and diplomatic acts have lost their bracing nature. The audience, for a war of attrition, is extremely small. It no longer keeps glued to the radio.

"Whatever the developments, whatever the results of the present situation, we also know that propaganda will play an ever-increasingly important role. Motion pictures must take their place in such a set-up, but their propaganda value will remain on a high plane. The contribution of the motion pictures will be a propaganda of the spirit, a propaganda of morale. The fact is that there is nothing in our present civilization that can and has brought people together, at least temporarily, more effectively than the screen. The individual sitting in a theater reacts to what he sees in pictures very much as his neighbor does."

WEDDING BELLS

New Orleans—Film Row's last entangled managerial on the neighborhood struck its colors last week as Paramount's exchange manager Jack Price returned to New Orleans with a bride, the former Iris Louise Royal of Jacksonville, Fl.

Baltimore—Aaron Coplan, owner of the Fremont and Booker T and part owner of the Monroe, was married here to Mrs. Selma Lavin.

Baltimore—Marriage of Helen Kerman, cashier at the Lyric, Calvert, and Linwood Cavey took place here Friday. They are honeymooning in New York.
VAUDEVILLE UPTURN
SEE THIS SEASON

(Continued from Page 1)

spurt, but that this year definite signs of a strong vaudeville comeback are apparent.

From various parts of the country come reports that theaters, large and small, are inaugurating stage shows with policy on the week-ends and in many cases extending the vaudeville days to include the greater part of the week. ERO is re-

installing stage shows in all situations where it was the policy last season. The Cooper circuit is using vaude in 15 houses, while the Brandts launched a big-name stage show in New York on Friday.

Approximately 50 theaters in the Midwest and East will use unit shows from the Mutual Book Office which has six shows ready for the road on a 20-week basis. Between 16 and 20 vaude units which are being booked out of Chicago.

VAUDEVILLE AS DUALS ALTERNATIVE

Detroit — Trend toward stage shows as an alternative to dual bills is increasingly evident in this terri-

tory as exhibitors tackle the war problem. Two Canadian theaters which are adopting stage shows booked through the Gus Sun Office in Detroit—the Strand at Kirkland Lake, and the Strand at Timmins, Ont. In Detroit, the Colonial went to vaudeville on a three-split policy yesterday. Present three-act vaude-

ville bills are being stepped up to five acts, Oct. 1, by the Ward Circuit's Broadway at Mount Pleasant; and three Cassidy houses—the Frolic at Midland, Strand at Alma, and Michigan at Saginaw. Associated Theatres is reviving stage shows about Oct. 15 at the Winnipeg at Yankton, and the Rialto at Filtl. All above bookings, except the Canadian, are through the Sol Berns office.

First Vaude In 10 Years

Holyoke, Mass.—The Victory Thea-

ter, under a change of policy, will offer six acts of vaudeville on Tues-

days, Wednesdays and Thursdays of each week, along with a feature picture and shorts. George Labey, mana-
ger, stated that the policy will be permanent if it clicks. This town has had no vaudeville in 10 years.

extends Vaudeville Policy

Elizabeth, N. J.—Manager George Nicoll of the Liberty reports such success with week-end vaude which he has decided to extend the policy to Friday nights and to add Saturday matinees.

Resuming Vaude In Utica

Utica, N. Y.—Success of vaude-

ville at the Colonial here last season has resulted in the decision to resume the policy this year. For the present season, Manager George Seed an-

HOLLYWOOD

Fitch Stories as Series

Columbia's Fitch's tales of good, old Swanson College, may serve Paramount as a series. At any rate, two pith with a Swanson setting are definite, and there may be more. William Holden will play Fitch, steller role.

"Clara Barton" as Featurette

Warners are preparing to produce "Clara Barton and the Red Cross," historical featurette, owing to its timely character. Play will be made in Technicolor and will be sup-

ervised by Gordon Holland. Production begins early in October. Warners also are planning a series of short films based on Booth Tark-

ington's character, Penrod.

Metro Starts Two Today

Two pictures, "Nick Carter," and "The Secret of Dr. Kildare," will go into production Monday at Metro, Walter Pidgeon fills the title role in "Nick Carter," with Rita Johnson in the principal feminine part. Jac-

ques Tourneur is the director, Lucien Hubbard the producer. Story is based on 11-time best-seller series to which M-G-M recently acquired complete film rights. "The Secret of Dr. Kildare" is the third production in the group of stories dealing with the adventures of a young physician. Again, will be played by Lew Ayres and Lionel Barrymore. Harold Buc-

quet is director.

"Join Blue Bird" Cast

Cecilia Loftus and Al Shean have been chosen for the roles of Granny and Grampa Tyl in 20th-Fox's Tech-

Wanger Signs Werner Janssen

Werner Janssen has been signed to create and direct the musical score for Walter Wangen's "Send Another Coffin."

"In Call on the President"

Ann Sothern and William Gargan will portray The Jimmy and Damon Rush, Mr. and Mrs. James Roosevelt. Walter Brennan will have the part of the man in the man, and Tom Neal will be seen as the son of Kitty, played by Marsha Hunt, whose role carries her from girlhood to middle age. Robert Sinclair is to direct the pic-

ture, while Edgar Selwyn is produc-

31 Minn. and Wis. Houses

Using Books as Premiums

Minneapolis — Thirty-one theaters in Minnesota and Wisconsin have joined in a co-operative move to stimulate business via Book Nights.

Under the premium plan, a Book-

Night certificate is given to a patron attending the evening show, and paying an admission charge of 15 cents in cash, advertised as a handling charge, entitles the patron to one volume of the "Standard American Encyclopedia." Del-

uxe edition costs a quarter more. A new volume will be released each week until 15 volumes have been thus offered to the public. Some of the theaters are running the Book Nights once and others twice a week.

The following theaters, mostly native in the Twin Cities, are: Aval-

lon, Boulevard, Camden, Campus, Edina, Falls, Hollywood, Leola, Nile, Paradise, Ritz, and Varsity in Min-

neapolis; the Astor, Beaux Arts, Dale, Faust, Mohawk and Randolph in St. Paul, are participating in the plan.

Out of town theaters participating are: Robin, Robbinsdale; Avalon, Wisconsin, Bear Lake; Green, Anoka; Hudson, Howard, Wis.; Lake, Excelsior; Metro, Red Wing; and Palace, Ceylon, Corn, Willmar, Stanley, Stanely, Wis.; Spanish Gar-

den, Oceola, Wis.; State, Owatonna; Waverly, Waverly, and Wayzata, Wayzata.

would limit govt on interrogatories

(Continued from Page 1)

tion may be instituted by the de-
fendant upon the government.

Also on Friday, Federal Judge John C. Knox filed a memo-

randum in an order out of the Government's application for pre-

ference date on Nov. 1 for start of the trial. In the memorandum he postponed a ruling until the ma-

terial of the 68 interrogatories is set-

ted. The Knox memorandum was re-

garded in individual, legal sense as a victory for the majors.

Judge Knox said: "In view of the comprehensiveness of the inter-

rogatories I think it advisable not to set a date for the beginning of the trial until I can be informed as to how far this de

ter will be.

That the D. of P.'s antitrust division in the Southern District, New York, may undergo what amounts to a disen-

chantment, was noted on the week-end. Reports, persist-

ent but lacking confirmation, were to the effect that present personnel of the entailed division would be dis-

banded among various sections of the country. Further inform-

ation which the antitrust division would make public, indicated the current equity suit of the Government against the majors, would be addressed by the of-

fice of John T. Cahill, U. S. attorney for the Southern District. How such a step would effect the ac-

tion against the majors is purely spec-

ularatives can be given to complai-

nected in further preparation for trial. When I can be so informed, let the counsel for the parties again appear before me." He also revealed that (1) the D. of P. private-

ally admits that the defendant com-

pany cannot answer the interro-

gatories he has addressed to it, (2) the Govern-

ment has actually abandoned it in the federal case, both of which (3) the defendant is al-

ing at the objective of letting the case come up in its so-called regular course, and (4) such regular course would mean no trial before next Feb-

ruary at the earliest.

Acquires Two French Pix

The French Cinema Center, Inc., has acquired distribution in the United States two new French pix; "Aux Jardins de Montagne," starring Jean-Louis Barrault, Suzy Prim, Almerine, and Edmond Delmonte, filmed in Swit-

zzerland.

W. L. Peabody Dead

Chicago — W. L. Peabody, 66 chairman of the board of the Ansell Simplex Ticket Co., is dead. Body was shipped to El Paso, Tex., for burial.
THEY’VE MOVED THANKSGIVING AGAIN!

it starts right now!
THE TALK OF THE INDUSTRY! PREVIEWED AND READY FOR S.R.O.!
"Look ahead Mister Exhibitor! M-G-M is writing the history of '39-'40!"

Never before has any company (including M-G-M!) started a season with such a barrage of established hits!

(more next page)
“THE WOMEN” is

FRONT PAGE NEWS

It’s so BIG they put it on Page One and here’s what they say:

“Roll out the barrel the world’s been singing about, Showmen, and get ready to need it to hold the money when the first houseful in to see ‘The Women’ get to a phone to tell their friends the news . . . THE WOMEN is one of those terrific box-office attractions.” —MOTION PICTURE DAILY

“THE WOMEN’s success is a foregone conclusion. Superlatives are in order. Audiences may be expected to turn out in droves.”—BOX OFFICE MAGAZINE

“THE WOMEN is one of the smash hits of the season. Extended runs, hold-overs and top-grosses will be the rule.” —VARIETY

“THE WOMEN is the hottest box-office attraction of 1939 . . . a self-selling, gate-building morsel spiced to the palate of any and all comers.” —MOTION PICTURE HERALD

“THE WOMEN solid triumph with top box-office punch . . . M-G-M has a top hit! Boys and girls, here is one that should break records.” —HOLLYWOOD REPORTER

“THE WOMEN is sure-fire screen fare.” —FILM DAILY
“THE WOMEN is for the women, and that means that they'll drag the men with them.”

—SHOWMEN'S TRADE REVIEW

“THE WOMEN is a solid smash hit.”

—Ed Sullivan, DAILY NEWS
Column Syndicated Nationwide

“THE WOMEN is a bold, glittering and enormously funny film. I urge you to run to it the moment it is exhibited in your part of the country.”

—Beau Broadway, MORNING TELEGRAPH

This bath-tub scene is not the one in “The Women.”

“THE WOMEN has all the elements of a smash success. Absorbing entertainment, exciting, provocative and pictorially decorative. The season’s stand-out offering.”

—DAILY VARIETY

“THE WOMEN is not only adult, but extremely sophisticated.”

—Louella Parsons, LOS ANGELES EXAMINER

“THE WOMEN will certainly bowl over the matinee trade, and go quite a bit beyond that.”

—Edwin Shallert, LOS ANGELES TIMES

“THE WOMEN is going to be one of the smash hits of the year.”

—Harrison Carroll, LOS ANGELES EVENING HERALD AND EXPRESS

AND NOW THE HEADLINES BEGIN!

'Women' $16,000 Paces OK Cincy:

'Women' Sweet $34,000, 2 L.A. Spots:

'Women' 19G in Uneasy Pitt.

FLASH! "THE WOMEN" S.R.O.!

Watch those dames bring in the dough!

Start '39-'40 with “The Women” and get the hit habit early. Eyes on Leo! Keep going!
BECAUSE of our own sincere belief after having previewed “Babes In Arms” in several widely different theatres—

BECAUSE of the hysterical enthusiasm of the audiences in each instance—

BECAUSE of the grape-vine comments already started by the newspaper representatives and columnists of Hollywood—

WORD OF MOUTH IS MAKING IT FAMOUS ALREADY!

We Predict:

"Babes In Arms" Will
MICKEY ROONEY
JUDY GARLAND

and hundreds of entertainers in the gala musical comedy stage hit, the most discussed film of the new season:

"BABES IN ARMS"

MAKE SCREEN HISTORY"

You'll predict it too! There's another Babe in Arms on next page!
"DID PAPA SIGN HIS M-G-M CONTRACT YET?"
"YES, PAPA SIGNED HIS M-G-M CONTRACT!"

He believes in security. He knows that grade "A" pictures mean grade "A" milk for baby and new furs for Mama. He knows that year after year, when all is said and done, there's just one safe bet for the family, The Friendly Company!

(More wonderful news follows:)

Last year M-G-M serviced the largest number of theatres and had the largest number of accounts in its entire history! To them we say: "Your faith and loyalty is reflected in M-G-M's remarkable new product!"

M-G-M's Fall line-up is literally The Talk of the Industry. While "The Wizard of Oz" continues to set new marks in extended-runs and while the life-saving Summer hits of M-G-M are still fresh in memory: "Andy Hardy Gets Spring Fever", "Goodbye Mr. Chips", "Lady Of The Tropics" etc. etc., the season '39-'40 begins triumphantly! "The Women" and "Babes In Arms" are already celebrated on every Film Row! Also previewed and acclaimed are the four great attractions shown on the next page.
Garbo laughs in "Ninotchka" (don't pronounce it—see it!)

with

MELVYN DOUGLAS
INA CLAIRE
An ERNST LUBITSCH Production
Garbo laughs! Garbo loves! Garbo in a gay comedy of OO-la-la Patee! Slyly Directed by Famed Ernst Lubitsch!

Produced by Sidney Franklin

Many others near completion and the advance tip-off is:

"More Big Ones on the way!"

M-G-M is racing far ahead of the field!

There's no comparison—and remember this is just the beginning! Just Sept. and Oct.!

Eyes on Leo!
all together now:

"METRO-GOLDWYN-MAYER'S
THE ANSWER TO YOUR PRAYERS"
PICTURE GROSSES RISE IN BROADWAY HOUSES

(Continued from Page 1)

The Real Glory," was using extra midnight shows to handle the crowds. In Fox's, with "The War of the Worlds," the box office figures in its second week, was running even with the first week's record-breaking attendance and a total of over 200,000 paid admissions was recorded for the first 10 days.

The Paramount continued well over average business with "The Star Maker" in its third week and "The Old Maid," at the Strand, showed remarkable strength in its sixth week. "Golden Boy" at the Music Hall did such strong business during the past four days that it was reported it may be held over a third week.

Other New York houses surveyed reflected the trend in the box offices receipts reporting well over average business.

In seven pre-release engagements "The Raines Game," new 20th-Fox release, has almost hit the all-time records set by "Alexander," and in one situation is topped the latter picture, it was learned at the weekend. At the Roxy it went over $150,000 admissions in the first week and over $200,000 for the 10 days.

Police Rather Than War Worries Detroit Exhibs

Detroit—Detroit show business has been hit worse by threatened polo epidemic than by war conditions, aside from the first few days of scare broadcasts when Detroiters stayed pretty close to their radios. Local schools are being kept closed an extra two weeks by the epidemic, and the attendant publicity has seriously cut juvenile attendance at the theaters.

Exhibitors are looking forward to practically no business on Wednesday night when Joe Louis fights Bob Pastor here, and some have even discussed closing for the evening.

Mrs. Ziff-Marks Expands

Toronto—At a cost of $75,000, Mrs. Lillian Ziff-Marks, owner of the Bellard Theater, Fort Erie, Ont., will build another theater opposite the Buffalo and Fort Erie ferry landing, in Ontario. Mrs. Ziff-Marks also has bought the Elmwood Theater in London, Ont.

Import Troubles

Newark, N. J.—The little, downtown house specializing in imports, is having its freedom jeopardized. The manager has filed a petition to be added to the taxi list. As agent who works there, the manager is aged to get out with three. Another agent who works there is being removed to Ellis Island. And even if he is released, there is question whether the films will be allowed in.

THE WEEK IN REVIEW

War Not to Curtail U. S. Prod.—English, French Theaters Reopen

(Continued from Page 1)

at its Virginia meeting, Oct. 23-24.

ON THE LABOR FRONT: Frontal attack on the IATSE position in the amusement field was made by the CIO when it chartered the United Theater and Motion Picture Employees Union, giving it jurisdiction over operators, stagehands, ushers, doormen, porters and cashiers. As the week advanced, strength appeared to be near at hand for the CIO's "invasion" by the executive council of the American Federation of Actors (previously suspended by the AAAA, chartered by the IATSE and abandoned by the latter) in refusing to be dissolved: CIO seems to be the only place where the AFA can go. The AAAA, in an effort to clear up jurisdictional jumbles in the future and to cement its hold on actors, was reported to be mid-week working on a "one card, one dues" union plan to be presented to the membership within two weeks.

GOVERNMENT AND COURTS:

Defendants in the Chicago contempt case lost their motion to dismiss the case. Ditto, the defense in the Philippines. The Quenos (Newark, N. J.) Theater Co.'s $3,525,000 anti-trust damage suit. Distributors defendants in the Government's New York equity suit appealed by its counsel before Federal Judge John C. Knox asking him to defer action on the D of J's application for a preferential bond until the court has decided what interrogatories the defendants must answer and the date for answering them. The D of J's motion for an emission of the Schine circuit against which it has a monopoly suit pending. The Schine opposition to still another date at which the alleged $100,000 gift to William Brown is to be repeated.

FINANCIAL: Universal reported a 28-week net of $890,956.21 before payment of federal income taxes.

Broadway theater grosses maintained high levels hit the previous high. Amusement stocks, after an initial drop, perked up as the week advanced, a few stocks gaining four to six points.

FOREIGN

CLOSED THEATERS REOPEN:

England, which began reopening its war-closed theaters in "safe" areas at the previous time-end, had by Dec. 23, reopened 3,000 more houses, with biz reported good. By Friday, the situation in Great Britain was approaching normalcy, 3,000 more theaters having reopened. A 6 p.m. curfew was fixed for London West End theaters, 10 p.m. for others. In France it was reported that 65 per cent of the films in service are now using majority of all-inclusive closed houses being close to the German frontier.

MEXICO'S PIX STAND:

Determined to support native Mexican films industry, the Departmento Central decreted that all pix houses, including the first-rooms in Mexico City and all principal cities, should show one Mexican-made film at least once a month.

ON OTHER FRONTS: Paramount agreement with the Franco government of Spain provided for rentestances to be made it to dollars. Pix biz in the Dominion of Canada was reported to be hard hit by the war. The budget of the C.I.O. was almost as a result of the conflict in Europe. . . . A war "emergency" in Britain was established by the BBC for financing cancellation, indentifyment, of, programs and experiments. . . . Columbia, in move to stimulate its Latin American business, decided to hold sales conferences in Havana Sept. 20-22 and in Buenos Aires Oct. 30-Nov. 1.

Lichtman Forms New Co.

Richmond, Va.—The State Corporation Commission has issued a charter to Harrison Theater Corp. A. E. Lichtman, of Washington, D. C., listed as president, heads a circuit operating in Virginia, District of Columbia and North Carolina.

Friday received advance payment from its Berlin office for September business, marking the first time this had occurred. While there has been no telephone communication with its Berlin office since the war, in Europe started, Paramount has been advised that business there is being carried on as usual.

Paramount, M-G-M and 20th Century Fox, the only major companies which own their own branches in Germany.

Warner Club Golf Tourney

Tomorrow Attracts Execs.

(Continued from Page 1)

at the dinner to be held in the evening. Jerry Keyser is Chairman of the Golf Committee, which includes Harold Redler, Gene Klaw, Leonard Palumbo and Abe Kronenberg.

F & M Dropping St. Louis Orpheum as Lessee Expires

St. Louis—Fanchon & Marco interests will not renew their lease on the 2,000-seat Orpheum Theater when it expires Friday.

The Orpheum, which has been dark for some months, is owned by the Southern Real Estate & Finance Company, controlled by the Cella theatrical interests. Annual rental on the house under the four-year lease has been $35,000.

The Fanchon & Marco interests acquired the Orpheum Theater when they reached agreement on a settlement of their differences with Warners, Paramount and RKO in 1936.

"Harvest" Okayed

"Harvest," French picture being distributed here by the French Cinema Center, was passed Friday by the New York State Board of Censors. It was previously having been banned by the New York State Board. It was reported that no deletions were made.
REVIEWS OF THE NEW FILMS

“The Day the Bookies Wept” with Joe Penner, Betty Grable, Tom Kennedy

PKO

HILARIOUS COMEDY WITH JOE PENNER AND A BEER-DRINKING HORSE WILL GET PLENTY OF LAUGHS.

This is about the best vehicle that Joe Penner has had an opportunity to cavort and clown in to date. It should highly amuse the legion of Penner fans and get plenty of laughs from any audience. Fittingly, the film has been kept moving from start to finish with good timing of the laughs.

Penner, a Brooklyn taxi driver who is a pigeon fancier in his spare time, is nominated by his fellow cabbies to train their horse when they decide to fool the insurance company. He enters the racing game instead of losing their dough on bad tips. Penner is tricked into buying a worthless nag called Hiccup. He arrives back in Brooklyn with his horse and the riot is on. Betty Grable, the lowly, is starting to look good in a cabby, takes care of his pigeons while he installs his horse and himself at the Jamaica race track. However, Hiccup finishes in all his races just right for the next time to start and the cabbies get impatient to make their big killing when Hiccup wins.

Meanwhile, the odds on Hiccup rise steadily each time he runs and the Kentucky Colonel, who sold the nag to Joe, arrives at the track and sees he's in a race at 60 to 1. Knowing Hiccup's fondness for alcoholic beverages he sends a keg of beer around to the stable and the horse goes on the horse. Betty arrives and finds the horse drunk so she takes the two thousand dollars the cabbies were going to get. However, she meets the Colonel and he tells her about Hiccup's peculiarities and she bets the money, with Hiccup delivering the goods by 14 lengths to put the cabbies in the chips. The zany comedy aspects of the story and Penner are a real comedy delight.

CAST: Joe Penner; Betty Grable; Tom Kennedy; Richard Lane; Winston Hall, Bernadene Hayes, Carol Hughes, Jack Arfield.

CREDITS: Producer, Robert Sick; Director, Leslie Goodwins; Screenplay, Bert Grau and George Jeske; Story, Daniel Fuchs; Cameraman, Jack MacKenzie; Editor, Desmond Marquette.

DIRECTION. Good. PHOTOGRAPHY. Good.

Acquires Chaplin Shorts

Sam Rubinstein has acquired 12 Charles Chaplin two-reel comedies which were made by Essanay during the comedian’s early career. Rubinstein has set up headquarters at 650 9th Avenue under the name of King of Comedy Corp.

Leitcher Sets “Sudan”

Cleveland—Mitchell Leitcher has closed a deal with the Independent Film Exchange for the distribution of “Sudan” in the Ohio and Kentucky.

Dallas—V. C. Expands

“Tropic Fury” with Richard Arlen, Beverly Roberts, Andy Devine

Universal 62½ mins.

ACTION STORY SET IN THE TROPICS RATES AS POP ENTERTAINMENT.

An unscrupulous rubber baron who has Napoleonic delusions plunders the nucleus for this film. It is filled with good old fashioned hokum, but there is plenty of action and the cast is O. K. Beverly Roberts, Richard Arlen, Andy Devine and Margaret Vyner, capable in fashion. Arlen, scout for an American rubber company, is about to go into the jungle to set up a mysterious rubber plantation. He meets Beverly Roberts who also is going into the jungle. Andy Devine, a bartender in the seacoast town where they start their trip, throws in his lot with Arlen after losing his job. In order to get to their destination they sign on as part of a crew of rubber tappers. Merrill, owner of the rubber plantation, rules with an iron hand and trouble en- sues as soon as they arrive. Finally, Arlen leads a revolt of the natives and Merrill is killed. Miss Robert's father, who has been Merrill’s prisoner, is liberated.


CREDITS: Producer, Ben Pirir; Director, Christy Cabanne; Screenplay, Michael Simons; Original Story, Maurice Tombragel and Ben Pirir; Camera-man, Jerry Ales.

DIRECTION. O. K. PHOTOGRAPHY. Good.

Cleveland Variety Post Headed by John Himmelein

Cleveland—John Himmelein, former local Paramount branch manager has been elected commander of the Variety Post 318 succeeding Howard Roth. The rest of the slate for the current season is: adjutant, Dr. A. Babus; 1st vice commander, L. Rich; 2nd vice commander, Aaron Wyane; finance officer, Edwin Bergman; historian, J. Lavery; chaplain, Dr. J. Babus; judge advocate, Dr. I. Dembo; 1st sergeant-at-arms, Joseph Sxepe; 2nd sergeant-at-arms, A. Kahn.

The new officers will be formally installed Oct. 13 at the Variety Club. Former commanders of the Cleveland Variety Post for three years ago are Col. Harry E. Long, Low division manager; Harry H. Goldstein, Paramount district manager and Howard Roth, Paramount booker.

“Taku”

Norman Dawn Prod. (Hollywood preview)

ALARaskan Mining Story Serves as Framework for Marvelous Shots of Wild Life.

“Taku,” produced, directed, and photographed by Norman Dawn, is an accurate filter for the average program. Offered as a story of native life in the land of Taku, Alaska, its human characters and story prove to be unimportant but do serve as a framework for the marvelous shots of wild animal life that swarms the pad and a reaper, represents the picture with their humorous misfils. The photography was excellent and outstanding were the shots of the salmon swimming against the rapids, the skunk, the penguins marching in formation, and the breaking up of the glacier. The story, while there was no concern of a miner constantly watching for a rich strike. After numerous mishaps, which appear a bit comical because of his unprofessional acting, he finds a rich mine; but in trying to rescue a lost child and return her to the village, not realizing the coal mining operation of the dialogue was all too obviously an aftermath of the camera work, and in spite of a few other shortcomings, the picture “Taku” should be enjoyable to all those who like to see wild animals.

CAST: Native non-professionals.

CREDITS: Producer, Norman Dawn; Director, Norman Dawn; Story, Susan Denis; Editor, Charles Hunt, Jr.; Photography, Norman Dawn.

DIRECTION. Fair. PHOTOGRAPHY. Good.

New GE Committee Will Set Advertising Policy

Charles E. Wilson, executive vice-president of the General Electric, announces the appointment of a new committee to hatforward the policies and co-ordination of GE advertising. Chester H. Lang of Schenecedit, company’s advertising manager, is chairman and in this capacity will serve as a member of Wilson’s staff in connection with advertising and publicity matters.

Other members are: B. W. Bullock of Bridgeport, Conn., recently named head of the appliance and merchandise department of the company, and H. F. Barnes of Cleveland, general manager of the lamp department.

the picture “Taku” should be enjoyable to all those who like to see wild animals.

CAST: Native non-professionals.

CREDITS: Producer, Norman Dawn; Director, Norman Dawn; Story, Susan Denis; Editor, Charles Hunt, Jr.; Photography, Norman Dawn.

DIRECTION. Fair. PHOTOGRAPHY. Good.
“En Kvinnas Ansikte”  
(A Roman Face)  
with Ingrid Bergman, Anders Henrikson  
Scandinavian Talking Pictures  
90 Mins.  
STRONG EMOTIONAL STORY WITH  
UNUSUAL THEME DEFTLY ACTED AND  
DIRECTED  
It is unfortunate that the Swedish dialogue will place restrictions on the scope of exhibition afforded to this new film as it is excellent in all respects. English titles do not completely interpret the dialogue. The acting is first rate, with Ingrid Bergman giving a brilliant performance. She is capably supported by a fine cast which includes Anders Henrikson, Georg Rydeberg and Eric Berglund. Miss Berg-  
man, disguised as a child, has a mind that is warped and vicious. Her one mission in life is to play on those who forestall. However, she meets Henrikson, a surgeon, and she is made beautiful, with her natural conflict of emotions when this transfiguration takes place leading to an unusual climax.  
CAST: Ingrid Bergman, Anders Henrikson,  
Georg Rydeberg, Eric Berglund, Tor  
Swanneberg, Gunnar Sjoberg, Magnus Kess-  
er, Gosta Sederlund, John Ericsson, Sigurd Wallin,  
Karlf Kadd, Bror Brugler, Hilda Bergman.  
CREDITS: Svensk Filmin productions;  
Director, Gustaf Molander. Presented at the  
48th Cannes Film Festival with Swedish dialogue  
and English titles.  
DIRECTION. Fine. PHOTOGRAPHY.  
Good.  

“Erik a Buzkalazas”  
(The Wheat Ripens)  
with Sari Fedak, Mici Erdelyi, Laszlo  
Silassy  
Danubia Pictures  
82 Mins.  
Pleasing hungarian picture has  
Gay Music and Amusing Comedy.  
Hungarian-American audiences will be  
excited by the newest Danubia importa-  
tion. Although the story construction is  
weak, there is a sufficient amount of com-  
dy and pleasing music to more than atone  
for this deficiency. Capable cast is headed  
by Sari Fedak, Mici Erdelyi, Laszlo Silassy  
and Atrilla Peto. Story concerns a  
romance between Miss Fedak and Peto.  
Their marriage plans are complicated by  
the fact that her two children are un-  
marrried and she won't wed until they are.  
Finally, the problem is solved satisfactorily.  
CAST: Sari Fedak, Mici Erdelyi, Maria  
Egy, Laszlo Silassy, Laszlo Peryeny, At-  
tila Peto, Kalman Rozszyke, Sandor Gado.  
CREDITS: Kino Film production;  
Director, Bela Gaal. Presented at the Modern  
Playhouse with Hungarian dialogue and no  
English titles.  
DIRECTION. Good. PHOTOGRAPHY.  
Good.  

Weiser to Give Courses  
Jacob A. Weiser, formerly with  
Metschker, is going to give  
16-week course in dramatics,  
playwriting and the American  
theater at CCNY. Registration period  
ends Sept. 22.
"THE RAINS CAME"

SMASHES

"JESSE JAMES" RECORD

by more than

$6,000

in first week

at the ROXY!

and beats "JESSE JAMES" in early-run
openings at SEATTLE, PHILADELPHIA,
ALBANY, PITTSBURGH, SAN FRAN-
cisco, MILWAUKEE!
War Puts Crimp in Odeon's Deal for Para. Theaters

NATIONAL DIVORCEMENT LEGISLATION IN PROSPECT

Arbitration Clauses Apply Only to Contract Violations

Not a Means for Untangling Clearance or Overbuying

The voluntary arbitration clauses in several of the major companies' exhibition contracts are applicable only to disputes rising from contract violations and are not to be considered as a means of untangling clearance and overbuying problems, it was pointed out yesterday by an industry executive.

It was explained that many exhibitors have been laboring under the impression that the arbitration (Continued on Page 11)

BUCK FIRST WITNESS IN NEB.-ASCAP SUIT

Lincoln, Neb. — Hearing started here yesterday before a three-judge tribunal in the Federal Court in the State's defense of the constitutionality of its anti-Ascap law passed in 1937.

Gene Buck, president of Aseap, occupied the witness stand for four hours, devoting special attention to (Continued on Page 10)

Italian Company Seeking Five Fine Arts Pictures

Five pictures produced by Franklin Warner for his Fine Arts company may be distributed in Italy under a deal now being negotiated between Warner and a representative of an Italian company. (Continued on Page 4)

Westway Files Exceptions to Particulars Bill Move

Baltimore—Westway Theater, plaintiff in an anti-trust suit against the Edgewood Theater and seven majors, has filed exceptions to the demand of the defendants for a bill of particulars. No date for a hearing has been set as yet.

Odeon Circuit Deal for Paramount's 14 English Theaters Stymied by War

Metro Abandons Production Plans for 'Busman's Holiday'

"Busman's Holiday," which M-G-M was to have made in England, has been shelved and there are no plans to shift its production to the U.S., according to Richard Thorpe, director, who arrived on the Washington from Europe. Thorpe, who (Continued on Page 4)

The Odeon deal whereby the English circuit was to have taken over 12 of Paramount's 14 theaters in England has been postponed until at least the end of the European war. This was stated yesterday by Barney Balaban, Paramount president, who (Continued on Page 15)

“Lynton” Plagiarism Award Against Theater Reduced

In an opinion rendered yesterday, Federal Judge Vincent L. Leiboll reduced an award of $16,470 to $3,099 against the Morehall Realty Corp., owner of the Capitol The- (Continued on Page 11)

Ohio Moves to Enforce Wage Agreement Statute

Columbus, O.—Ohio exhibs. must enter into wage agreement with all employees less than 21 years of age (Continued on Page 11)
Examination of Zanuck
Okayed But at a Price

New York Supreme Court Justice Thomas F. Noonan yesterday granted to Robert E. Sherwood and the Players Producing Co., the privilege of examining Darryl F. Zanuck before trial in Los Angeles. It made it a condition that Sherwood pay $150 a day to Julian Abeles, attorney for Zanuck, for his legal services, $25 per day living expenses and $800 transportation expenses.

The order requires Zanuck to produce the records of the film "Young Mr. Lincoln" at the examination. Twentieth Century-Fox is defendant in a suit which charges it with trading upon the popularity of the Sherwood play "Abe Lincoln In Illinois."

Wiset May Follow Ciggy
Levy With 2% Sales Tax

Madison, Wis.—Wisconsin's budget problem for the biennium was a step closer to solution with the passage by the State legislature of a $180,000,000 revenue bill through a 2% sales tax on all retail transactions.

The new tax becomes effective today.

On the heels of the passage of this measure, however, come reports of a 2 per cent sales tax measure to make up a deficit of some $18,000,000 in the budget. A proposal under discussion in the measure is a $5 tax on retail outlets.

Producer leaders have indicated that they will strenuously oppose any sales tax bill.

Warners Planning More Historical Features

Norman H. Moray, Vitaphone sales manager, goes to the Coast next month to confer with executives there. It is expected that he will confer with the division in charge of historical features for seasonal release. Present lineup calls for six, and it is expected that they will be a rich source of new materials for the studio.

Moray will be accompanied by Bryan Foy and Gordon Hollinshead at the Buoy studios.

Open Season on Sales Drives
Launched by ITO of Ohio

Columbus, O.—ITO of Ohio is de-

to give convention report

Report on the recent Allied of New York convention in Atlantic City, will be given to members today at a luncheon meeting of the unit at the Hotel Lincoln.

It will be the first session at which the newly elected president, Lee Newberry, will preside.

Brooks Shifts Drive-In
Fardale, O.—The Drive-In The-

of stock

available

driver, in New York from the Coast.

Cable to the Washington Post, announced that he has received a letter from Miss Muriel Crandall, who is possessed of an original picture of the actor, which she will give him if the writer will come to Atlant

Al A. RODDICK, Jr.

Dutch THE

the

Published daily except Saturdays, Sundays and holidays at 1501 Broadway, New York, N. Y.

by William Randolph and Film Film, Inc., J. W. ALICOATE, President; and Publisher; Don-

ed M. MERSEREAU, General Manager

the

in

Download full publication

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Editor

Safeguard 1939

FILM DAILY

1939

2720 Seventh Ave.
New York City

New York Stock Market Net

Oct.

Sept. 3rd

High

Low

Close

Chk.

C Holmes Pict. (12%) 113 111 110

Col. Picts. (12%) 112 110 108

Columbia Pict. pfd. 108 106 104

Con. Film, Inc. 117 114 113

Con. Mov. pic. pfd. 83 81 80

Fox Film Corp. 97 95 93

Gaumont-Col. Corp. 92 91 90

Loc. Inc. 94 92 91

Mono. pictures 90 88 87

Paramount Film 77 76 75

Paramount 1st pfd. 91 89 87

Paramount 2nd pfd. 84 82 81

Pathé Film 101 99 98

RKO 79 76 75

20th-Century Fox 94 92 91

20th-Century-Fox Corp. 80 78 77

Univ. Pict. 99 96 94

Warner Bros. 95 92 91

35-day 44 44 44

New York Bond Market

Corner B. F. & Foot. 100 100 100

Loc. Inc.'s deb. 31/2 31/2 31/2

Param. Picts. 495 485 475

Para. Picts. 455 445 435

Para. Picts. co. 377 367 357

RKO 6,415

Warner Bros. 6,036

Warner Bros. deb. 6,048

New York Curb Market

Monogram Pict. 1 1/4 1 1/4 1 1/2

Sonora Corp. 1 1/4 1 1/4 1 1/2

Teledex Corp. 3 1/2 2 3/4 2 3/4

Trans-Lux 1 3/4 1 7/8 1 7/8

Universal Corp., vct. 3 1/4 2 1/2 2 1/2

World Corp. 10 7/8 10 7/8 10 7/8

N. Y. Over-the-Counter Securities

Stock for Rent or Vault

Safeguard 1939

FILM DAILY

1939

720 Seventh Ave.
New York City

New York Stock Exchange, Inc., 9:30-9:30

Safety

Lloyd's

Film Storage Corp.

Storage by Rent or Vault

Security

BETTE DAVIS
MIRIAM HOPKINS
in
“THE OLD MAID”
with GEO. BRENT

- Donald Crisp • Jane Bryan • Louise Fazenda • James Stephenson • Jerome Cowan • Wm. Lundigan • Cecilia Loftin

Directed by EDMUND GOULDING
Screen Play by Casey Robinson • Based on the Pulitzer Prize Play by Zoe Akins and the Novel by Edith Wharton
Music by Max Steiner • A First National Picture

JACK L. WARNER • HAL B. WALLIS
In Charge of Production • Executive Producer

HENRY BLANKE
Associate Producer
STUDIO, IATSE TALKS WAITING ON ELECTION

West Coast Bureau of THE FILM DAILY
Hollywood — IATSE-studio negotiations regarding wage scales and working conditions have been deferred until Thursday.

IATSE says that it voluntarily requested a postponement until after the bargaining agency election tomorrow. The United Studio Technicians Guild which with the IA is contesting for the agency designation filed a formal protest with the NLRA against continuance of such negotiations pending the election.

Joseph M. Schenck, proxy of the Association of Motion Picture Producers, stated the association will bazaar collectively with whatever agency wins the election.

ITALIAN COMPANY SEEKING FIVE FINE ARTS PICTURES

(Continued from Page 1)

is not yet set but is understood to be close to inking.

If pact is signed, it will be one of the first Italian-American agreements reached since the Italian monopoly decree became effective.

Pictures made by Warner include "Shadows Over Shanghai," "Frontiers Scout," "Cipher Bureau," "Long Shot" and "Panama Patrol."

ARIZONA WESTERN WILL FIlM SERIES OF SHORTS


WEDDING BELLS

Pittsburgh — Melvin Barrett, formerly of the local Paramount Ad Sales department and now manager of this department in the Cleveland exchange, was married Sunday to Miss Ruth Gersen of this city, the ceremony taking place at the William Penn Hotel.

Conway, N. H. — Robert King, operator at the Majestic Theater here, was married in North Conway to Miss Alice Metz of Bedford, former Carroll County home demonstration agent. They will reside in Conway.

Berlin, N. H. — Miss Olive M. Cadolette of the box office staff of the Strand Theater here became the bride of Laurier R. Ducheneau at a nuptial mass in Angel Guardian Church. They left on a wedding trip to Canada.

FIND BIZ IMPROVING IN SOUTH AMERICA

(Continued from Page 1)

lean pictures in this territory to stimulate business.

Morris confirmed an exclusive cable story in THE FILM DAILY that he had investigated the possibility of theater investment by Warner in Rio de Janeiro, but he had n’t commented as to whether his recommendations would be. Arthur Abeck, managing director in Brazil for Warners, accompanied Morris.

Reisman visited Brazil, Uruguay, Argentina and Trinidad on his trip which was cut short by six or seven days due to the European war. Reisman reported that Argentine producers are building two new studios in Buenos Aires and that production there was making rapid strides.

McVillie Shauer, producer, who went to Buenos Aires to produce all Spanish pictures for United Artists, also returned on the Brazil. He said that due to several things that had arisen he had been unable to make any pictures in B. A. at the present time, but it was possible later to make pictures for UA elsewhere. He stated that he expected to confer with Murray Silverstone and later announce future plans to be set at that time.

METRO ABANDONS PRODUCTION PLANS FOR "BUSMAN'S HOLIDAY"

(Continued from Page 1)

was accompanied by his family and Mr. and Mrs. Robert Montgomery, said that the company’s studio quarters were being used as a food warehouse. Whether any of the pictures that had been slated for production in England will be made over here has not been determined, he said. Some background shots and exteriors for "Busman’s Holiday" were made prior to the outbreak of war, Thorpe said. Montgomery had been slated to star in the picture.

Ben Goetz, M-G-M top executive in England, who was scheduled to sail on the Washington was detained by illness, but it was reported that he sailed yesterday on the Manhattan from England.

"OLD MAID" RUNS AHEAD

Warners’ "The Old Maid" in the first four days of its fourth week at the Brooklyn Paramount rolled up a gross greater than in the same period of its third week, it was reported at the home office yesterday. Pix leaves the New York Strand Thursday after six weeks.

STORKS!

Baltimore — Harry Leventhal, projectionist at the New Essex, is the aging director of the State father of a new daughter.
TIMELY!

...AND AS FULL OF SUSPENSE AS THE LATEST WAR BULLETIN

...BECAUSE ANY MOMENT COULD SEE IT ALL HAPPEN AGAIN!

ANNA NEAGLE as NURSE EDITH CAVELL
THE STORY THAT SHOCKED THE WORLD NOW ROCKS THE SCREEN!

"Unbelievable, unthinkable," humanity cried, "The German War Lords can't do THAT to a woman!"... But they could, and they did!... Here is that story... true, thrilling, tremendous... told uncensored, without rancor or bitterness... told with a relentless realism and a heart-sweeping power beyond help or tears!... IT'S TERRIFIC!

OPENING THIS WEEK... RADIO CITY MUSIC HALL

ANNA NEAGLE in her first Hollywood appearance

as NURSE EDITH CAVELL

EDNA MAY OLIVER • GEORGE SANDERS • MAY ROBSON • ZASU PITTS

H. B. WARNER • SOPHIE STEWART • MARY HOWARD • ROBERT COOTE

Produced and Directed by HERBERT WILCOX • Screen Play by MICHAEL MCGURK
**REVIEWS OF THE NEW FILMS**

**“Babes in Arms”**
with Mickey Rooney and Judy Garland
Metro
96 Mins.
(***HOLLYWOOD PREVIEW***)
AND PACKAGE OF ENTERTAINMENT.
SHOES, THE HUMAN ANIMAL, ONE OF THE YEAR’S BIGGEST GROSSERS.

**“Thunder Aloft”**
with Wallace Beery, Chester Morris, Virginia Grey
Metro
74 Mins.
(***HOLLYWOOD PREVIEW***)
GRIPPING AND STIRRING WORLD WAR STORY SHOULD CLICK SOLIDLY WITH ALL AUDIENCES.

This is a gripping, stirring story of the World War days when U-boats operated off the Atlantic Coast in an attempt to cripple American shipping and of how the United States Navy coped with the menace. With present day headlines giving much attention to submarine warfare, the picture should be easy to exploit. Wallace Beery gives a grand performance as the captain of a tugboat, who becomes so enraged when a U-boat sinks his craft that he enlists in the navy to wage a one-man war on Ger-
mman submarines. Chester Morris is splendid as Beery’s shipping rival, who joins the navy as a supply officer. Virginia Grey has her best role to date and de-
ters splendidly. Douglas Dumbrille does good work as a naval officer, while Carl Emsund is convincing as the captain of the U-boat, which sinks Beery’s tugboat and also includes in its exploits the sinking of the navy’s armored cruiser, the San Diego. George B. Seitz’s direction creates much suspense and he blends the action, comedy and pathos effectively. To J. Walter Ruben goes credit as producer. Wells Root and Commander Harvey Haslip supplied a gripping screenplay, based on the original story by Ralph Wheelwright and Commander Haslip. When Beery disobeys orders and takes his sub-
chaser out of formation to start a lone hunt for submarines, he is court-martialed, found guilty and demoted from an ensign to an ordinary seaman, and assigned to land duty. He is about to desert, when Morris, ordered to command a mystery schooner, seizes the chance to fling himself on his wife’s side of a girl, the schooner locates a sub, which is commanded by Ensign Beery. The sub is rammed against the U-boat and is taken aboard. Subchaser disable the sub and Ensign and his crew are prisoners. Beery is re-
stored to his ensignship and awarded a medal for his bravery.

**“What a Life”**
with Jackie Cooper and Betty Field
Paramount
75 Mins.

**“Artie Shaw’s Class In Swing”**
Paramount
10 mins.
The popular Artie Shaw, band maestro and one of the leading ex-
ponents of the increasingly popular swing, is the star of his new picture, where he shows off his band and his ability to direct an entire orchestra. Shaw also gives an interesting dem-
stration of treatment of music to make it “swing.” Band’s numbers include one by Shaw’s.

**“Snuffy’s Party”**
Universal
7 mins.
Okay For Kids

Snuffy Skunk, the smallest man in town, gives a party for his friends. The guests are so relieved that they allow Snuffy to come in to his own party. Produced by Walter Lantz.

**“Breaking the News”**
 Paramount
10 mins.

Interesting Short
Madison Square Garden, with all its diverse sports engagements fea-
tured, provides the background for this shot. The excitement of popular ac-

civities and events are paraded across the screen with Ted Huesing giving an interesting narration. Winter sports, rodeos, soft ball, hockey, fights, dog shows, horse shows, ice carnivals precision dancers swing bands and balloon dancers are seen in action in the one and only sports arena of its type in the world. Short is good entertainment for audiences in general.

**“Mooching Through Georgia”**
with Buster Keaton
Columbia
19 mins.

Good Laughs
Buster Keaton is discovered as an old Civil War veteran, braving to another about his exploits in that far away era. The actual shots of Buster’s exploits show him any-
thing but a hero, for with the help of another soldier, Monty Collins, he manages to gum everything up, get caught as a spy, and avoid being shot by the merest fluke. There is some very funny gags that seem to be entirely original with Buster. Produced and directed by Jules White. Story by Clyde Buckman.

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**Say's Pix is Neutral**

West Coast Bureau of THE FILM Daily

Hollywood — Ben Judell, PPG, reports that "Hitler—Beast of Berlin" will not violate U. S. neutrality and that it is no war propaganda.

**Named Wolcott’s Aides**

Carol Case and David Pardell have been appointed special assis-
tants to Mr. Wolcott. They are a PRODUCER OF March of Time’s forthcoming feature, “The Ramparts We Watch.”

**“5th Avenue Girl” Ahead 40%**

“Fifth Avenue Girl” in pre-release engagements in its two opening spots outside of the Radio City Music Hall and resort towns is top-
ing “Bachelorette Mother” in gross by over $10,000 in the latter’s home office as of yesterday. Pix scored an increase at the Palace, Stamford, for a full week and is that much better ahead of the previous Ginger Rogers starter in its first three days at the Fox, Philadelphia.
TODAY'S U-BOAT TERROR MAKES
Out of Europe's blackout of peace flashes the inside story of ruthless submarine warfare...intertwined with the strange romance of beautiful spy and gallant enemy!

CONRAD VEIDT * VALERIE HOBSON * SEBASTIAN SHAW
Screen play by EMERIC PRESSBURGER
Directed by MICHAEL POWELL

A COLUMBIA PICTURE
NAT'L DIVORCE LEGISLATION LIKELY

(Continued from Page 1)

convention program calls for the appearance of Federal and state legislators in addition to Boren. State Rep. George Miskovsky will outline a chain store regulatory bill which he will introduce at the next session of the legislature; according to Miskovsky, it will affect theaters.

Congressional contingent to appear, according to Orville Von Guker, chairman of the organizing board, will include Reps. Wesley E. Disney, Will Rogers and Jed John son. State Rep. William High is also on the speaking list.

Others scheduled include Col. H. A. Cole, Allied's national proxy; Dr. W. B. Bizzell, proxy of the University of Oklahoma, and Dean A. B. Adams of the university's College of Business.

Ontario Not to Levy A War Admission Tax

(Continued from Page 1)

board of motion picture censors, told the FLM Daily yesterday. A special session of the Ontario Legislature, opens today, to consider levying of special war taxes.

Hollywood Amusement Co. Fights Milwaukee's Ban

Milwaukee — The City Attorney's office in response to the action by Hollywood Amusement Co., Inc., seeking injunction to restrain Police Chief Joseph T. Kuchekus from interfering with operation of the movie game here holds that the Milwaukee City Code makes it the duty of police officers "forth or without warrant" to seize lottery and gambling devices "whenever and wherever found.

The Hollywood concern besides seeking an injunction is also asking $5,000 damages from the Police Chief for interfering with what it contends is a legitimate business. Federal Juedee F. Ryan Duffy will hold a hearing on the petition Friday.

Four More Pix Theaters In Prospect In Michigan

Detroit — Construction of four new theaters being planned was dis closed this week by Milton Strauss, theater manager. Moss Investment Co., will erect a 1,200-seat grille house, the Van Dyke, near the present Eastown in Detroit. Option has been taken for a 1,200-seat theater on Jefferson Ave. in River Rouge, near the present Lancaster Theatre in the same city. Plans are also being planned for upstate, by undecided parties, Strauss said. Construction on the Van Dyke is to start at once, and the others are promised before the close of the year.

BUCK FIRST WITNESS IN NEB.-ASCAP SUIT

(Continued from Page 1)

conditions confronting authors and composers before the association was organized. He recounted legal entanglements with phonograph record manufacturers, from which many picture exhibitors and later with radio stations.

Buck told the court that Ascap's 1938 gross income from Nebraska was $68,000, derived from 490 contracts in the state.

E. C. Mills, chairman of the Ascap administration, followed Buck on the stand, and told of his 17-year association with the organization.

John G. Paine, Ascap's general manager, and Mrs. Ethelbert Nevin, widow of the composer, will be witnesses for the State expected to begin presenting its case before the end of the day.

HARRIS CIRCUIT MANAGERS PROMOTED AND SHIFITED

Pittsburgh — Promotions and transfers among the Harris theater managers are announced by John H. Harris, general manager of this circuit as follows: Leo Bowser, transferred from the Perry Theater, North End, to the Dins Theater, Mt. Lebanon; Sam DePasco, of the Dennis Theater, transferred to the Liberty Theater, East Liberty; John H. Hooley was moved to the Perry; Ralph Craig, relief manager, replaces Robert Taylor at Reynoldsdale, Pa., Taylor being transferred to DuBois.

H. D. Donnally, manager of the Harris Theater in DuBois, appointed a district manager, covering Montour, Elk, St. Marys and Reynolds ville.

CST TO IMPROVE

Lincoln, Neb. — M. E. McCain, district manager for Central States Theaters in Nebraska, said improvements and remodeling were planned for nearly every one of the 12 CST houses during the next six months. Probably to cost in excess of 300G's, he said.

B & K TESTS BOOK NIGHT

Chicago—First of the circuit's houses to adopt the plan, B & K's Norshore theater starts Book Night this week. It's a test of the encyclopaedia giveaway.

men interested in duplicating a true tropical setting, this short is highly refined. In some 80 scenes of tropical plants growing in profusion, but carefully laid out and landscaped, unusual plants and animals can be seen at the gardens. Park is open to visitors.
ABRITION CLAUSES' APPLICATION LIMITED

(Continued from Page 1)

provisions of the licensing agreements would tend to straighten out such difficulties in the future. The executive said, was a misconception. However, there is nothing to prevent the individual companies from exercising their own efforts to solve clearance disputes. Such an offer has been made by Warner Bros.

The arbitration clauses in the exhibitors' contracts concern two parties—the buyer and the seller—and sets up no provision for involving a third party, as a clearance arbitration ruling necessarily would do be added.

"Lynton" Plagiarism Award Against Theater Reduced

(Continued from Page 1)

lier, for plagiarism in exhibiting the Metro-Goldwyn picture "Letty Lynton" from April 29 to May 12, 1932.

Judge Leibell, in commenting on the award, which was granted by Special Master Kenneth E. Walker in favor of Edward Sheldon and Margaret Ayer Barnes, authors of the play, stated that he would reduce it to $100 because of a recent ruling by the U.S. Circuit Court in a similar case brought against Metro-Goldwyn-Mayer Pictures Corp., which fixed the drawing power of the scenario at that percentage. Special Master Walker awarded $1,000 for his services and O'Brien, Driscoll & Rafferty, attorneys for the plaintiffs, were allowed $1,500.

"Harvest" Opens Oct. 2

"Harvest." French pfix being distributed here by the French Cinema Center, Inc., opens at the World Theater Oct. 2 under sponsorship of the World Peace Corporation. Two reels were exhibited.

Completes "Katia" Sub-titles

Julian Leigh has completed English subtitles for "Katia," the French film starring Danielle Darrieux and John Loder, and Arthur Mayer and Joseph Burstyn who hold the American rights are planning its American premiere in New York.

"Fight for Peace" to Monogram

Monogram has closed a deal with Warnack Pictures to release "The Fight for Peace," a feature-length narrative.

Long Enough

When Robert Montgomery, who arrived from England on the "London," was asked how long he planned to remain in New York, the MGM star replied, "Just long enough to have a nervous breakdown."

Steel Mills' Better Biz Sends Grosses Up in Indiana-Illinois Circuit Theaters

Michigan City, Ind.—The box office in cities where the Indiana-Illinois circuit opened its first blocks after a 10-year layoff because of steel mill closures, circuit executives and managers met at the Spaulding Hotel here to set plans for a fall offensive, it was revealed.

Alex Mora told the convention that the circuit's survey established newspapers as the best business building medium, with screen announcements rated second.

First Actual War Footage in Paramount News Special

(Continued from Page 1)

Embassy's screen. At the same time Paramount was speeding other prints of these newreel war shots by plane to key theaters throughout the country.

Following the first screening on Broadway, there was absolute silence in the Embassy as though the audience had been stunned by what it had seen. Paramount's preliminary release of the pictures in general was a success.

The film, which was approved by British and French authorities, was opened with a study of a group of German bombing planes "somewhere in Poland," probably in the Cracow area. As the planes were shown taking off the camera caught individual airmen preparing to drop bombs. When these planes had started another camera lens caught them plummeting through the air. A third camera evidence was stationed on the ground since the Paramount film discloses several direct hits.

Reel also included first shots from bombed Warsaw, made by Harrison and Doree, Paramount News cameramen; toll taken by the aerial raiders is graphically pictured. Polish censor passed the latter footage.

NBC to Step Up Tele Program

National Broadcasting Company will step up its fall television program, it was announced yesterday by Vice-President Alfred H. S. Johnson, the executive in charge. Effective Sept. 26, new W2XBS schedule will add one evening program each week. Evening show to be added later, at which time it will have afternoon and evening program five times a week.

It's Allison's House

Altoona, Pa.—R. Allison of Cres- son rather than the Rivoli Theater Co., Inc., as reported, is building a new house in the Lysenn section here.

Ohio Moves to Enforce Wage Agreement Statute

(Continued from Page 1)

without further delay, the ITO of Ohio is advising its membership.

Statute which makes this mandatory was enacted this year but went into effect only recently. The State Department of Industrial Relations.

Department has advised the ITO it is prepared to present a memorandum between the employer and the affected employees setting forth the terms and conditions of employment.

Nat Wolf Holding Series of Managerial Parleys

Cleveland—Nat Wolf, Warner zone manager, is holding a series of regional meetings this week with managers of the houses in his zone.

Another yesterday was a visit to Detroit for managers in Sidney and Findlay.

This morning a meeting is being held in Springfield for managers of Springfield, Portsmouth and Chili-coke and this afternoon at Mansfield for managers in Mansfield, Coshocton, Lorain and Sandusky.

Tomorrow's meeting at Canton is for managers of Akron, Canton, Massillon and Youngstown. City managers meeting will be held in Cleveland Thursday.

"Cavell" Tour Extended

S. Barret McCormick, director of advertising and publicity for RKO Radio, said yesterday that the pre- vious tour of "Edith Cavell," with P.A.'s of Anna Neagle, had been extended to include Keith's, Boston, Friday. Last night's show, the new cycle was the Palace Theater, Chicago. Miss Neagle and Herbert Wilcox will be at Columbus on Wednesday, and they will fly to New York for the world's premiere at the Radio City Music Hall on Thursday.

Attention, Writers

Richard Thorge, MG-M director, who arrived from England recently on the "London," told a couple of amusing stories regarding the crossing. The ship was loaded beyond her capacity and all cabins were sold out at twice as much as they charged. One couple went to the purser and explained they were on their honeymoon and pleaded for a statement by themselves. To which the purser said, "Sorry but the best I can do is to let you have a table for two for two.

Another yarn concerned two girls who went to the purser and complained that they couldn't find a cabin with a man in it. The girls complained to the purser, another fairy and explained they were on a cruise. The girls asked for a cabin with a man in it, why couldn't they pick some men whom they knew.

Program which was presented last night embodied the following six points:

1. One membership card; one basic system of dues; with free choice of the performer as to his primary occupation.
2. Autonomy of occupation, broadening of their own business, and discipline their own members.
3. Economy through pooling of goals and resources in key cities.
4. Greater power to protect the individual performer through the massed strength of all performers.
5. Better organization, facilities, capable of maintaining control of present performer fields and assuming control of new performer fields—such as television.
6. One national publication, to serve performers as an information and education medium and to state the performer's case before the public at same time.

Settle Assessment Dispute

A petition of Milton C. Weissman and Kenneth P. Stenreich, as trustees of Fox Theater Corp., for refund of the assessments paid with New York City property was granted yesterday by New York Supreme Court Justice Peter Schmuck. Dispute involved property of the Broadway and 165th St. Corp., owned by Fox Theaters, and the settlement allowed reduction of $10,000 on assessments for 1938 and 1937.

One BIG UNION Plan Before 11 4A Units

(Continued from Page 1)

that Frank Gilmore, AAAA proxy, Ken Thomson, executive secretary of the Screen Actors Guild, Paul Sullivan, Equity executive secretary, and Leo Fisher, 4A exec., will attend the American Federation of Labor convention, opening Oct. 5 in Cincinnati. This move was taken as evidence that the organization plans to work closely with the A F L and the IATSE in every way in the future.

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6. One national publication, to serve performers as an information and education medium and to state the performer's case before the public at same time.

Present plans call for the publication of an official paper to be known as the 4A Actors News, to be published in New York and Hollywood. One issue has already been published with Edward Harrison in the editor's post.
The guns spew again! Men are mad again! The world faces a crimson hell again! Millions want to know—what does it all mean?

And the answer is here!

**AN ANSWER**—uncensored, showing what had to be hidden before!

**AN ANSWER**—up-to-date, penetrating behind the screaming headlines of today!

**AN ANSWER**—more vital, echoing the thoughts that fill the minds of men now!

**THE GREATEST WAR PICTURE OF ALL TIME**—MORE TIMELY NOW THAN EVER BEFORE!

**UNIVERSAL HAS PRINTS READY NOW!**
At Last!
The UNCENSORED Version

ALL QUIET ON THE WESTERN FRONT

*Uncensored by war or military authorities!

Universal's presentation of Erich Maria Remarque's Greatest Novel
Directed by Lewis Milestone • A New Universal Picture

NEW ADS, TRAILER, ACCESSORIES, READY NOW!
Sound, Acoustics, “Periscope,” Aid Oldest U. S. House

NEW BERN, NORTH CAROLINA—“With the exception of three years during the civil war, our theatre, the oldest in America, has been in continuous operation since 1812,” said O. A. Kafer, manager of the Masonic Theatre here. “We also have one of the oldest sound equipment in use.

The new Altec modification, applied to our sound system in the last few months, has brought about a very noticeable improvement in the high and low frequencies, and we notice a new clarity in both music and voice.”

“When we remodeled our auditorium recently, our Altec inspector, M. F. Harrod, gave us invaluable assistance, in planning the proper acoustical treatment, lighting effects and wiring changes.

“Also, the observation port holes in the projection room are only 30 inches from the floor. Harrod designed a periscope consisting of a system of mirrors, which permits a full view of the screen at standing height for our projectionists.”

Without obligation to yourself, the Altec inspector in your vicinity will gladly explain how the quality of sound reproduction from the equipment now in your theatre can be improved.

250 West 57th Street, New York City
THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY

SPECIAL ADVERTISMENT

ALTEC
SERVICE CORPORATION

Hollywood

Roach to Direct Griffith Pix

HAL ROACH personally will direct “1,000,000 B. C.,” D. W. Griffith’s first production under the Roach banner. Griffith has written a screen adaptation from a French novel by Eugene Roche, and is considering Victor Mature, who last was seen in Roach’s “The Housekeeper’s Daughter,” for the male lead. The picture will go before cameras this fall.

Griffith Finds Barry “Veldt”

With bottom lands along the Arizona-Mexico border almost identical in appearance with certain portions of the East African desert, Edward H. Griffith has arranged to shoot a large number of his scenes for “Safari,” which he directs for Paramount, in the more local area. However, Griffith will also use large numbers of shots actually taken in Africa especially for the film, which will star Madeleine Carroll and Douglas Fairbanks, Jr.

Keeping Charlie Ruggles Busy

Next year already augurs well for Charlie Ruggles, as the actor was notified yesterday that Paramount had exercised its option on his services for another production on the 1940 list. Ruggles is currently featured at Paramount in “The Farmer’s Daughter,” and following that moves over to Columbia to play a dramatic role in “The Rumblehearts of Ramlap Avenue,” which his brother, Wesley, will produce and direct.

New Ann Sheridan Vehicle

Warners have acquired “Married, Pretty and Poor” as a starring vehicle for Ann Sheridan. It probably will be a late Fall or early Winter production to allow some time off for Miss Sheridan.

Aherne in Small’s “My Son”

Brian Aherne has been signed to play the leading role of William Essex in “My Son, My Son!” Actual camera work on the Ed Small pix is scheduled to begin in four weeks.

Jimmy Lydon in “Sunset”

Jimmy Lydon, 16-year-old actor, has been signed by Producer Clifford Reid, one of the two leading roles in RKO Radio’s “Sunset.” Jimmy, who recently has been appearing on the “Bob and Betty” radio program in New York, is now en route here with his mother, Mrs. Mary Lydon.

Columbia Readies Serial

“The Shadow,” is the tentative title of a new chapter play which Columbia will shortly place in work. Norman Deming and D. Ross Lederman will direct.

Hale In “Fighting 69th”

Alan Hale has been assigned an important part in “The Fighting 69th.” Warners picture starring James Cagney which goes into work Wednesday, and under direction of William Keighley.

Keaton In Columbia Shorts

Buster Keaton has been placed under a new contract, which marks his return to Columbia’s two-reel comedy fold for the 1939-40 season. Clyde Bruckman has been assigned to draft the first vehicle for the frozen-face comic.

Buildup for Brenda Marshall

After watching Brenda Marshall’s performance in “Espionage Agent,” Charlie Einfeld, Warner publicity and advertising head, has ordered his department to give her a national build-up. Miss Marshall makes her screen debut opposite Joel Mccrea in this picture, which is scheduled for national release Oct. 7.

“Hell’s Angels” in Demanda


Philip Winter in “Rebecca”

Philip Winter has been signed by D. W. Selznick to play the part of Robert in “Rebecca.” This is his first screen role.

Meins as Producer-Director

At Republic Gus Meins is going to produce as well as direct the next Higgins Family picture.

Watson on “Heroes in Blue”

William Watson has been signed to direct Monogram’s “Heroes in Blue.” This feature is the first in a series that T. R. Williams will produce for Monogram releases under the Sherrell Production banner. Charles R. Williams and Charles Curran wrote the original story and former did the screenplay.

Satirical Revue as Opener


Plays “First Heavy”

Carl Emond, noted for his romantic roles in European productions appears for the first time as a heavy in Metro’s newest film “Thunder Afloat.”

D of J to Continue N. Y. Anti-Trust Div.

(Continued from Page 1)

since Jan. 1 and said emphatically there is no intention of closing it down.

The Assistant Attorney General said that the division in New York per se, the agents working out of the D of J’s office.

Managerial Realignment Announced by Tri-States

Des Moines, Ia.—Tri-States Theaters announced a general shifting of its managers in Des Moines and several outside houses.

A. Don Allen, manager of the Des Moines theater, has resigned to operate the Hi-loland in Des Moines since it was built a year ago, will move to the Strand in Waterloo. Bob Longe, manager of the Hi-loland, transfers to the Hi-lo. Tony Abramo, assistant manager at the Garden, moves up to take charge there.

Alpine Circuit Plans to Renovate 12 Houses

Pittsburgh.—The Alpine Theater Circuit, operated by Charles Anderson and comprising 12 theaters throughout West Virginia and Western Pennsylvania, will renovate (a model where necessary and enlarge others), each of its houses, this work to be started immediately and be completed by the end of the current year.

Ann Sheridan P. A. Tour

As a follow-up in its “omnip girl” campaign, Warners is sending Ann Sheridan East on a four-city P.A. tour opening at the Strand Theater, New York, coincidental with the Broadway premiere of “Dust Be My Destiny” on Oct. 5. After playing the Warner house for two weeks Miss Sheridan will appear in Philadelphia, Washington and Pitts- burgh, her dates coinciding with engagements of “Dust Be My Des- tiny.”

Indianapolis Lyric Reopens

Indianapolis.—The Lyric Theater will re-open Friday after more than two months of darkness. Wage increases will be paid to stagehands, musicians and projectionists when the re-open has been announced by T. H. Nichols, manager. Fifty-two regular employees of the theater will return to work on a pay roll of $2,000 a week.
Free Shows Using Commercial Films Do
Virtually Fadeout at Mich. State Fair
Detroit—Use of commercial films free to the public at the Michigan State Fair, which has played to around 300,000 in recent fairs, dropped drastically this year, with only one three-day showing on the entire 21-day run. Chevrolet had a 350-seat theater showing entertainment shorts and commercials, with the show produced by Jim Handy Picture Co. placed to about 20,000 in 10 days.

QATI Re-elects Norrish; Beulac, Managing Director
Montreal—Quebec Allied Theat-
rical Industries, Inc., at a meet-
ing in the Mount Royal Hotel,
re-elected Ben E. Norrish, of Associated Screen News, president, and elected the following officers: J. A. De Seve, France Films, first vice-president; George Ganetakis, United Amusement Corp., 2nd vice-
president; E. N. Tabah, Confeder-
ation Amusements, treasurer. Eu-
gene Beulac was appointed man-
aging director and secretary, and con-
cludes his new duties immedi-
ately.

The executive committee was elected as follows: Arthur Hirsh, Consolidated Theaters, Chairman; George Ganetakis, William Lester, R. H. Trew, and N. N. Lawand. Other directors elected were: D. Paquin, C. H. Brech, William Lester, R. P. Roberts, Oscar Thomas, Leo Choquette, A. E. Geogre, Alex. Adlman, George Rotky and B. C. Salamis. The film activities of the association were dis-
closed by a plan that was discovered.

Strand, Youngstown, Reopens
Youngstown, Ohio—Strand Theater
redecorated and refurbished, has
opened under management of Jack
Steinberg, operator of the Harbor
Theater. Also under contract, Harry
Steinberg, owns the Home
Theater in Youngstown. The new
management has installed all new
interiors and upholstered seats; air-
conditioning, and indirect lighting. In-
terior is blue, ivory, and gold, and lighting is of neon type. Double features are offered.

To Show Foreign Pix
Indianapolis—The Fliamte Guild
Wednesday announced its second
opening of Asiatic film “evening” to
be held monthly in the Athenaeum
ballroom, French and English films
the shown. Attendance at each perfor-
mance will be restricted to 400.

Overman to Goldberg
Omaha, Neb.—Milton Overman,
city manager for the L. L. Dent-
Westland Theaters in Pueblo, Colo.,
for the past two years, resigned as
of Oct. 1, and joins the Ralph Gold-
b erg circuit in Omaha.

Braunstein, Irwin Pizor
Now on Imperial Board
Washington Bureau of THE FILM DAILY
Washington—Imperial Pictures
Inc., has filed with SEC notice of
changes on its board of directors and
of the substitution of a revised prospectus for the prospectus for-
merly in use.

Braunstein, it was stated, has
replaced Edwin J. Smith as a
director and Irwin Pizor has re-
placed Robert Mintz in the same
capacity.

The revised prospectus provides
for the sale of common stock of-
fered as a special initial offering at
$6 per share. Of 242,000 shares,
there has been sold up to July 31
last, 11,002 shares, it was reported.
The par value of the common stock is $1 per share.

Can Convert Non-Color Tele
To Employ Lorenzen System

New natural color television sys-
tem upon which patent has been al-
lored to Robert Lorenzen employs a
photoelectric cell system at the
transmitter and a cathode ray sys-
tem at the receiver, it was learned
earlier.

This makes it possible to utilize
with only slight change the present
cable ray non-color tele systems,
and means that the latter can be
readily converted to natural color
systems without major change.

George H. Callaghan, joint owner
with Lorenzen, will market the
patent.

Thomas H. Scott Dead
Montreal—Pioneer in Toronto the-
atical circles, Thomas H. Scott, 88,
died Saturday. Originally from Eng-
land he was attached to the Grand
Southern Circuit 40 years ago and
was later associated with the Grand
Opera House, Toronto. He was a
pioneer for lighting systems in large
auditoriums.

Lind Funeral Tomorrow
Funeral services will be held to-
morrow at 2 p.m. in Fairchild
Chapel, Garden City, for Lawrence
O. Lind of Lloyd L. Lind, who
is assistant to George W. Weeks,
Monogram’s vice-president in charge
of sales.

Resener Hurt In Crash
Indianapolis—Edward Resener,
director of the Lyric Theater or-
chestra, received severe cuts about
the face when his car was struck
by a rear from a truck.

AMEND REGULATIONS
FOR SHIPPING FILMS

Amendment to shipping regula-
tions, aimed to make sure that
shipments of foreign films, equip-
 ment destined for foreign markets,
was received in New York yesterday
from the Bureau of Foreign
and Domestic Commerce of the De-
partment of Commerce, through
Nathan D. Goldstein, chief of the
motion picture division.

The amendment provides that all
shippers’ Export Declarations shall
be filed after Oct. 1, in advance
of clearance.

Under “Title 46 Shipping,” pro-
vision 5.08 of Subchapter A, de-
claring, Entry and Clearance of Vessels, which is a
part of Chapter I, Bureau of Marine
Navigation, is amended by:

"(1) Effective [after Sept. 7, 1939], Shippers’ Export Declar-
ations, Customs Form 7525 (identi-
fical with Commerce Form 7525),
will be filed instead of duplicate
as heretofore;

(2) All cargo must be laden under
the supervision of Customs officials.

It is, therefore, essential that Ex-
port Declarations must be received
by the inspectors prior to the lading of
the packages;

(3) The triplicate copy will be
used as a notice of shipment to the
lading inspector and will be trans-
mitted to him by a Customs mes-
senger;

(4) Exporters should realize the
necessity of having those Shippers’
Export Declarations filed timely in
order to avoid delays.

Brewer Re-named

Lincoln, Neb.—Ray M. Brewer, movie
operating manager for Onhol Pictures,
was elected president of the Nebraska
Federation of Labor in conventional balloting
this week. It was his fourth successive
term, and election was unanimous.

Anne Stuart Dead
Lincoln, Neb.—Anne Stuart, 63,
3rd owner of the Stuart, ac-
house here, and member of one
of the midwest’s wealthiest families,
died here this week. Her brother
Charles, who handled the invest-
ments of the family and built the
theater, preceded her in death by
a year.

Vis Up 60 Per Cent
Cleveland—First “flash” show of the
season at the RKO Palace, with Artie
Shaw’s band, ran 23 engagements in
With “1 Stole a Million” as the screen
spotlight, the program, business jumped 60 per cent over average.
Nothing short of sensational!

"THE RAINS CAME"

FIRST DAY OF HOLDOVER WEEK AT ROXY ACTUALLY TOPPED OPENING DAY OF RUN

...after 1st week smashed "Jesse James" record by more than $6,000! • And early-run reports from everywhere show the same kind of record-breaking business!

THE KEYSTONE OF YOUR FUTURE
“Keep This Country Out of War”, Urges MPPDA Prexy

NEW MGM SALES POLICIES EMBODY CODE REFORMS

See Commerce Dept. as Anti-Trust Suit Intermediary

Compromise Settlement Formula Reported as Parley Objective

Washington Bureau of THE FILM DAILY

Washington—Despite earlier denials that the discussions instituted by the Department of Commerce with film industry leaders would affect in any way pending anti-trust law litigation, it was reported in usual well informed circles yesterday that a compromise settlement of at least the Government's equity suits was an objective.

Tip-off on the D of C activity in relationship to the Department of Commerce yesterday (Continued on Page 6)

NEW HEAD FOR N.Y. ANTI-TRUST OFFICE

Berkeley W. Henderson, head of the New York office of the anti-trust division of the Department of Justice, and his assistant, William McGovern, will be transferred to Washington on Friday it was indicated yesterday by department officials. Fred Whalen in all likelihood will be named head of the New York office to replace Henderson, it was reported. Thurman Arnold, Assistant Attorney General, (Continued on Page 9)

New Jersey Allied Calls for Product Deal Caution

Allied of New Jersey members yesterday were advised to "use caution" in making new product deals in the face of the present unsettled times. At a luncheon meeting of the unit, it was asserted that the (Continued on Page 9)

Gov't Files Memorandum in Griffith Trust Action

Oklahoma City—Government's suit against the Griffith Amusement Co., affiliated circuits and major distributors, took another step to (Continued on Page 9)

Hays on Government Regulation

Key sentences from Will H. Hays' address before the 17th Annual Trust Company Conference of the Pacific Coast and Rocky Mountain States in Los Angeles last night:

"In a democracy there is one and only one principle that should determine the degree to which government should attempt to regulate the practices of business and industry... namely, that the nature and extent of government regulation of business should be determined by the public good."

"... if two or more groups are in competition and one is seeking to gain advantages over the other by Government regulation, then it is clearly not the business of the government to take sides."

"Size is not sinfulness. Big things can be good—and little things can be bad."

"Every business and industry which is fair and honest, which is motivated by the desire to serve and not to exploit, should neither be the subject of unwarranted legal and legislative attack, nor subject to possible loss of public prestige by such attack."

"A true government is not just the protector of an innocent public against rapacious business interests."

Dramatists Guild Council to Study Purchase Plan

New plan covering purchase of plays by film companies with several clauses concerning advance payments and royalty payments revised in form will be studied by the Dramatists Guild executive council at a meeting today, it was learned yesterday.

Plan calls for a payment of $15,000 to authors, to be made in three installments. After the contract is signed, the playwright will have the right to use any play as long as he has not sold the rights to a film company.

Hays Pleads for Peaceful America, Holds Gov't Has Duty to Pix Industry

Murphy, Banquet Speaker for M. P. Democratic Com.

West Coast Bureau of THE FILM DAILY

Los Angeles—A fervent plea that "through a supreme act of national will and women of all political shades of opinion shall firmly and unitedly resolve to keep this country out of war" was voiced by Will H. Hays, MPPDA

Increased Elimination Privileges Are Offered to Exhibitors

Embodying many of the important provisions of the proposed trade practice code, including the cancellation clauses in their entirety, M-G-M last night announced its selling policy for the current season's product. Terms of the new conditions will be added to a new form of license agreement now being prepared and a rider will be submitted for the signatures of those who desire to operate under the sales policy.

While no method of settling clearances disputes or those affecting over-buying is included in the new conditions, it is pointed out that the

UNIVERSAL DRAFTING ARBITRATION CLAUSE

A method of arbitrating contract disputes is being devised by Universal's attorneys, it was learned yesterday. It is understood that if a legally workable plan can be worked out, Universal will add an arbitration clause to its licensing agreements with exhibitors. The (Continued on Page 12)

20th-Fox Closes Product Deals With 13 Met. Chains

Product deals with 13 of the major circuits in the Metropolitan area have been closed by William Suissa, Eastern division manager for 20th-Fox. (Continued on Page 9)

Morros Reported Talking Four Pix Pact With RKO

Boris Morros is reported to be talking a four-picture deal with RKO. The producer said yesterday that negotiations were progressing (Continued on Page 9)
“Night of Stars” Program
Will Be Lined Up Tuesday

Campaign to make the “Night of Stars,” annual benefit for Jewish refugee settlement in Palestine, a success transcending that of all former years, was formally launched yesterday at a luncheon in the Hotel Astor with U. S. Housing Administrator Nathan Straus presiding and acting as host.

The huge show will be staged on Nov. 15, with the aid of all branches of the amusement world, many of whose leaders were in attendance yesterday among the total of some 100 entertainment, business and civic notables.

In addition to Nathan Straus, addresses were delivered by Louis Lipsky, chairman of the administrative committee of the United Palestine Appeal; Mrs. Henry Strock, women’s committee head; Marvin H. Schenck and Ben A. Boyer, chairmen of the producing department; A. A. Meier and H. M. Doctorly, executive director of “Night of Stars.”

The producing committee, it was announced yesterday, will meet at 4:30 p.m. in Marvin Schenck’s office to line up the program which will be supervised by the theater and motion picture divisions.

Ascap Finishes Testimony; Nebraska’s Turn Today

Lincoln, Neb. — Ascap completed presentation of its case in its suit against the constitutionality of Nebraska’s anti-Ascap statute late yesterday, and the State will go to bat today.

Five witnesses were on Ascap’s call—E. C. Mills, chairman of the association’s administrative committee; John G. Paine, general manager; Ernest Opperman, orchestra leader; Harry Taylor, theater and night club operator; and Mrs. Ethel Batiste, executive assistant—were in the witness box yesterday.

Paine’s most striking statement was that audits of 290 radio stations showed a “monetary deficiency of $1,138,000 in gross income on which Ascap’s percentage is figured, some of which is of Nebraska’s origin.

Interstate Will Erect Tyler, El Paso Theaters

Dallas—Petitgrew & Worley, Dallas architects, are completing plans for four theater buildings. At Tyler, they will supervise the construction of an $80,000 house with 1,000 seats in two floors for Interstate Circuit. At El Paso, they are planning the buildling of a $20,000 theater to be erected at the Cotton Bowl, 1,500 seats, at a cost of $30,000. This house will be erected before the Cotton Bowl is converted to a $20,000 theater will be built for A. H. Truett, containing 600 seats on one level. A 800-seat house is being erected at Pecos, with 1,000 seats at a cost of $50,000. All seats in this house will be on one floor.

Bookers Club to Elect

Chicago—Chicago Bookers Club will elect on Sept. 26.

Palumbo Lowo Gross Winner
At Warner Club Tourney

Leonard Palumbo, the golfing wizard of the Warner Club, took first honors at the Club’s sixth annual golf tournament at Glen Oaks Country Club, Golfing Phillips, Harry Rieger, and Charlie Parry, were second and third, at which there was a turnout of 150 persons—largest attendance in the history of the tourney.

Gradwell L. Sears, sales manager, was master of ceremonies at the dinner and afterwards presented the awards.

Winners of the tourney were:

Best dressed golfer, Sam Rinzel. Best driver, Joe Christensen.

Among executives who attended the tourney were:

Two of exhibitors attended, among them being Sam Rinzel and Lou Frisch. Ben Bernie and his orchestra furnished the music.

Four A’s Executive Council
Again Meets on “Big Union”

With a definite program already approved by the AAA member unions as their consolidation objective, a further meeting of the executive council will be held to discuss the financial structures of the different member unions. Working out of financial plan to make union membership the principal problem is the principal problem which will be ironed out.

Ken Thomson, SAG executive secretary, and Laurence Beilenson, SAG attorney, are expected here within the next few weeks to sit in further huddles on the new setup. Thomson, along with other AAA execs., will attend the A P of L convention in early October.

Carolina Theater Owners
Will Convene on Dec. 4

Charlotte—Winter convention of the North Carolina-South Carolina Theater Owners Association will be held in Charlotte Dec. 3-4, it is announced by Mrs. Walter Griffith, secretary-treasurer. Approximately 150 unionists will be expected.

Joseph Bernard Recovers

Joseph Bernard, Warner theater head, returned to his post yesterday, after having been ill at home with the grippe since Friday.

FRANK MURPHY, Attorney General, will fly from Washington to Los Angeles to attend the banquet Monday night of the M. P. Democratic Committee.

FRANK T. MCDONALD, vice-president of KXO Radio Pictures, has arrived in town on a visit to the home office.

LOUIS NIZER, former film attor, flew from New York following a South American cruise.

FRANK J. A. McCRATH, Universal’s Eastern sales manager, left New York yesterday for New Orleans and Dallas, and will return in about a week.

IRENE RICH is in town from the Coast.

FRED ULLMAN, Jr., vice-president of KXO, has returned to his local office from Kansas City where he made arrangements for filming of a new Realism subject.

AL HERMAN, New York district manager for Universal, returned to the home office yesterday from Washington, D. C.

FRANK DONOVAN, KXO Pathe production manager, is back in town after a Coast visit.

MRS. ALLAN MCMANMIN, the former Margaret Grahame, has arrived in New York from her home in Bermuda and is at the Sherry-Netherland.

THOMAS MUSAR, Universal executive, returned here yesterday from an inspection trip.

L. J. LUDWIG, Paramount associate with the Minnesota Amusement Co., Minneapolis; MARY L. WATTS, secretary to George E. Pirkle of the North Texas Theaters Corp. of Marion, Ohio; and ERNEST HERMANN, manager of the Carolina Theater, Burlington, N. C., were among yesterday’s visitors to Paramount’s West Fair lounge in the home office.

FREDRIC MARCH, who closes Saturday night in “The American Way,” is expected to attend the banquet of the M. P. Democratic Committee in Los Angeles Monday night.

France Exempts Newsreels
From Import License Decree

Imports of newsreels into France are exempted from the import license decree established by decree of Sept. 1, but remain subject to the exchange certificate requirement. According to a notice to importers published in the Journal Officiel, reported by cable from the American Embassy in Paris and released yesterday by the Department of Commerce.

It is understood that other motion picture films remain subject to the import license requirement, as well as to the recently announced general exchange controls.
"The Women" hold-over Hit!

GO!
(and keep going because this is just Sept. & Oct.!)
THE FRIENDLY COMPANY REAFFIRMS
its previously announced policy of:

Not insisting upon short subject, newsreel or trailer representation as a condition of licensing its feature productions, and to those who do lease these units the Weekly Payment Plan is optional.

That score or recording charges will not be made on any contracts for its 1939-40 product signed subsequent to January 1st, 1939.

That it will gladly negotiate for some run of its product with any properly conducted theatre, providing the acquisition of such business would not seriously affect its revenue from any prior run.

That it will recognize the desires of its customers to select days of their choice for the showing of percentage pictures where guarantees are given.

That it will respect any legitimate claim for the elimination from its contract of any picture likely to be offensive or objectionable to its customers’ patrons from religious, moral or racial grounds.

AND IN ADDITION:

It will offer to its customers who have leased all product offered, and who are not in material default, an increased and unrestricted elimination privilege of:

(continued above)
20% elimination of features licensed where the average rental is $100 or less.

15% elimination of features licensed where the average rental is in excess of $100 and not more than $250 and

10% elimination of features licensed where the average rental is in excess of $250.

Also will give full consideration to its customers' requests for the interchanging of a picture that is deemed to be unsuitable for preferred time showing.

And where a theatre's prior commitments prevents it leasing the company's entire output it will in such cases gladly negotiate for a lesser number of pictures, including those available subjects in which the theatre is particularly interested.

It will continue to provide an Optional Arbitration Clause in its contracts and will arbitrate under such provision any claims made for breach of contract.

It is now preparing a new form of license agreement. A rider will be submitted for the signature of those who desire to operate under the new conditions and who had previously signed an application for its 1939-40 product. That all may have a full knowledge of the complete contract, each is requested to read the new agreement when submitted, thoroughly and carefully.

It has no present method of adjudicating clearance disputes or those affecting over-buying, but will conscientiously review any complaints brought to its attention and will continue to lend its every effort to bring about a more harmonious understanding.

Its established policy of supporting its satisfactory customers, the fair method of designating pictures and other relationship with the trade is so well known that it is not believed necessary to reaffirm that which by performance over many years is so well established.

It seeks the continued support of its customers and acknowledges its debt of gratitude to those who have in the past expressed their confidence in its policy by their uninterrupted patronage.

(signed) FOR THE FRIENDLY COMPANY
SEE D OF C AS TRUST
SUITE INTERDIARY

(Continued from Page 11)

Justice's campaign which thus far has embraced a suit filed in New York against the majors and actions elsewhere against the Griffith, Schine and Crescent amusements. Company attorneys came via announcement that the D of C's conversations with the potash industry were nearing a climax.

These conversations in scope parallel those with the film and oil industries, but it so happens that the conversations with the potash industry have advanced more rapidly than the others. Thus the signific-
ance to the pic industry of the disclosure that the D of C expects "in a few weeks" to reach a point where it can make concrete suggestions by which the potash industry may dispose of pending anti-trust charges now to be filed.

D of C officials stated that the potash industry talks had gone far enough that the success of the department's intermediary role, wherein the department suggests a basis for compromise, could be be-
gun. They add that there is no way of knowing whether or not this suggested compromise would be accept-
able to the industry to the De-
partment of Justice but in this con-
nection it was pointed out that the industry has been in-theatre to the Com-
merce Department during the conver-
sations and also that the latter
department had been called into the case at the suggestion of the Department of Justice.

The pattern used by the D of C in the potash conversations dupli-
cates in every respect that employed when film industry execs. were in-
vited to confer in Washington. The preliminary conferences are con-
cerned mainly with the exchange of information, a major portion of which is furnished by the industry to department experts. These ex-
erts then study this data in an effort to come to some satisfactory settlement of anti-trust law charges.

The department is represented at these conferences by Dr. Willard
Thorp, economic adviser to Secre-
tary Harry Hopkins, and E. A. Tupper, assistant to Dr. Thorp. Various other department experts take part in the meetings when they are held here.

3 BUTTERFIELD REOPENINGS

Detroit—Butterfield Circuit has slotted three theaters for fall re-
opening—the Garden at Flint, to-
morrow; following complete rebuild-
ing; the State at Pontiac, which has
been closed all summer, on Sept. 30; and the Gladmer at Lansing, Oct. 12, after complete rebuilding.

Preparedness

Auburn, Neb.—Even if a pix dies at the box office, exhibit Roy Syفت
here, and his wife, are not to take care of it. Both are licensed merchants.

* * *

• • • APROPOS of Columbia...Ms. Deeds won't go to town
• • • unless via re-issue...but it is evident that "Mr. Smith Goes To Wash-
• • • ington" is a first-class new press book or any barometer. From cover to cover...and foregone to backstrip...the volume speaks volumes to exhibits...that then can expect the Capra touch a-plenty...first, last and profitably...Columbia will start a co-op newspaper campaign...in mid-October...covering some 60 im-
portant markets nationally...with copy running from 800 to 1,200
lines...including maps...to say "Mr. Smith Goes To Wash-
• • • ington" with a first-class ticket...and a brass band ballyhoo in print.

• • • Leo the Lion's "The Women"...is goin' to be a h.o. roar...up in Rochester...if Lester Pollock, manager of Loew's Rochester, has anything to say about it....and he has already spoken...by sewin-up a flock of the town's best women. Another promotional coup is scored na-
tionally...by UA's h.o. publicity gang...in turning out a pic-
torial serialization of Goldwyn's "The Reel Glory"...told in wood cuts by Lynd Ward....thus cleverly catering to the tastes and needs of editors. One might judge that the yarn, "The Lost Reel," which made Film Row rounds yesterday was a fish story...but it's on the level...to wit: RKO got a cable from its Panama office that the M of T subject "The Maginot Line," Spanish-language version has been stolen from a Guatemala pix house....Thus intrigue presumably lifts its slimy head...in spite of President Monroe's ill doctrine.

• • • Another football season is in the immediate offing...with its spectacles and spectaculars.

On many cleat-torn gridirons there will be heroes...hauling crowds to their feet....in hope and in consternation...Just as inevitable as there will be booming puns...swirling spinners...and the mad surge downfield to re-
eceive or intercept the arrowing pass....Too, there will be on many a star-spanneled eleven...some lesser light in molekins who make the crowds cheer...and remember.

• • • What has this to do with films...other than the fact that the newsreels will be there...or opportunities seized for location shots?...Our answer is that it has a bearing upon Columbia's "Golden Boy"...albeit that current rouser deals in the leather of the prizering...rather than the pigskin kingdom....It appears to us that the lesser light in molekins to whom we alluded...has his counterpart in the person of Lee J. Cobb in the Mamanhuan production...for it is he who made this department cheer...and remember....This takes nothing away from the "Golden Boy" stars who deliver hand-
someley...Barbara Stanwyck, Adolphe Menjou and the amazing William Holden....This trio got the billing and it was expected that they score, as it were....and they did heavily...But the point is that when the fans filed expectantly through the turnstiles of the Radio City Music Hall....there wasn't one in a corral who had any idea of the pyrotechnic charac-
terization which Cobb was to give to the role of "Mr. Bonapartie"...daddy of the young leather-thrower.

It is all like a substitute running-guard running amuck...on a team of headline, goal line grabbers...Salute!

Wednesday, September 20, 1939

DATE BOOK

Sept. 26: Allied Independent Theater Owners of West Virginia convention, Waldo Hotel, Clarks-
burg.
Sept. 26-27: Allied Theater Owners of Cen-
tal Montana, convention, Billtmore Hotel, Ola City.
Sept. 27-28: Independent Theaters Protective Association of Wisconsin convention, Mil-
waukee.
Sept. 30: Nat Levy testimonial dinner, Detroit.
Oct. 2-4: Allied Theater Owners of Michigan convention, Burdick Hotel, Kalamazoo.
Oct. 16-19: SMFE Fall convention, Hotel Penn-
sylvania.
Oct. 23-24: MPTO board of directors meet-
ing, Soverior Hotel, White Sulphur Springs, Va.
Oct. 23-24: Associated Theater Owners of In-
diana, Inc. convention, Antlers Hotel, Indianapolis.
Nov. 29: Motion Picture Associates dinner dance, Hotel Astor.
Dec. 3-4: Theater Owners Association of North and South Carolina Winter convention, Charlotte.

Nebraska Exhibs. Talking Anti-Carney Legislation

Lincoln, Neb.—String of protests in Nebraska newspapers for tactics of carnivals in the state, primarily the gambling carried on at the recent fair, has film showmen believing legislation is ripe for pick-
ing which would bar the carnies. Such legislation is already being contemplated, although the session is a long way off.

WEDDING BELLS

Jonas Rosenfield, Jr. of the War-
ner home office advertising depart-
ment, will be married tonight to Miss Ids J. Reed of this city. The wed-
ing will take place at the home of the bridegroom's parents, 43-45 46th Street, Sunnyside, Long Island.

The couple will leave on a motor trip tomorrow to Pennsylvania. On their return they will live at 181 Waverly Place, Manhattan.

West Coast Branch OF THE FILM DAILY

Hollywood—Harriet Parsons, Lou-
ella's daughter, and King Kennedy, film player, will wed.

Miss Ann Litman, booker at World Pictures, will be married Sunday to Sidney I. Sieler. Ceremony will take place at Menorah Temple, Brooklyn.
ASTOUNDING!...

AND SENSATIONALLY
IN STEP WITH
THE HEADLINES
THAT SCREAM FROM
YOUR OWN NEWSPAPER
THIS
VERY HOUR!...

ANNA NEAGLE as NURSE EDITH CAVELL
CRUSHED BY THE IRON FIST OF GERMANY'S WAR LORDS! - The woman who hated war and fought its terrors on the battlefield of devotion! . . . Here is the human-experience drama supreme, told on a screen afire with the conflagration that's sweeping the world again today! . . . BELIEVE THE NATION'S FOREMOST PREVIEW CRITICS - IT'S ONE OF THE GREATEST PICTURES EVER PRODUCED!

OPENING THIS WEEK . . . RADIO CITY MUSIC HALL

ANNA NEAGLE in her first Hollywood appearance as NURSE EDITH CAVELL

EDNA MAY OLIVER • GEORGE SANDERS • MAY ROBSON • ZASU PITTS

H. B. WARNER • SOPHIE STEWART • MARY HOWARD • ROBERT COOTE

Produced and Directed by HERBERT WILCOX • Screen Play by MICHAEL ROBAN


**M-G-M's New Selling Formula Announced**

(Continued From Page 1)

"company will conscientiously review any complaints brought to its attention and will continue to lend its every effort to bring about a more harmonious understanding."

Official Statement

The official statement made by M-G-M yesterday follows:

"M-G-M reaffirms its previously announced policy of not insisting upon short subject, newswear or trailer, and that its condition of licensing its feature productions, and to those who do lease these units the Weekly Payment Plan is optional."

"That score or recording charges will not be made on any contracts for its 1939-40 production unless signed subsequent to Jan. 1, 1939."

"That it will gladly negotiate for some running time in any city with any properly conducted theater, providing the acquisition of such business would not seriously affect its revenue from any prior run."

"That it will recognize the desires of its customers to select days of their choice for the showing of percentage pictures where guarantees are given."

"That it will respect any legitimate claim for the elimination from its contract of any picture likely to be offensive or objectionable to its customers' patrons from religious, moral or racial grounds."

Increased Cancellation

"And in addition: it will offer to its customers who have leased all product offered, who are not in material default, an increased and unrestricted elimination privilege of:

- 20 percent cancellation of features licensed where the average rental is $100 or less.
- 15 percent cancellation of features licensed where the average rental is in excess of $100 and not more than $250.
- 10 percent cancellation of features licensed where the average rental is in excess of $250.

"Also will give full consideration to its customers' requests for the interchanging of a picture that is deemed to be unsuitable for service time showing.

"And where a theater's prior commitments prevent its leasing, the company's entire output will be in such cases gladly negotiated for a lesser number of pictures, including those available subjects in which the theater is particularly interested."

Optional Arbitration

"It will continue to provide an independent board to hear complaints from exhibitors and distributors."

**The Marquee Slant**

Lansing, Mich.—Believe it or not, Andy Devine will be seen in the new Lansing Theater reader the other day."

"He's the 'Man with the Golden Arm.'"

**New Head for N. Y. Anti-Trust Office**

(Continued From Page 1)

arrived in New York yesterday and notified Henderson and McGoverr of their transfer, it was said.

A number of anti-trust cases now being prosecuted by the anti-trust division here will be turned over to John P. Calil, U. S. attorney for the Northern district of New York, but it is understood that the equity suit will probably remain in the hands of the anti-trust division.

**Gov't Files Memorandum in Griffith Trust Action**

(Continued From Page 1)

ward hearing when the D of J filed its memorandum brief in the Federal Court clerk's office here.

The brief cites legal positions in answer to the request by defendants for a bill of particulars and clarification of the case.

"It is understood the Griffith Amusement Co., Westex Theaters Inc., R. E. Griffith Theaters, Consolidated Theaters Inc., and Griffith Theaters are under the same management and that between them they exercise circuit buying power, enabling them to dictate to film producers and name the terms on which they will take pictures."

**Hollywood Cavalcade**

Pre-release Dates Set

Pre-release engagements have been set by 20th-Fox for "Hollywood Cavalcade" at the Majestic Theater, Houston, Texas, on Oct. 6, and at the Palace Theater, Dallas, Oct. 7. It was announced yesterday. Film, in addition to pre-release engagements in New York, which are being tradeshown in 37 key cities on Oct. 2 or 3 with theaters being used instead of terminals only to accommodate as many exhibitors as possible.

World premiere of the film which has been set for the Four Star Theater, Los Angeles, on Oct. 4, with proceeds to be contributed to the Republic. Security has been sold out, it was said. National-wide release date for film is Oct. 13.

"Ramparts" Staff Increased

Arthur Jones, William Sikes, Frank Calabria, George Dengerfield and William Garrity have been added to the technical staff of March of Time's full-length feature, "The Ramparts We Watch."

**Excerpt Further RKO Radio Hearing Delay**

Admiral hearing of the RKO reorganization proceedings scheduled to be heard today by Judge Alfred C. Case in the Federal Courthouse in all probability will be further postponed. This is due to the fact that the securities of the company will be submitted. The hearing was postponed originally because the RKO began to liquidate its inventory. The hearing was scheduled to start sometime before Oct. 1 when he has been assigned to final work.

**Murphy, Banquet Speaker for M. P. Democratic Com.**

(Continued From Page 1)

day at the Victor Hugo in Beverly Hills, where the award will be made for the picture of the year which, in the committee's opinion, has contributed most to the ideal of democracy.

Murphy's address and other features of the meeting will be heard over the NBC-Blue Network, from 12:30 to 1:00 a.m., EST. The Attorney General will fly from Washington especially for the occasion, arriving in Los Angeles Monday morning.

Melyn Douglas will act as toastmaster, and will introduce Gov. Culbert L. Olson, who in turn will present the speaker. Murphy will make the presentation to the film company receiving the award.

Among others expected to attend the banquet are Lieut. Gov. Ellis E. Patterson, Senator Sheridan Downey, James Roosevelt, Dashiell Hammet, Minna Hopkins, John Ford, Fredric March, Marchon, Tote, Duncan, Nichols and Donald Ogden Stewart.

**New Jersey Allied Calls for Product Deal Caution**

(Continued From Page 1)

ordealers were asking terms higher than present grosses warranted.

The entire meeting was devoted to product discussions. Lee Newberry, newly elected president, presided.

**Rep. Talks Starr Deal**

New Orleans—Leo Schlesynsky, Republican Exchange manager, is in Washington to bolster a product deal with the Milton Starr circuit for their houses in the Gulf States territory. Star operates here under the name of Bizjou Amusement Co.

Optional Arbitration Clause in its contracts and will arbitrate under such provision any claims made for breach of contract.

"It is now preparing a new form of license agreement, a rider will be submitted for signature of those who desire to operate under the new conditions and who have not already signed the agreement applicable to its 1939-40 product. That all may have a full knowledge of the complete contract, each is requested to return the other agreement when submitted, thoroughly and carefully.

Will Review Complaints

"It has no present method of adjudicating clearance disputes or those affecting over-buying, but will conscientiously review any complaints brought to its attention and will continue to lend its every effort to bring about a more harmonious understanding."

"Its established policy of supporting its satisfactory customers, the fair method of designating pictures and other relationship with the trade is so well known that it is not believed necessary to reaffirm that which by performance over many years is so well established.

"There is the continued support of its customers and acknowledges its debt of gratitude to those who have in the past expressed their confidence in its policy by their uninterrupted patronage."
THE HORRORS of WAR!
BOMBS FOR BABIES!
TORTURE FOR WOMEN!
NATIONS GONE MAD!

It tears at the mighty heart of humanity—it makes you gasp at its daring realism—its emotional impact will shock the world!

A WARWICK PICTURE
Narrated by
DAVID ROSS

AVAILABLE NOW AT MONOGRAM EX
DEATH AND DICTATORS
MARCH HAND IN HAND!

"OVERPOWERING MUST BE SEEN . . ."
—Nugent
3½ STARS
N. Y. Times
—N. Y. Daily News

"AN ORCHID TO 'THE FIGHT FOR PEACE'
"—Walter Winchell

"HAS GREATER DIGNITY AND POWER THAN PREVIOUS WAR SPECTACLES"
—Johaneson, N. Y. Daily Mirror

ANGES • RUNNING TIME 65 MINUTES
"KEEP THIS COUNTRY OUT OF WAR"--HAYS

(Continued From Page 1)

prexy, addressing the Regional Trust Company Conference of the Pacific Coast and Rocky Mountain States at the Biltmore Hotel here last night.

"Thus," said Hays, "we best fulfill our highest duty as trustees for civilization, for human liberty and for peace."

With "Trusteeship" as the theme, the address was the first formal one to be delivered by the film industry's No. 1 man since the outbreak of hostilities, and drew a keynote attracted wide attention.

Hays coupled his plea for a peaceful America with a forthright discussion of the relations of business with government, the principle that should determine the degree of business regulation by government and the organized film industry's job of self-government.

"The burden of proof should always rest upon those who would extend government control over any aspect of private business," affirmed Hays, adding, "the business of the government should never be used to enable one citizen to exploit another, or to give one branch of an industry undue advantage over another."

Further discussing regulation, the MPPDA prexy said pointedly: "Every business and industry which is fair and honest, which is motivated by the highest motives and not to exploit, should neither be the object of unwarranted legal or legislative attack, nor subject to possible loss of public prestige by such attack."

Pointing out that trusteeship is a vital responsibility of both men in business, and of each individual, Hays asserted:

"Today when the orderly processes of society are collapsing in much of the world under the detonation of bombing planes and long-range guns, America more than ever represents a great ideal. To an unusual degree America today holds in trust for mankind and political, cultural, and spiritual heritage of the human race."

Emphasizing the duties of the piz industry in a war-wrld world, Hays said:

"Those of us in the motion picture art-industry do, indeed, realize full well the significance of our trusteeship of this essential enterprise at this particular time."

"An element of that trusteeship

HAYS ON GOVERNMENT REGULATION

(Continued from Page 1)

business. It is the trustee of the interests of business as well. It is the protector of the interests of business and the promoter of its soundness and its health."

"It (the MPPDA) has stood ready to co-operate and has co-operated with public authority in every way, endeavoring always to maintain that proper relation which a great industry should maintain, to its government."

"In viewing the many problems, economic and social, that face us today there is something to be gained by considering the rise and progress of this new industry. Those who see only a 'dead end' in every turn of the road of America's industrial and business progress might well ponder on this experience. They might think twice who would chain initiative and enterprise to any conception of a limited business outlook. They might ponder who would deter initiative and enterprise by depriving the profit motive in business."

"The people of this nation, who, in the last analysis, are trustees for the motion picture as an institution, should not forget that wherever, as in Germany and Russia, the heavy hand of government has come to dominate it, the motion picture as art has withered. Little indeed has remained except crude, crass propaganda."

"God grant that through a supreme act of national will men and women of all political shades of opinion shall firmly and unreservedly unite to meet this country's affair. Thus may we best fulfill our highest duty as trustees for civilization, for human liberty and for peace."

LLAMAS TO OPEN SIX NEW THEATERS IN PUERTO RICO

San Juan, P. R.—Theater building in Puerto Rico is increasing. Teatro Moderno, circuit-operated by Teatro Llamas, will open six new theaters in this territory in November. All will be equipped by the Western Electric Co. of Cuba.

Equipment order embraces four Western Electric Microphone Master-30 and two Microphone Master-15 sound systems, six pairs of Microphone projectors, six pairs of Ashcraft lamps, six Century-Roth Actodectors, Microphone screens, Western Electric announcing systems, Automatic timer registering machines and other miscellaneous theater equipment.

F & M WILL RETURN STAGE SHOWS TO FOX, ST. LOUIS

St. Louis—Stage shows will return to Fanchon & Marco's 5,000-seat Fox Theater this Fall.

Opening stage show, the Marcus Revue, has been set for Oct. 6. Some dozen others are in prospect, including Al Pearce and His New Ghost, Benny Goodman and his own, Bob Crosby and Blackstone, the magician.

ALPINE CIRCUIT SERVICE CONTRACT CLOSED BY RCA

A service contract covering the sound reproducing equipment in the 24 theaters of the Alpine Theater Circuit, Inc., has been awarded to RCA Photophone, according to W. L. Jones, RCA service manager.

Most of the houses covered in the new service contract are in West Virginia, and a few are in Pennsylvania. The circuit's headquarters are in Oakwood, W. Va.


UNIVERSAL DRAFTING ARBITRATION CLAUSE

(Continued from Page 1)

proposed provision may be completed this week and will be submitted to the sales department for consideration. Meanwhile, it is reported that 20th Century-Fox's proposed arbitration clause is still being discussed but no action has been taken towards putting it into effect.

Whether other code provisions will be added to the exhibition contracts of both companies has not been determined.

UNION LOOKS TO NEW PACT TO FIGHT OUT DIFFERENCES

St. Louis—Local 143, operators, has submitted a new contract and working agreement to the St. Louis Amusement Co. to rectify the pact which expired on Sept. 1.

Union execs are hopeful that the new contract will iron out the differences with the amusement company that developed on Saturday when the Pageant Theater reopened with Thomas Canavan and Wallace O'Donnell as the projectionists.

Canavan and O'Donnell, who were among the members of local No. 143 who supported John P. Nick, International vice-president, in his efforts to retain control of the local's affairs, were suspended by the new union officers when they failed to appear before the local's executive board to explain why they left jobs to which they had been assigned for several years to take over the Pageant projection positions. The operators who were let out at the Pageant to make way for Canavan and O'Donnell were among the union members who supported the fight to oust Nick.

The union's executive committee also suspended projectionists employed at the Lafayette and Shady Oak theaters, although Canavan and O'Donnell formerly worked.

Officials of the St. Louis Amusement Co. have refused to accept the substitute operators sent to the Pageant, Lafayette and Shady Oak theaters by the new officers of Local No. 148.

St. Louis Amusement Co. theaters are operated by F & M under a management contract.

"TORPEDOED" INTO THE GLOBE

"Torpedoed," released by Film Alliance of the U. S., opens Saturday at the Globe. "Torpedoed" was filmed at Scapa Flow with the cooperation of the Admiralty and the Navy League, with an American cast including H. B. Warner, Richard Cromwell and Noah Beery.

FAIR PLAYS JUBILEE

Dallas—Texas State Fair will mark Jubilee of Lone Star Jubilee with a program on Oct. 7.
IATSE Wins Studio Elections--

Hollywood—Studio craft workers at yesterday’s elections, ordered by the NLRB, designated the IATSE as official bargaining agency, it was announced early today as the tellers completed counting and checking the 6,478 ballots cast. Vote: IA, 4460; USTG, 167; others, 51.

Gillin, a relief war other

(Continued on Page 4)

Intimate in Character

Independent in Thought

The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old

NEW YORK, THURSDAY, SEPTEMBER 21, 1939

TEN CENTS

ITOA Sounds Out Circuits on Clearance Arbitration

GOLDWIN ASKS JOINT ACTION ON WAR PROBLEMS

Launch Drive for End of Political Censorship of Pix

Columbia U. Division Maps Specific Plans for “Free Screen” Fight

Openings gun of what promises to be a decisive drive by educators to polish all forms of direct censorship of pix is fired in the annual report filed with Prof. James C. Eckert, director of University Extension at Columbia, by Dr. Russell Potter, director of the institution’s Division of Motion Picture Study. Dr. Potter strenuously advocates dissolution of the New York State Board of Censors along with the effectuation of other needed "re

(Continued on Page 4)

AUGUST ADMISH TAXES SHOW $88,405 JUMP

Washington Bureau of THE FILM DAILY

Washington—A gain of $88,405.41 in admissions taxes collected in the United States for August, 1939, was registered compared to the same month of last year, the Internal Revenue Bureau reported yesterday. Admissions for August, 1939, totaled $4,912,404.41 compared to $1,

(Continued on Page 7)

Col. Prexy and Vice-Prexy Take Voluntary Salary Cut

At a meeting of stockholders of Columbia Pictures Corp., held at the offices of the company yesterday, Harry and Jack Cohn, president and vice-president respectively of Columbia,

(Continued on Page 5)

AL Adams Leaves Republic

Advertising Post Saturday

AL Adams, who has served for the past several years as director of publicity and advertising for Republic Pictures Corp., relinquishes that post on the coming week-end, it was learned yesterday.

No official announcement as to

(Continued on Page 7)

Third quarter net income of Consolidated Film Industries was estimated at approximately $322,000 for the period ended Sept. 30 1939, according to President Herbert J. Hays.

(Continued on Page 8)

Special Session of Congress Not to Act on the Needy Bill

Washington Bureau of THE FILM DAILY

Washington D.C.—Special session of Congress convening today is not expected to take up any film mat-

(Continued on Page 6)

Arbitration of Clearance Depends On Circuits in Opinion of the ITOA

Neb. Completes Presentation of Its Case Against Ascap

Lincoln, Neb. — John J. Gillin, manager of WOW, Omaha, lashed out when cross-examined here yesterday in the anti-Ascap test case against society for selling music

(Continued on Page 5)

ITOA is sounding out circuits in the Metropolitan area as to their willingness to arbitrate clearance problems. Organization is of the opinion that the distributors are willing to take clearance disputes to an arbitration board if the circuits will co-operate.

Harry Brandt, ITOA president

(Continued on Page 4)

Fact-Finding Committee is Advocated by Producer in War Crisis

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Samuel Goldwyn yesterday called upon the industry to form a joint fact-finding committee to study problems presented by the war situation and formulate a program for the good of all concerned.

Goldwyn directed his letter to Charles Brackett, president of the Screen Writers Guild, and sent copies to Will Hays, MPDA prexy.

(Continued on Page 5)

RKO to Handle Three Franklyn Warner Pix

A deal whereby Franklyn Warner, president of Fine Arts, will distribute three top-bracketed pictures through RKO was announced yesterday by George J. Scharfe, RKO

(Continued on Page 5)

Kuykendall to Address Meet of Ark.-Miss.-Tenn. MPTO

Memphis—Principal speakers at the semi-annual convention of the MPTO of Arkansas, Mississippi and

(Continued on Page 6)

Fine Arts-GN Deal Said Unaffected by RKO Pact

The Franklyn Warner production agreement with RKO will not affect the status of the tentative Fine

(Continued on Page 5)
AAA-AFA Dispute Ends as Sophie Tucker Joins AGVA

End of the lengthy dispute between the AAAA and AFA finally came yesterday with Sophie Tucker, AFA proxy, joining AGVA, the union variety guild created by the AAAA after the AFA was ousted. This move by Miss Tucker came after it was reported that she had been threatened with suspension by three of the AAAA member unions who had returned her to good standing when the LAPTSE and the AAAA made their peace settlement recently.

Future of the American Federation of Actors became more uncertain this week. Actual jurisdiction of the union apparently was hazy according to an A.P. of L executive. It is not expected that any formal move to dissolve the union or announce its future intentions will be made until Ralph Whitehead, executive secretary, returns to his desk following recuperation from a recent illness.

Fall Increase in Commercial Film Advertising Expected

Upswing of commercial screen advertising starting this fall was predicted yesterday by ad. firms which have interested their clients in this medium of reaching the public.

The Alexander Film Co. reports that a 50 per cent increase in national daily newspaper advertising has been recorded in August over the sales during July, and also that several South African companies had upped their film ad, budgets considerably in the past month. Bulk of the commercial film increase, however, will experience a slow down, with ads running from 90 to 120 feet.

Edward Gross to Produce

Series for Major Release

West Coast Bureau of THE FILM DAILY

Hollywood — Edward Gross will produce a series of teleplays arranged for major distribution which will be announced soon. He is negotiating for a current Broadway comedy success. Gross is being backed by Jules Goldstein, Eastern financier.

RKO Reorg. Hearing Set for Sept. 27 by Court

Federal Judge Alfred C. Coge yesterday adjourned hearings on the RKO reorg. proceedings until Sept. 27 at 10:30 a.m. in Federal Court. It is understood that proceedings are marking time until Federal Judge William Bondy returns shortly from his vacation in California.

“Light Ahead” Booked

Carmel Productions announced yesterday that its Jewish picture, “The Light Ahead,” would be shown on Friday, Sept. 30, at the Ascot Theater in the Bronx and at the Clinton, Manhattan, on Monday. Picture will open in New York later in the week.

Conn. Allied Presidency Sought by Three Exhibs

New Haven—Charles Repass of the Crown Theater, Hartford; Marske Kelcher, of the Princess Theater, Hartford, and A. M. Schuman of the Black Rock Theater, Bridgeport, have been nominated for the presidency of Allied Theaters of Connecticut at a regular meeting at the Capitol Theater, this week.

Other nominees include: For vice-president Charles Repass, Martin Kelleher, A. M. Schuman and Samuel Hadelman, of the Capitol, Bridgeport; treasurer Jack Schwartz, West End Bridgeport, and Leo Schapiro, Guilford Theater; executive secretary, Lawrence C. Caplan; chairman, board of directors, Dr. J. B. Fishman, of Fishman Theaters, and Maurice Shulman of the Rivoli and Webster, Hartford.

New Shea Buffalo House

Forunner of 2 others

Buffalo — Buffalo Theaters, Inc. (Shea circuit) announces plans for construction of another Shea house, the Niagara, in the lower West Side. Indications point to two others, in the North End and residential district, and upper East Side. Chain now has six nabe theaters here.

Warner Chi. Execs, B & K Subpoena’d in Gary Case

Chicago—B & K Manager Walter Inmanmer of the Warner circuit, and two others, are expected today. Their case will be pushed, according to the plaintiff’s counsel.

“The Rains Came” Passes 250,000 Mark at the Roxy

“The Rains Came,” new 20th-Fox film now at the Roxy, went over the $250,000 barrier yesterday, with film also setting attendance records in 16 other key cities where it is currently playing, it was reported.

49 Pix in Work At Studio

Sept. Highest in 10 Years

West Coast Bureau of THE FILM DAILY

Hollywood—With 49 pictures before the cameras, production is at its highest September figure in the past 10 years.

Twentieth-Century-Fox is making eight: Paramount and M-G-M six each; Columbia and RKO five each; Republic and Warner Bros. three; Samuel Goldwyn, Walter Wanger, Selznick, International, Hal Roach, Harry Sherman, Monogram and Producers Pictures one each.

UA Board Meets Today

Board of directors of United Artists will meet today.

WILL HATS IS expected back from Hollywood in the near future.

ARTHUR LOWE, Metro foreign chief, has returned from New York to Hollywood.

ROB SMELTZER, Central district manager to Walters, CHARLES RICH, Buffalo branch man, igen, W. G. MANSELL, Philadelphia branch man, and JOHN PAVONE, New Haven branch manager, were in New York this past week for con

Dr. A. H. GIANNINI was in New York this past week for a brief stay.

FRANKLYN WARNER, president of Fine Art Pictures, leaves for the Coast today.

JAMES MULVEY, Eastern representative to Lionel Goldwyn, is expected to return to New York today after a trip to Hollywood.

WAYNE MORKOVIS has come to the Coast.

JAMES E. GRAINGER, Republic president at Universal, returns here this week-end and leaves for St. Louis and Chicago.

ERROL FLYNN has returned to Hollywood.

VERNON DOWNING, actor, has arrived from the Coast to appear in a play.

ANN SHERIDAN leaves Hollywood tomorrow for her first visit to New York.

ROBERT MONTGOMERY and his wife are at the Waldorf.

ERICH BOCHIN is in Hollywood.

BORIS MORROS expects to return to the Coast at the week-end.

EDDIE CANTOR, ANN SHERIDAN and JAC BONDY will be in Chicago next week for the American Legion convention.

ELIZABETH RICHARDT, booker for the New York circuit, is in Columbus, O., and LOUISE HARRIS, of the Wilmy-Kinsey circuit in Ciangria, were visitors at the Paramount World’s Fair Lounge this week.

20th Century-Fox Will Re-issue Two War Film

“The Road To Glory” and “Th First World War,” latter film a docu feature, will be released by 20th Fox immediately, the company announced yesterday. New prints, new advertising accessories, and new pressbooks on the pictures are being prepared now.

Novel Interests Majors

Two majors are reported interested in securing film rights to John Brown’s novel, “Wedding Ring,” which may be done on Broadway” stage this season.

Happy BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:

SEPTEMBER 21

Paul Muni. Victor Scafron

Frank Strayer. Isaac Weingberg

Mary Miles Minter. Gene W. Lampley
yes, it’s
LANA TURNER
and she’s
on the way
to stardom!

One after another the red-hot hits are pouring out of M-G-M’s sizzling studio! Every week a new smash! Embrace “The Women” and hold! Follow with “Blackmail” action barrage. And “Thunder Afloat” (best in 19 months, Washington, D. C. Premiere!) And then (while “Babes in Arms” World Premiere Biggest in 5 years at Houston!) make a date with delirious “Dancing Co-ed.”

they’ll be
dancing in
the aisles!

“DANCING
CO-ED”

and Leo’s
dancing
with joy!

yes, it’s
ARTIE SHAW
and his No. 1
swing band!
ARBITRATION DATA IS SOUGHT BY ITOA

(Continued from Page 1)

yesterday, sent a letter to eight circuit operators asking their reaction. Letter does not mention clearance arbitration specifically but it is implied. The message, which was sent to Century, RKO, Loew's, Skouras Randolfe, Joseph Seider, Cocalis and St. Fabian salaries during the period of emergency which they feel the motion picture industry is facing. The announced cut is 33.3% of what each of the officials has been drawing.

Other matters on the meeting's program included the extension of the contracts of Harry and Jack Cohn, the merger into the corporation of the two subsidiaries, Columbia Pictures Corp. of California, Ltd., and Columbia Pictures Distributing Co., Inc., and the issuance of an additional option of 2,500 shares of common stock to Samuel J. Briskin to be represented by voting trust certificates.

Selznick Aide Retires

West Coast Bureau of THE FILM DAILY

Hollywood—Marcella Bennett Rah- win, assistant to David O. Selznick since the founding of Selznick-International Pictures, retires from that position.

WEDDING BELLS

Albany—Christopher H. Buckley, Jr., son of the prominent Bennington, Vt., exhibitor, and Margaret Elaine Driggs were married in St. Vincent de Paul's Church, Al- bany, the Rev. William R. Charles officiating.

Buckley, who also had film business experience when his father operated four Albany picture houses, and his bride will reside in New Haven, Conn.

WOULD END POLITICAL CENSORSHIP OF PIX

(Continued from Page 1)

forms if film production and puh- lic consumption is to attain a truly adult form.

Dr. Potter, who is also director of the Institute of Arts and Sciences at Columbia, declares that his fight is directed against the state and regional boards and not against the Production Code Authority. Administration of the latter, he points out, is an industry matter and as such is one that must be controlled by the industry itself.

But on the political censorship setup he wars on the ground that it is un-American, inevitable and wholly stupid in its administration, and an unfair hidden tax on the producer, the exhibitor and the public. He repeated yesterday as to how he expects to bring about abolition of political censorship groups. Potter said that these small places have been made by the Division to crusade for a free screen in America, and these will be disclosed later. Introduction of a censorship repeal measure at Albany is anticipated.

In the annual report he leveled a blistering barrage against censorship and pre-censorship, saying that they keep the movies, which have technically grown up, in diapers, adding "The brains, the talent and ability, the technical resources for giving us motion pictures that would challenge the mind and stir the emotions of adult audiences are in Hollywood, but they are used to cut out paper dolls and make saccharine celluloid sweats. The Hollywood setup may be blamed for some of this but not all, Hollywood has the cen-

Potter points out that the Code, administered by the Breen office, is the first obstacle Hollywood meets, that the traits this pre-censorship, the state and regional boards of censorship, and finally several "highly organized pressure groups which must be pleased." Later he lists the D.A.R., the Legion of Decency, the East Coast and West Coast preview committees of the General Federation of Women's Clubs, the Council of Federated Church Women, the National Society of New England Women, and "many others."

He recommended in the report establishment of a Motion Picture Workshop in University Extension, in view of the conviction that within the next quarter of a century there is going to be an increasing demand for teachers properly qualified to teach the motion picture in high schools and colleges.

STORKS!

Philadelphia—Lee Pizor is pass- ing out the cigars. It's a girl, born Tuesday to Mrs. Pizor.
GOLDWYN ASKS JOINT FIX FOR WAR PROBLEM ACTION

(Continued from Page 1)

Joseph M. Schenck, president of the Association of Motion Picture Producers; Frank Capra, president of the Screen Directors Guild and Ralph Morgan, president of the Screen Actors Guild,

in his letter, the UA producer suggested that the committee be formed by craftsmen, Guildsmen, producers and workers. He pointed out that the solution to the war situation is not to be found in the wholesale firing of wage earners and asserted that picture quality must not be sacrificed in seeking a solution.

Goldwyn, reviewing war-time conditions, paid particular attention to the British situation, pointing out that the British public was so preoccupied that business in England was materially affected and that the quality of the films that still survived was unworkable.

Turning to the Dominions, Goldwyn said Canada has set up a commission to control exploitation of funds and not only will it be difficult to transfer funds from Canada but the exchange rate is down 10 per cent and a new tax against motion picture gross receipts has been levied.

New Zealand, added Goldwyn, is restricting export of currency and this step is likely to be followed by Australia.

Indianapolis Zone Board Defers Radel's Request

Indianapolis—Action on a request for variance to permit Glen W. Radel to erect a $75,000 theater at 8365 East Washington St., has been postponed by the Board of Zoning Appeals until Oct. 8.

The theater, seating 1,154, would be known as the Embassy and would include large parking facilities. Property owners objected to the parking lot and some to the theater location.

Softball Teams to Clash

Harrisburg, Pa.—The Colonial Theater's softball team which went through the season undefeated, winning 12 games, will meet the team of the Allentown Colonial Theater, another Wilmer & Vincent house on Oct. 1. It has been announced by Jack O'Rear, manager of the Harrisburg Theater. Henry Houck, doorman, is captain of the Harrisburg team.

June Restrictions

Ria de Janeiro (fly Cable)—Juvenile Court here has ruled that children under 12 years of age must be admitted to film theaters and that children under 14 must be admitted after 8 p.m.

Altec Pact Renewed

M & P Theaters, of Boston, Mass., has renewed a contract to have Altec service the sound in 85 M & P theaters throughout New England. L. J. Hackett negotiated for Altec.

SAUGER HOUSES USING WAR BULLETINS

New Orleans—Three New Orleans theaters are regularly broadcasting war bulletins to their audiences over their sound systems as a result of a tie-up between the Sauger Theaters Corp. and the Sauger-Maison Blanchi-owned WSMB. The stations furnish Transradio bulletins and NBC news to the Sauger, Tudor and Globe Theaters, which intercept film presentations to bring the latest to the audience. The service is being advertised in theater ads daily.

Neb. Completes Presentation of Its Case Against Ascap

(Continued from Page 1)

under wraps, saying repeated requests by him as a user for the scrap catalog of war denied.

Gillin, one of committee appointed by NAB to conduct research for music available under other than the Ascap label, said WAB had paid $22,800 in 1938 to society for Ascap percentage gross time sale, whether the music was used or not. He said an offer to pay Ascap on the basis of music used was thumbed down by around 1,000 and to be built directly but political or religious broadcasts.

Joe Malec, Omaha ballroom owner, has been of the 240-member move Men's Protective Ass'n, said his group was formed to fight for the anti-Ascap bill's adoption to best the society. He said he paid $250 annual license, $15 to music, and his park grossed around $70,000 annually, part from swimming concession.

Don Searle, general manager of KOIL-KFB-KFOR, Lincoln and Omaha stations, said his outlet paid $21,778 for 1938, and his testimony as to objectionable Ascap features agreed with Gillin. Capital Hotel, he said quiet music because the Ascap license put too much overhead on his spot.

Submission of the case was made late yesterday, and each side will get an hour and a half argument time this morning to wind up. Judges hearing the case are Gardner (presiding), Manger, and Dombow.

Stage Shows In Buffalo

Buffalo—The Twentieth Century, Dipson-Basil first-run, begins stage shows tomorrow with A. B. Marcus revue. One week open thereafter, Manager Richard Kemper says, D & B have just closed for RKO first-run in the Century. E. L. McEvoy was here from RKO New York offices.

New House for Bryan

Bryan, Tex.—A new house to seat 1,200 patrons will be built directly opposite the university is to be constructed here by the Bryan Amusement Co., Mrs. M. Schulman, president. The house, to be named the Aggie, has been contracted for with Pettigrew & Worley.

New Haven, Jewett City Fix Houses Open Doors

New Haven — Al Pickus of the Stratford Theater opened his newly acquired 490-seat Annex Theater, renamed Fairmont, last night with "Only Angels Have Wings" and "Second Fiddle." Pickus had originally intended to operate on a single feature policy, similar to that of the Stratford. The new operator restored and redecorated the house.

The new State, Jewett City, built by Peter Perakos and Joseph Quitter, was opened Tuesday night, with "Stanley and Livingstone" as the feature. The 700-seat house replaces the old Fina's Theater, which was destroyed by the hurricane last year. Harry Barnett, former Fina's manager, continues at the State.

Vealum In Cincy

Cincinnati—Two downtown theaters, RKO Shubert and Strand, Ind. have adopted vaudeville and film policy.

RKo TO HANDLE THREE FRANKLYN WARNER PIX

President. First picture, "Isle of Destiny," has been completed, with a cast including William Gargan, Wallace Ford, June Lang, Gilbert Roland and Katherine De Mille. This feature and the other two will be delivered in Cosmo Color.

Warner said yesterday that each of his pictures for Rko release have been budgeted at a minimum of $250,000. The second production will go into work shortly under the title of "Land's End." The third story, as yet untitled, deals with the Ivory Coast slave traffic of 1865.

It was stated by Rko that the Franklin Warner product will be on a par with the highest quality Rko pictures. They will be released on the 1939-40 program.

Sets All-Colored Pix

Chicago—Saul Goldman, of Sack Amusement Enterprises, has set the all-colored feature "Straight to Heaven" at four first-runs: Globe Theater, Cleveland; Roosevelt, St. Louis; Empire, Columbus; Roosevelt, Cincinnati.

NOW for immediate dates

THE GREATEST WAR FILM

What war does to men! What war does to women! What war does to humanity!

BOOKED SOLID BY RKO-WARNER'S-SKOURAS And Leading Circuits WIRE FOR DATES

WORLD PICTURES CORPORATION

729 SEVENTH AVENUE, NEW YORK

Phone: N 212-5644

Cable: Worldfilm
"Night Work"  
with Charlie Ruggles, Mary Boland, Joyce Mathews
Paramount  62 Mins.
LAUGHS AND COMPLICATIONS OF THE FITCH FAMILY MAKE PLEASING POP ENTERTAINMENT.

The irrepressible Fiches return to the screen as a family with more problems through which they muddle through in characteristic fashion. There are laughs and gags and also some serious moments, as exemplified in family life. Fix should appeal to the neighborhood audiences. Charlie Ruggles, Mary Boland, and Joyce Mathews again constitute the Fitch family, with Donal O'Connor and Billy Lee augmenting the family as adopted orphan. Principal problems presented in the film come from the two boys, Donal O'Connor generally risks his neck in dandevil stunts and the other is almost lost to them when a grandfather shows up who makes the Fitches decide whether or not he should be allowed to stay at the Fitch house as they might make a sissy of him. Picture wanders amusingly to a satisfactory conclusion with everybody happy, and the grandfather satisfied that the Fiches will take proper care of his newphew, with the other boy mending his ways.

CREDITS: Paramount Production; Director, Archie Arden; in new course offered by the English department of N.Y.U., Washington Square College.

Diets point out in his talk that movies are poor when the stories are poor or poorly written. He also cited that many authors whose works have been adapted to the screen have admitted that the resulting film production was as important, from the standpoint of literary expression as the original story. He characterized the new N.Y.U. course as an important event because students will earn full credit toward a degree.

Re-issue "Grand Illusion"

"Grand Illusion" will now be re-issued nationally as a war film by World Wide. Re-issue is supervised by Arche Mayers, sales manager.

"Sweepstakes Winner"
with Marie Wilson, Allen Jenkins, Johnnie Davis
Warners  59 Mins.
FAIR COMEDY ABOUT HORSES AND PRIZE MONEY FOR THE FAMILY TRADE.
The much publicized Irish Sweepstakes serves as the story material for this one. There are enough laughs and comedians in the film to put it over with the family trade. Marie Wilson, Allen Jenkins, Johnnie Davis, Charles Foy and Jerry Colonna head the cast. Marie is left a thousand dollars and an old nag named Firefly in a retalia-
tion's will. Arriving in the big city she is immediately taken into camp by slicker's Jenkins and Foy. Broke, she goes back to the race track to sell a horse to a nursn operated by Johnnie Davis. Jenkins sells her a ticket on the sweepstakes, and much to Marie's horror begins to sell her a $100.00 a week which she promptly scatters around town in handsome fashion. She buys back Firely and regains the slicker a Furthermore, when she wins a fixed race with the horse, Johnnie decides to marry her even though she has a lot of money and everybody is hating Johnnie.

CREDITS: Warner Production; Director, William McGann; Screenplay, John Howard Lawson and Albert DeMond; Original Story, Albert DeMond and Hugh Cummings; Cameraman, Arthur Edison; Editor, Frank Magle.
DIRECTION, O.K. PHOTOGRAPHY, Good.

NBC Working on New Tele Commercial Standards

National Broadcasting Co., working in co-operation with a group of advertisers, is developing a new form of presentation for future use in the production of television programs. New technique will utilize the natural manufactured by NBC for light and radio plus variations due to television problems that do not exist in the Printed Word.

Newest method to be presented at the network came from Lawrence Levey, free-lance tele writer and, ex-radio writer and newspaperman. Calling his material teletcsters, Levey has built up shows using a combination of the other three entertainment phases, and the scripts are now in the hands of the NBC teletcsters.

Also of prime interest at the present time is the manner in which commercials can be injected into the telecasts without being objectionable. As it now stands, the sponsor is not permitted to be a part of the program by presenting programs on time donated by NBC. The attempts to work in commercial announcements on the air have been poor, and have received the blunt of the criticism regarding the manner in which the commercials can be presented in an entirely new, yet clear and concise manner it was stated, as well as by collateral advertising.

"Sky Patrol"
with John Trent, Milburn Stone, Jackie Coogan
Monogram  61 Mins.
PLENTY OF ACTION IN THE AIRPLANES.
The publicized comic strip 'Tailspin Tommy,' exhibitors in nabe houses should be able to sell this film easily. It has plenty of action, it is well paced and the cast is capable. John Trent fills the 'Tail-
spin Tommy' role, with Milburn Stone serv-

ing as "Skeeter." Jackie Coogan gives a good performance as the son of the officer commanding the newly formed sky patrol to chase smugglers. Coogan is shot down by a smuggler's plane and picked up by them, from where he is at the patrol headquarters if he is dead. A nation-wide search is insti-
tuted for the mysterious plane and Trent is instructed to find out the truth. He deliberately builds a plane out in an old plane in order to land near the suspected contact boat in the gulf and find Coogan safe on board, but when they are recognized, Trent takes a message to head-
quarters to call off the patrol and the planes are sent for the smugglers' ship. Trent and his aides foil the smugglers' plan to shoot down the patrol planes and escape on their boat as it blows up.

CAST: John Trent, Milburn Stone, Mar-

je Reynolds, Jackie Coogan, Jason Ro-

bards, Dickie Jones, Boyd Irwin, Bryan

Burnard, LeRoy Mason, John Peters, John

Day.
CREDITS: Producer, Paul Malvern; Direc-
tor, Howard Bretherton; Screenplay, Je-


Page
1)

or, S. P. Parker. Based on the comic strip, "Tailspin Tommy"; Cameraman, Fred Jackman, Jr.; Editor, Carl Pierson.
DIRECTION, Well-Paced. PHOTOGRAPHY, Good.

Special Session of Congress
Not to Act on the Neely Bill

(Continued from Page 1)

The House could consider the Neely Bill, but observers believe currents will not press for action at this time, preferably for the regular session. It is felt here that Congress will consider only the Neutrality Act re-
vision at the special session. It is pointed out any attempt to bring up the Neely bill would cause re-
appointment among some of its former backers, who would regard such move as interference with legisla-
tion of much greater importance. Further, if Congress remits in ses-

ion only a month or so, as is ex-
pected, it would not give Neely bill backers a chance to drive it through Committee and onto the floor, even if they so desired.

Closes "Sudan" Deal

West Coast Bureau of THE FILM DAILY

Hollywood — Mitch Leichter has sold "Sudan" to Celebrated Film Exchange in Minnesota for distribution through Picturegoer, North Dakota.

"Parents On Trial"
with Jean Parker, Johnny Downs, Henry Kolker
Columbia  58 Mins.
STORY OF PARENTAL DISCIPLINE SUF-
FERS FROM LACK OF GOOD STORY MA-
TERIAL.

Using the old theme of the stern father who makes life practically not worth living for the attractive young daughter, this picture might have been improved consider-
ably if the story material broke away from the cliches. The cast is capable, and Jean Parker is attractive and efficient as the daughter of Henry Kolker, a strict disciplinarian. Kolker is punished for doing everything she does and when she falls in love with Johnny Downs and marries him Kolker has the marriage annulled and gets Johnny put in reform school. However Kolker is finally made to see the light, and everything is satisfactorily straightened out for the young man.

CAST: Jean Parker, Johnny Downs, Linda Terry, Noah Beery, Jr., Henry Kolker, Vir-

ginia O'Connell, Nana Bryan, Richard Fiske, Mary Gordon.
CREDITS: Columbia Production; Director, Sam Nelson; Screenplay, J. R. Bren, Gladys Archainbaud; Cinematographer, Ar-

bert Hillyer and J. R. Bren; Cameraman, John Sturman; Editor, James Sweene.
DIRECTION, Adequate. PHOTOGRAPHY, Good.

Kuykendall to Address Meet of Ark.-Miss.-Tenn. MPTO

(Continued from Page 1)

is to be held here next Sun-

day, October 21, and will be Ed Kuykendall MPTO presi-
dent, A. K. King, president of Mississippi Theater Owners, and Lawrence J. O'Donnell president of the Interstate Circuit of Dallas. Others who will attend include John H. Harris of Pittsburgh, president of the Variety Clubs of America, and Sam Moscow of Columbia Pictures.

The sessions will be held at the Variety Club's office at 1420 Gayoso. Registration will start Sun-
daugl day morning, followed by screen-
ings at the Grand Theater. Badges will admit all those registered to any Memphis theater in the afternoon.

Business session opens Monday morning at which report of officers will be made, committees appointed and officers for the ensuing year elected.

The usual complimentary luncheon will be given Monday noon through the courtesy of the theater managers of Memphis, Peerless Poster Ex-
change, National Theater Supply Co., National Screen Service, Inc., Film Exchange, Inc., and Malco The-

aters, Inc.

An open golf tournament will be held Monday afternoon at 1:30 at the downtown course.

The session will end with a dinner dance on Monday evening. M. A. Light-

er is responsible for the arrange-
mints for the convention.

THE FILM DAILY

Thursday, September 21, 1939

REVIEWS OF THE NEW FILMS

"Parents On Trial"
**REVIEWS OF THE NEW FILMS**

**FOREIGN**

"Mademoiselle Ma Mere"  
with Danielle Darrieux, Almero  
J. H. Hoffberg  
77 mins.  
WITTY AND AMUSING COMEDY  
WITH EXPERT CAST MAKES FILM ONE OF BEST FRENCH IMPORTS.  

Witty in the Gallic manner, this film is one of the best of the French imports. It is seen here and it should highly entertain adult audiences. It is complemented with the complete competence of English. The cap- 
table of those who don't understand French, but in this case the action is sufficiently sufficient to get the point across.  
Danielle Darrieux, Almero, Pierre Bresser, Pascalai and a competent supporting cast carry the action with good results. Miss Darrieux, the piee marquees Alerme, an aging and rotund gentleman. However, Bresser, his son, was an unknown quantity when the marriage took place and Danielle finds him young and handsome. The marriage in name only is soon straight- 
cut out in order to smooth a path for true, but not before numerous and hilarious incidents have been unfolded on the screen.  
**CAST:** Danielle Darrieux, Almero, Marcel Stian, Pierre Bresser, Pascalai, Robert Aronx, Larquoy.  
**CREDITS:** Regina Films Production; Direct- 
**ORIENTAL,** the Little Carnegie House with French dialogue and English titles.  
**DIRECTION:** Deft. PHOTOGRAPHY, Good.  

"A Brivele der Mamen"  
(A Letter to Your Mother)  
with Lucy Gehrman, Max Bozyk,  
Alexander Stepin  
Sphinx Films  
105 mins.  
HEAVY DRAMA CAPABLE PERFORMED  
AND PROJECTED TO SCREEN WILL AP- 
PEAL TO YIDDISH FANS.  

Typical of heavy Yiddish drama, this pic- 
ture uses a successive number of discourag- 
ing incidents to build its theme. Picture is 
timely right now with its post-war refugee problem. Lucy Gehrman handles the 
principal role excellently and she is cap- 
ably supported by a good cast. Max Bozyk interjects a number of comedy touches in the 
film to lighten it up. The story in brief: Miss Gehrman is deserted by her hus- 
bands, a daughter's sin, and by the loss of her two sons.  
**CAST:** Lucy Gehrman, Max Bozyk, Alex- 
ander Stepin, Chane Levin, Gertrude Balman,  
Ickoch Gruberg, Irving Bruner, Edmund  
Zayenda, Misia Gehrman, Simche Foster.  
**CREDITS:** Produced and Directed by Jo- 
seph Green.  
Presented at the Belmont The- 
ater with Yiddish dialogue and English titles.  
**DIRECTION:** O.K. PHOTOGRAPHY, Good.  

"Betrayal"  
with Suzy Prim, Pierre Richard-Wilm  
World Pictures  
85 mins.  
ELABORATE HISTORICAL ROMANCE  
PRESENTS EPISODE IN LIFE OF CATHERINE THE GREAT.  

Partly fictional, this French film portrays an episode in the life of Catherine the Great of Russia. The production is elab- 
orate and sweeping, but there is a lack of humor and color. The principal characters are able, and the direction of Feder Ozop is adequate. Story concerns the attempt of Catherine, Suzy Prim, to foil a plot against her being hatched in Italy. Pierre Richard- 
Wilm, Catherine's favorite, is dispatched to Italy on the mission but he falls in love in 
the direction of plot, and Wilm, after confessing his love, dies with her.  
**CAST:** Suzy Prim, Pierre Richard-Wilm, Suzy Vernay, Robert Aronx.  
**CREDITS:** Producer, S. Sweeney; Direct- 
or, Feder Ozop. Presented at the Little Carnegie House with French dialogue and English titles.  
**DIRECTION:** Adequate. PHOTOGRAPHY, Good.  

"Fehervari Huszarok"  
(Seven Roses)  
with Antal Pager, Maria Egry  
Danubia Pictures  
72 mins.  
MIXTURE OF ROMANCE AND MUSIC  
WILL APPEAL TO HUNGARIAN AUDI- 
ENCES.  

A pleasing little picture by all standards, this Hungarian release, however, has no value for audiences outside of its own sphere, as it lacks English titles. The players are capable, and the story moves briskly along from start to finish with the proper amount of music and comedy. Story concerns Antal Pager's love for Maria Egry. His horse crushes seven roses in her garden, and she sets him to the task of 
bringing seven roses at the rate of one a day from seven different villages. Several attempts are made to prevent him from meeting his end of the bargain, but who can stop a dashing Hungarian Hussar when he is making love?  
**CAST:** Antal Pager, Maria Egry, Julius Kabics, Lili Berk, L. B. Kopecki, Peri Peery.  
**CREDITS:** Kino Film Production; Direct- 
or, Martin Keleti. Presented at the Mod- 
ern Playhouse with Hungarian dialogue and 
no English titles.  
**DIRECTION:** Good. PHOTOGRAPHY, O. K.  

"Gun Play"  
RKO Pathe News  
9 mins.  
**GOOD ENTERTAINMENT**  

Interest to everybody who is outdoor minded is the subject of shooting, and shooting is shown in this reel at its best. Expert gunners demonstrate their marksmanship on clay pigeons at an upstate shooting club. The trap layouts are particu-
larly ingenious, with the different pigeon blinds set all over the pre- 

course under conditions that most 

closely simulate natural hunting country of different types of birds. There is a quail shot, a woodcock, and also ones for grouse, doves and several other game birds. The gunners demonstrate in each one of the different blinds and wind up on the skeet shoot range. Frederic Ultman, Jr., produced and Frank Donovan was the supervisor.  

**SHORTS**

"Nevada Unlimited"  
RKO Pathe News  
9 mins.  
Kieran, Interesting Short  
Nevada, all 100,000 square miles of this great Western state, provide the setting for this short. The vast resources of the state come in for explanation and we see a num- 
ber of the sights and scenes of this vast area.  
**CAST:** Nevada, 100,000 square miles.  
**DIRECTION:** Adequate.  

"Information Please"  
RKO Pathe News  
10 mins.  
Good Entertainment  

Here is a short that is not only entertaining, but is extremely time-


dy. "Information Please" and its re
doubtable experts have gained a 
fellow for who will go to hun- 
ters to seem them in action in 
the flesh. Shepherded by master of 
ceremonies Clifton Fadiman, John 
Shepherd, Lewis, and Franklin P. 
Adams and Rex Stout wrestle with 
the set of brain twisters in the short.  
**CAST:** Nevada, 100,000 square miles.  
**DIRECTION:** Good. PHOTOGRAPHY, 
O. K.  

PARA'S "Blue Danube" Ready  
The first of Paramount's Three 
Symphonic shorts for the 1939-40 
season, "The Blue Danube Waltz" 
and "The Blue Danube Waltz" has 
been completed and is scheduled for 
national release on Sept. 29, Lou 
Diamond, head of Paramount's short 
subject department, said yesterday. 
Frederic Fisher and The National 
Philharmonic Orchestra of U.S.A. 
to interpret the Strauss composition.  

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1839...A Century of Service...1939
Two Film Industry Threats

... war and regulation are related

The shortest avenue to government regulation is war. Still in its knee pants, the industry had a taste of what war-time regulation can mean, back in 1917 and 1918. But it was only a taste—merely a single step from the spoon. Witness the regulations under which the British and French industries—both in democracies—today are operating.

In Europe is costly but business and the industry already, fortunately, has given evidence of its ability to cope with that problem. American participation in the war, however, would cost this industry more than dollars. The implication is plain in these Mayan words:

"The people of this nation, who, in the last analysis, are trustees for the motion picture as an institution, should not forget that wherever, as in Germany and Russia, the heavy hand of government has come to dominate it, the motion picture as art has withered. Little indeed has remained except crude, crass propaganda."

Certainly, the stake of the indie here is as great as the stake of the producer, the distributor and circuit affiliate.

As a prelude to his clarion call, "keep this country out of war," the MPAA proxy stressed, "The American motion picture is distinctly the product of freedom, which encourages initiative, industry and art." It is all that ... and it is, as well, the product of the ability of the country to produce without the present enviable position. And all of its aims are dependent upon peace for its further growth and prosperity, at home and abroad.

It is well to be prepared for today there is far too much talk heard that American participation in the war is inevitable. Concerning that the Wall Street Journal editorially aptly says, "It may or may not be the fault of self-interest propaganda; in any case it is a weakness of the spirit which points to a surrender in advance of any will on our part to manage our own affairs. It is a completely false apprehension of the realities of our situation."

GETTING back specifically to Government regulation for a final paragraph, there's plenty of pertinent "punch" in the Mayan reminders that "the burden of proof should always rest upon those who would extend government control over any aspect of private business" and that "the power of the government should never be used to enable one citizen to enslave another, or to give one branch of an industry undue advantage over another."

Those presumably feel otherwise may not realize it, but government control and government partnership are double-edged weapons.

Fines Arts-GN Deal Said Unaffected by RKO Pact

Arts deal with Grand National. It is understood that Warner and B. W. Hammons, GN president, that when the latter company's refinancing setup has been completed. a production-distribution contract between Fine Arts and Grand National is likely to be signed.

It is understood that Warner is ready to produce 26 pictures for Grand National when the Hammons organization is prepared to handle their distribution. This depends on the completion of current financing deals which are reported to be near the closing stage.

To Preview "Middletons"


To Film Pix in Georgia

West Coast Bureau of THE FILM DAILY Hollywood—Para. is sending a company of 200 next month to Albany, Ga., to film "The Biscuit Eater." James Street's Savelove story. Stuart Heisler will direct.
Survey of Producers Problems Now Premature—Schenck

PRODUCERS, IATSE CONFER TODAY ON WAGES, HOURS

Ernie Anti-Trust Suit Names Majors, Indies, Exhibs.

Action, Charging Conspiracy, Asks Total Damages of $425,000

Erie, Pa.—Charging conspiracy and asking a total of $425,000 damages, United Exhibitors, Inc., and Penn State Theater Corp., have filed an anti-trust suit against the eight major companies, Republic, Metro-Goldwyn-Mayer, Erie Amusement Corp., Colonial Amusement Corp. and seven local theaters.

The action was filed by the trustees of the Maxwell and Sally Kate Emerman estate, operators of the State Theater here.

The plaintiffs charge the distributors with refusing to sell them 

WAR WITHOUT EFFECT, SAYS EASTMAN KODAK

Rochester—Assurance that the war in Europe will not cause a shortage of materials and thus affect operations is given by Eastman Kodak in notices posted on bulletin boards throughout the plants of Kodak City.

Recalling conditions prevailing at 

Newsreels Rush Special
Clips on F. D. R.'s Talk

Special clips on President Roosevelt's message to the Congress, personally read, yesterday were dispatched to all accounts last night by the newreel companies, who had shipped their latest releases short.

“The Women” Clicks

Opening of “The Women” yesterday at the Capitol, Broadway, was reported to have been the biggest since January, with the exception of the first day of “The Wizard of Oz,” which included Mickey Rooney and Judy Garland in person. It was said that yesterday’s opening equalled that of “San Francisco” and “Mutiny on the Bounty.”

“Schenck Counsels Survey of Industry Problems Await Full Information

Although no definite agreement was reached regarding a new pact to finance play production by the film companies when the majors' representatives met with the Dramatists' Guild Executive Council this week, it was reported yesterday by a Guild exec that “an agreement might be reached”.

“Joseph M. Schenck Off for South America

West Coast Bureau of THE FILM DAILY

Hollywood—Joseph M. Schenck, chairman of the board of 20th Century-Fox, left here today for Mexico and South America where the 20th-Fox organization will make an intensive drive for business.

ASCAP-NEB. DECISION EXPECTED BY NOV. 1

Lincoln, Neb.—Decision in Ascap’s suit against the constitutionality of Nebraska’s statute directed against its activities within the state, is expected by Nov. 1. The State closed its case yesterday and the Court called for supplementary briefs by Oct. 6.

Louis Frohlich, for Ascap, contended that the case had developed only two points: constitutionality.

Picture Pioneers Fall Conference on Oct. 20

Fall Conference of the Picture Pioneers Inc., will be staged Oct. 20 by the Executive Committee determined at a Hotel Astor meeting yesterday. A statement issued by Jack Cohn, Chairman, stated that.

Diamond Sees War Jumping Demand for Musical Shorts

Lou Diamond, head of Paramount’s short subje department, predicts a bigger market for musical shorts and cartoons as a result of the present war in Europe. Diamond bases his opinion on personal observations in theater showing newreel shorts.

Schonck Counsels Survey of Industry Problems Await Full Information

Dramatists Guild-Majors Pact Within Five Weeks

West Coast Bureau of THE FILM DAILY

Hollywood—In connection with Samuel Goldwyn’s suggestion that a fact-finding committee be created to study industry problems, Joseph M. Schenck, president of the AMPP, has sent Goldwyn the following letter:

“I feel that you are entirely correct in your analysis of the situation caused by the war in Europe and that your estimate of losses is.

Six-Hour Work Calls Among Demands That IATSE Will Make

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—With bargaining sessions settled, conferences over wages, hours and working conditions will be resumed this afternoon by committees representing the IATSE and the producers.

The election [result of which was exclusively reported in the East yesterday by THE FILM DAILY] ended a vicious campaigning in which IA branded USTG leaders as communists, and USTG launched attacks on George E. Brown Jr., William Blof, John S. Gatele, Frank Stelling and.

BONUS FOR PRODUCERS VOTED BY UA’S BOARD

United Artists board of directors yesterday acted favorably on declaring a distribution of bonuses this year to the individual producers in the company’s fold under the formula agreed upon last year which provides that a share of the company’s earnings be disbursed to each id.
Frisco Exhibs. Want Coast Exposition to Run in 1940

San Francisco—The Golden Gate International Exposition in all probability will reopen in 1940 for a four or five months' run.

George C. Creel, Federal Commissioner to the Fair, has written President Roosevelt urging a Federal appropriation to continue the Federal participation for another year, and local and state business interests are actively campaigning for it, and offering financial aid. The Exposition Board of Management is favorable. Managing Director Charles H. Strub believes that the fair could operate successfully and profitably for four or five months.

Local theater executives, too, would welcome it. This year, it has brought thousands of tourists into the city and state, and the theaters all are starting an intensive effort to the exhibits and circuit exs.

The European war is regarded as an important factor favor of continuation. There will be little European, diverting tourist business to this country.

Boycott of Ascap's 7-Day Music Festival Averted

Possibility of a union boycott of Ascap's seven-day music festival, starting on Oct. 1, was averted yesterday when agreement was reached between Mayer F. H. La Guarida and executives of the American Federation of Musicians at which time it was agreed that the Boston Symphony orchestra, a non-union, organization, would not appear. It was understood that the New York Philharmonic orchestra would replace the Boston orchestra.

Boycott action was threatened by the musicians' union as every orchestra scheduled to play at the festival during the union's year of local group. Festival celebrates Ascap's 26th anniversary.

Report Kaplan's Hat in Ring For Local 306 Presidency

Reports were current yesterday that at the coming Fall elections of Local 306, operators, Joseph Basson, incumbent proxy, who will run again, will be opposed by Sam Kaplan, a former officer in the union. It was said that Kaplan and his following are continuing an intensive campaign with letters, postcards and stickers being used to reach the union's members.

Pittsburgh Operators Close With 3 Circuits

Pittsburgh — The IATSE operators' union here signed a new two-year contract with the local Warners, Harris and Loew circuits. Negotiations with the Shea Circuit have not yet been completed. The stagehands union also signed a new one-year contract.

Cinecolor's Reduction Process Now Available

West Coast Bureau of THE FILM DAILY

Hollywood—Cinecolor's new process for making 16 mm. reduction prints from 35 mm. color negative is coming into a most active stage as well as for the company's preview.

Availability of the new reduction process is expected to be a boon to filmmakers of all types, for it and operating financial aid. The Exposition Board of Management is favorable. Managing Director Charles H. Strub believes that the fair could operate successfully and profitably for four or five months.

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BONUS FOR PRODUCERS VOTED BY UA'S BOARD

(Continued from Page 1)

vidual producer, it was learned following the huddle.

The meeting was described as being instructive, with a thorough discussion of effects of the European war. Plans of Alexander Korda are unchanged, it was said, with Korda now working on a picture about the English air force which is in feature length and will in all probability be distributed here. It has previously been understood that the air picture Korda was producing was a propaganda short.

Presence of Joseph Rosenberg in New York at this time was said to have no significance regarding UA financing. It was asserted that no changes will be made in the UA producers' policies and all financing arrangements are set.

Expect Decision by Nov. 1

In the Ascap-Nebraska Suit

(Continued from Page 2)

and monopoly. He asserted that it was not satisfactorily proven by the State that monopoly existed, nor that the Nebraska Legislature was within its rights in passing a law which renounced property rights guaranteed by the copyright law passed by Congress.

Prohlich also said that Ascap's 25 years in business rated it a certificate of character, especially when all members, by deposition and in persons, testified the Society furnished the easiest, simplest and cheapest method of collecting performance rights. He further said that the Nebraska statute asks the fixing of a price for all users when a musical composition is published, and which asks composer-publisher to look 59 years, the term of copyright life, into the future and quote prices for developments which have not been made, as well as television. Ascap, he said, had done more to foster entertainment than anything else in the United States.

William Hotes, for the State, branded Ascap an unfair competitor, price fixer and a monopoly controlling 90 percent of usable music. He said that Ascap members were forced into higher classification by Ascap's insistence to networks that all members' music be given plentiful airshots and air credits, and then guaranteeing the composer-publisher a higher rating. He also stated that three or four cents added to the sheet music price collected by the publisher would bring in as much money as the Ascap source.

Detroit B. O. Better

Detroit—Decided business pickup is reported by station manager Custer. Cooler weather and closing of local amusement parks for the season were factors.

Schenck Urges Delay

ON PROBLEM SURVEY

(Continued from Page 1)

conservative. I am sure that all producers are agreed that quality of production must not be impaired and that the first requirement will be to give the public the very best in pictures. Nothing must be permitted to weaken that requirement.

"However, it is my belief that your suggestion for the creation of a fact-finding committee is somewhat premature. The extent of losses in revenue is not sufficiently apparent to permit setting of definite policies. Restrictive measures based on what a joint committee would determine at this time would not be accurate. When the necessary facts concerning foreign business are definitely and conclusively established we could proceed along the line of your suggestion with a little assurance that anything that might be decided now would not be completely overturned in the light of future developments. For that reason I am counseling that we wait until all the necessary information is at hand."

Hajos Coming to New York

on Shorts, Inc.; Releasing

West Coast Bureau of THE FILM DAILY


Karl Hajos of Shorts, Inc., leaves tomorrow for New York to work on distribution plans.

Balsly Named Manager

of New Altona House

Pittsburgh—R. Allison, who operates the Rivoli Theater Circuit, has appointed Lee D. Balsly manager of his new theater in the Llyswen residential district of Alleona, now under construction and which is to open in the near future. Balsly has had varied experience in the motion picture industry, with which he has been connected for the past 31 years, having recently resigned as national ad sales manager for 20th Century-Fox.

$3.30 Premiere

West Coast Bureau, THE FILM DAILY

Hollywood—Warner’s has adopted a $3.30 top price scale for the world premiere of "Private Lives of Elvira Madigan and Essex" at Warner’s Beverly Hills theater on Wednesday night. Other seats will be priced at $2.20 and $1.65.

90
"Help...I'm Surrounded!"

"Henry Aldrich, you stole the high school boss tube and pawned it for dance money!"

"Henry Aldrich, you cheated in your history examination to get a high grade!"

"Henry Aldrich, of all the boys in my high school you're the biggest trouble-maker!"

"Henry Aldrich, better stop drawing pictures of your teachers...they're ganging up on you!"

"Henry Aldrich, you're enough to make any girl a man-hater!"

"Henry Aldrich, wait until I tell your father what his son has been up to."

Jackie Cooper • Betty Field in "A Paramount Picture with JOHN HOWARD • JANICE LOGAN • LIONEL STARR
Screen Play by Charles Brackett and Billy Wilder
Paramount’s
WHAT A LIFE”

“A grand show... boxoffice success. Betty Field delightful... makes definite niche for herself!” —Hollywood Reporter

Paramount’s
HAT A LIFE”

Exceptionally fine, youthful antic comedy. Film captures spirit of the radio char- acter!” —Joe Blair, Hollywood Motion Picture Review

Paramount’s
WHAT A LIFE”

“Hilarious comedy. Sure-fire entertainment for man, woman and child. The most legitimate American school picture yet made!” —Hollywood Variety

Paramount’s
WHAT A LIFE”

“A natural in picture entertainment, content and exploit- ability!” —Box Office

Paramount’s
WHAT A LIFE”

“Really swell entertainment for the whole family!” —Erskine Johnson, Los Angeles Examiner

Paramount’s
WHAT A LIFE”

“Best picture of American school life to hit the screen. From every angle, this is the type of comedy exhibitors will like!” —Pacific Coast Showman

Paramount’s
WHAT A LIFE”

“A grand picture. They almost had to get out the riot squad, because kids young and old laughed so you couldn’t hear the lines!” —Los Angeles Times

WHAT A LIFE” The Adventures of Henry Aldrich... Radio’s Hard-Luck Kid!

HEDDA HOPPER • Produced and Directed by JAY THEODORE REED

Based on the Play by Clifford Goldsmith
BELGIAN EMERGENCY
OVER, HOUSES OPEN

Brussels (Delayed) — Theaters which were closed throughout Bel-
gium due to the war emergency, have reopened, but the owners are
allowed for the presentation of pic-
ture shows have been shortened.
Theaters now open at 11 a.m.
and close promptly at 10 p.m.

Attendance figures are rapidly re-
turning to a normal basis here.
Only difficulties encountered in the
film business to date have been caused by delay in delivery of prints
from other countries as a realign-
ment of shipping schedules has been necessary.

Normandie theater, new luxury house, had its formal opening as
soon as the emergency period ter-
ninated, playing the Columbia pic-
ture "Only Angels Have Wings" and
the much of Time Magline sub-
ject.

Boyett Will Build

Dallas—Corgan & Moore, archi-
itects, are working on plans for a
425-seat theater at College Station,
to be erected by A. F. Boyett. Front
will be of stucco, topped by a high
tower. The 140x40-ft. structure, on
a corner lot, will be air conditioned.
All seats will be on one floor.

"Refugee Ship" for Record

Record Picture announced yester-
day that negotiations are about to
be closed for the production of an
original story by Neil Shippman, en-
titled "Refugee Ship." The plight
of the SS Saint Louis, the sinking of
the Athenia and rescue by the
SS City of Flinth are highlights.

New House for Roxana

Roxana, Ill.—Albert Crishaw of
Alton plans the early erection of a
film theater in this city. Plans and
specifications for the project have
been prepared by O. W. Stiegemeyer,
architect, 4412 Lindell Blvd., St.
Louis, Mo.

REVIEWS OF NEW FILMS

"Quick Millions"
with Jed Prouty, Spring Byington, Eddie
Collins
20th-Fox 61 Mins.
ENTERTAINING "JONES FAMILY"
RE-LEASE WILL APPEAR ON THE
FAMILY TRADE
Returning from their trip to Hollywood,
the Joneses immediately leave for Arizona
when they get a telegram that they have
won a huge lottery prize. Jed Prouty
uncle. All members of the family are seen in
this one, Jed Prouty, Ken Howell, Spring Bying-
ton, George Ernest, Joe Cardinal, Florence
Roberts and Billy Mahan. In addition, com-
edie Eddie Collins gives the picture a sub-
stantial boost with his antics as a lawyer,
Jed Prouty. The beautiful scenery of Arizona
rives at the old mine with Collins assuring
them everything is all right. However, a
wily and devious gang, Jed Prouty locked
in the country, and without the knowledge
of the family, they are in a concealed cellar.
An immediate coming of the mine for
gold is started, but a member of the gang
posing as a geologist, convives Prouty
that there is no gold to be found. However,
the bombing of a number of the gang is
able to escape. The nugget came from a watch
chain, but it starts the gang into action, and
after a wild and hectic finale, with Prouty
locked up mistakenly as a member of the gang,
the desperadoes are rounded up and he gets
the reward.

CAST: Jed Prouty, Spring Byington, Ken
Howell, George Ernest, June Carlton, Flo-ence Roberts, Billy Mahan, Eddie Collins,
Robert Shaw, Helen ERICSON, Marvin
Stephens, Paul Hurst, John T. Murray, Peter
Lynn, Horace MacMahon.

CREDITS: Associate Producer, John Stone;
Director, Malcolm St. Clair; Screenplay,
Joseph Hoffman and Stanley Kauff; Original
Story, Baster Keaton and Joseph Hoffman;
Camerman, Lucien Andrott; Editor, Harry
Reynolds.

DIRECTION, Good PHOTOGRAPHY, Good.

Four Warner Managers in Albany Zone Shifted

Albany — Four shifts in Warner house
managers are announced by Moe Silver,
zone manager, and Ralph Credill,
district manager.
Al Nothall goes from the Steuben,
Hornell, to the Palace, Jamestown;
Al Beckworth leaves the Palace,
Jamestown, to manage the Haven,
Olean. Bill Leggiere moves from
the Keeny, Elmira, to the Steuben,
Hornell, and Bill Westfall moves
from The Haven, Olean, to the
Keeny, Elmira.

Resuming Book Reviews

Cleveland, O. — Warner's Colony
Theater, de luxe neighborhood house
located in the Shaker Square exclu-
sive residential district, Oct. 4 will
resume its series of weekly book re-
views matinees which were inter-
rupted in the Summer. The program
opens with a review by Mrs. Dorothy
Foldein of "Princes Imperial," writ-
ten by Katherine Johnn.

"Calling All Marines"
with Donald Barry, Robert Kent, Warren
Hymen
Republic 66 Mins.
SERVICE STORY HAS ENOUGH PUNCH
TO BUT IT OVER WITH THE POP TRADE.
Although the story of the hard-pressed
crook who becomes a new man when he
joins the U. S. service—the Marines in this
case—is familiar, several twists have been
injected that make it okay for the nabe
trade. Donald Barry portrays with vigor
the crook who reforms. Warren Hymen
is well cast as his crook pal, and Robert Kent
upholds the tradition of the service as a
Marine officer. Helen Mack is the roman-
tic interest. Barry is forced to join the
Marines by his gang chief in order to steal
plans of a new bomb plane from the Marine
test laboratory. Barry is cordially
disabled, but after saving Kent from a
fire on a ship, he wins some respect and
friendship. Passing here during the
barracks key is not a surprise. After
the plans and hides them in the butt of his
rifle. Later, he is convinced he is making
a mistake and asks Kent to destroy them
as he is unable to return to the barracks
at that time. Barry and Kent are both
captured, but after an exciting jail
break, Barry stymies the gang's efforts to get away
with the model bombing plane, and he and
Kent are exonerated.

CAST: Donald Barry, Helen Mack, War-
ren Hymen, Robert Kent, Joseph
Ames, Selmer Jackson, Janet McLeay,
Walter McGrail, Jay Novello, George Chandler.

CREDITS: Associate Producer, Armand
Schaefer; Director, John H. Auer; Screen-
play, Earl Felton; Story, Harrison Carter;
Camerman, Ernest Millier; Editor, Ernest
Nowak.

DIRECTION, Good. PHOTOGRAPHY, Good.

"Hollywood Cavalcade's"
N. Y. Trade Show Oct. 3

Twentieth Century-Fox announced yesterday that the trade preview of
"Hollywood Cavalcade" would be held at the Ziegfeld Theater on the
morning of Oct. 3.

Druggists to See "Passage"

White Sulphur Springs, West Va.
—First public screening of the Para-
amount screen version of "Disputed
Passage" starring Dorothy Lamour,
Akira Tawariko and John Howard,
was held here yesterday night at
the annual convention of the Na-
tional Wholesale Druggists Associa-
tion. Lloyd C. Douglas, author of
"Disputed Passage," who will short-
ly start a lecture tour of principal
cities in connection with the book
and picture, will be guest of hono.

20th-Fox Buys Hellman Story

Purchase of an original story
written by Sam Hellman, entitled
"The Californian," was announced
yesterday by 20th Century-Fox. Lou-
rians period the period during and after
the discovery of gold at Sutter's Fort.
Early production of the vehicle is
announced, it was said.

TREND TOWARD VAUDE MARKED IN GHT. AREA

(Continued from Page 1)

west side and the Norshore on the
far north side. The Great States circuit will use
flesh acts, "name" bands and other
outstanding features in several of their
key spots down state including
Porch, Joliet, Rockford, Springfield,
Danville and other nearby cities.

The Warner circuit is using sev-
eral acts weekly at the Stratford
theater on the south side and may
try out special numbers, from time
to time, in other houses.

Jones, Limnick & Schaefner will con-
tinue to push "name" acts and shows,
like the Bon Air Unit, now at the
Oriental.

The Kroizie theater and several
indies on the west side, see discov-
yre shows over the week-end. Other
houses on the southside, are trying the
same formula.

Station WLS, with its large num-
ber of sustaining acts, books these
into independent and circuit houses
from time to time throughout the
Chicago territory.

Both NBC and CBS artist bu-
reaus, are booking radio stars into
territorial pix houses.

Lynn Cutting Jewish Piz

Henry Lynn Jewish picture direc-
tor, is completing work here on "A
People That Shall Not Die," Yiddish
film spectacle which he is producing
for his own company. Most part of
this super Jewish picture, which has
been in production for more than a
year, was made in Europe with a
cast of 10,000. Lynn is now cutting the
film which will have explanatory
titles. It will be ready for release late this Fall.

Reopening In Zelienoplen

Pittsburgh—The Strand Theater,
Zelienople, operated by William
Thomas, has been enlarged and in-
vated throughout, also air condition-
and RCA sound equipment installed,
and will reopen for business
Oct. 4.

Film Girls As Bowlers

Chicago—The Film Girls Club, re-
cently organized, has lined up two
bowling teams, one of the M-G-M roll-
ers, under Captain Ilia Elwood and
the Allied Bowlersette, under Edith
Balaban's direction.
EXHIB. WARNS OF PROPAGANDA

Mallers Brothers Exec. Echoes
"Think Things Through"

Defiance, O.—E. E. Bair, city manager of the Mallers Brothers theaters here, took display space for a public warning against war propaganda. Copy read:

Definition of PROPAGANDA

"Propaganda . . . . as Generally Understood Is Exchange of Opinion or Action by Individuals or Groups with Reference to Predetermined Ends."

We are fooled by propaganda because it appeals to our emotions rather than to our reason!

"THINK THINGS THROUGH"
—F. D. R.

FOLLOW THE NEWS REELS!
Confirm what you read and hear!

Lina Awarded $1 Damages for Non-Return of Prints

Distributors manifested interest yesterday in the decision handed down by Justice Benedict D. Dineen in New York Supreme Court in the action of Lina Pictures Corp. vs. Principal Distributing Corp. Plaintiff had brought suit, as assignee of Principal Distributing Corp., for damages for failure to return prints after expiration of license agreement with defendant, the two causes of action respectively involving $5,000, the first of which sought liquidation damages in that amount for failure to return the prints, and the second for alleged value of the prints.

Court awarded plaintiff $1.00 in the first cause of action after construing a clause covenant to return prints or furnish affidavit of destruction, holding that the $3,000 "liquidated damages" was out of proportion, considering fact that all the exchange had to do was furnish an affidavit of destruction, and further held that clause was a forfeiture and, therefore, unenforceable and void.

As to second cause of action in a plevin, Court granted judgement for return of the prints which defendant conceded still remained on hand, and which had previously been tendered before the trial, in the pleadings and at the trial itself.

Arthur J. Homans, of the law firm of Krellberg & Fitzsimons, was trial counsel for defendant.

Adler Heads New Firm

Detroit—Milton C. Adler is heading Conditionaire, Inc., which is entering the theatrical air conditioning field here.
PITTSBURGH'S FREE SHOWS UNDER ATTACK

Pittsburgh—While as yet there is no non-theatrical circuit sponsoring the showing of motion pictures on either 35mm. or 16mm. film in the Pittsburgh territory, there are several large industrial firms, as well as clubs, churches and schools which have been showing pictures in opposition to nearby legitimate motion picture theaters. This is its sort of competition that the MPTO of Western Pennsylvania is now directing its strenuous and consistent efforts to eliminate.

The non-theatricals which the local MPTO is endeavoring to stamp out are such as those of the H. J. Heinz Co., whose plant, located in the North Side section of Pittsburgh, employs thousands of men and women. The company regularly shows motion pictures for their entertainment free of charge. There are six motion picture theaters in this immediate neighborhood and naturally it affects their business to a great extent.

Another offender from the MPTO viewpoint is the Pittsburgh Athletic Association, located in the Schenley district where there are four regular motion picture houses, and which shows pictures several nights a week for its members and their families and friends, also free of charge. Others are churches and schools in the territory, unless given as benefit shows under the sponsorship of the local exhibitor.

Diamond Sees War Jumping Demand for Musical Shorts

(Continued from Page 1)

of the European crisis. He said that the audiences showed a tenesmus throughout the war scenes and an atmosphere of relaxation when the the newreels were followed by a musical or cartoon short.

This situation, Diamond said yesterday, reflects a situation which is likely to exist for the duration of the war. Whether Paramount will increase its program of musicals will not be determined until the matter has been given further study.

From other sources it was learned that two-reel comedies, which have been on the decline in recent years, may make a strong comeback.

Bakery Buys Theater

Superior, Wis.—What happens to dark-colored theaters is told in the announcement of the sale of the Capitol Theater here. In recent months, McMinn has confirmed his operations to his new Beacon Theater here.

“Forget World’s Fate, Get Down to Business”—Silver

Albany—Stop worrying about the fate of the world and get down to business, in substance, was the prescription handed out by Moe A. Silver, Warner zone manager, in addressing a quarterly WB circuit managers' meeting here.

Silver called for concentrated sales-rally, Credibil, six, estate newcomb. All operation and suggested the lengthening of picture runs where possible as a precautionary move against any product dearth.

Other speakers were Harry Goldberg, publicity and advertising manager for Warner theaters, and Ralph Cubbin and Charlie Smakwitz, district managers.

Goldberg said “The marked tendency, more noticeable than ever, is for the production of pix in Hollywood to depend for box-office success on the theatre management—salesmanship of the product.” Goldberg discussed the merchandising and selling angles of leading Warner Bros. pix in the new market.


District managers in attendance were Charles Smakwitz, Albany and Shall Brook, J. W. Phillips and state officials in attendance were Jim Paughman, contact man- ager, Joseph Weinsteih, short sub- jects, Max Goodfriend, booker and Julius Curley, advertising manager.

Wyandotte House Reopens

Detroit—Associated Theaters has reopened the Wyandotte Theatre in Wyandotte, following complete remodeling. House was reopened by American Cinematograph Co. National Theatre Supply Co. installed Super Simplex projectors, Credibil carpeting, and “Walkers” sound screen. McIntyre Theatre Supply Co. inst- alled Breastkert lamps.

National Council of Catholic Women Kills

Pro-Neely Bill Resolution in Committee

San Francisco—A resolution in support of the Neely Bill placed before the National Council of Catholic Women’s convention here, was killed in committee. Msgr. Frank Smith, proponent of the measure, had hoped to secure favorable action, but a group of Southern California delegates opposed it, and it was not reported.

Europe’s War Without Effect,
Says Eastman Kodak Co.

(Continued from Page 1)

the outbreak of war in 1914—many of Eastman’s vital materials were then imported from Germany, England and Belgium—the company pointed out how much more self-suff- cient its production now is.

The company’s plans now produce all the paper needed for sensitizing, all gelatin, sensitizing dyes and photo- graphic developing agents. Film has largely superseded glass for X- ray, commercial and portrait photography, but all glass needed can be bought from domestic companies.

Increasing supplies of glass for lenses are being made in the United States. Some foreign optical glass is still needed, but the company as- sured employees that there are good stocks on hand.

Picture Pioneers Fall

Conference on Oct. 20

(Continued from Page 1)

it would take the form of a Beef- steak Dinner and would be high- lighted by the initiation of the members whose applications were ac- cepted since the first Conference last June. Place will be set shortly.

The application of 15 men, all of whom have spent 25 years or more in the motion picture industry, were accepted. The new members are Sid- ney R. Kent, Herman Wobber, Cres- son E. Smith, Frank Newman, Mau- rie Seiditz, Lawrence Beatus, Wil- liam Downs, Francis Devore, W. H. Blish, Arthur G. Whyte, Max Cohen, J. J. Fitzsimmons, Lee M. Devany, Arthur Gottlieb and Herman Sterne.

McConville Latin-American
Trip Off; Returning Monday

(Continued from Page 1)

Havana where he closes a sales con- vention today.

Charles Roberts, Home Office Su- pervisor for Latin America, who also attended the Havana Convention leaves Cuba this week to tour Puerto Rico, British West Indies, Mexico, Panama, Venezuela, Peru, Chile, Brazil and Argentina. He will also be present at the Latin American convention to be held in Buenos Aires, Oct. 30-Nov. 1.

Wallach Segal and Arnold Picker, Home Office Foreign Department ex- ecutives, who flew down to Havana last Tuesday to attend the conven- tion, also return to New York on Monday.

ERIE ANTI-TRUST SUIT NAMES MAJORS, INDIES

(Continued from Page 1)

first-run pictures and also with re- fusing to sell them any pictures to- tal the product had played in the other theaters of the city. The suit contended that Neely had de- termined a minimum admission price and at the same time the plaintiff was obliged to pay “excessive rentals.”

It is charged that competing houses bought up product and hel- ped the playing of the pictures to prevent the State from getting them. It is also charged that one of the Warner Bros., theaters was operating at a loss so that the State could not get pictures.

Forcing of short subjects also is charged to the action against the distributors.

Newserws Rush Special
Clips on F.D.R.’s Talk

(Continued from Page 1)

in order to make room for the F.D.R. footage. The President's appearance before the joint legislative bodies to urge repeal of most of the em- ployment act as a necessary means to help the U. S. out of the European conflict was intensified by mail- ers and unprecedented coverage was also given it by radio net- works.

Dramatists Guild-Majors
Pact Within Five Weeks?

(Continued from Page 1)

reached within four or five weeks as was expected.

Principal stumbling blocks to date have been percentages to be paid authors and method of paying royalties and other rights. Further meeting is expected to be called soon.

Meanwhile, it was learned yester- day that Warners control the recently organized Theater Productions, Inc., a New York corporation chart- ered for stage production.

Flatroc Bows In Today

Detroit—Flatroc Theater at Flat Rock, opening today, has new equip- ment entirely installed by National Theater Supply Co., including: Irwin seats, National draperies and marquee, Simplex projectors and sound, Peer- less lamps, Walker screen, and Crestwood carpeting.

No Wonder

Prenovidence — Add reasons for poor seating or small audience to South Southwestern New England: Ninnagansett Race Track--The other two places in the South out of which a total of $1,509,594 passed through post-mutuel windows, for an average daily handle of $383,652. Only one other track, Bethpage, with $867,235 was chocked up on mutual meetings.
IATSE Hurls Ultimatum—Los Angeles—Unless by tomorrow morning producers grant a 20 per cent increase in wages to IATSE studio workers, retroactive to Aug. 10, the IATSE will call a nationwide strike of projectionists and its studio members. This was the ultimatum issued to producers Friday following a meeting called for negotiations on wages, hours and working conditions.

Intimate in Character
International in Scope
Independent in Thought

THE WEEK IN REVIEW
IA Wins Studio Election
By L. H. MITCHELL

DOMESTIC
UNIONS: Outstanding development of the week concerning producers was winning of the studio elections by IATSE, hotly fought by the USTG, and the meeting of committee by Joseph M. Schenck, AMPP proxy, to negotiate on wages, hours and working conditions... For actors—consideration of a new big union plan "one dues" system by the 11 component unions of the AAA.

LITIGATION: Majors sought to limit Government's interrogatories in the N. Y. equity suit... Report that first gun in campaign for national theater divestment legislation would be fired at Allied TO of Okla. meeting, Sept. 27... Trial of Ascap's suit against constitutionality of Nebraska's law aimed against it was completed, with decision expected in six weeks... New anti-trust suit—against majors, indies and exhibs., this time—was filed by United Exhibitors, Inc., and Penn State Theater Corp., of Erie, Pa., asking $425,000 damages.

CODE PRACTICE: Distrib. served notice on exhibs., that Code provisions being voluntarily inserted in contracts apply only to contract violations and not to clearance and overbuying... M-G-M announced its sales policies would embody a number of the Code's proposed reforms, including cancellation, non-forcing of shorts and newreels... Universal reported it was drafting an arbitration clause for its licensing agreements... ITOA sounded out circuits on their attitude towards clearance arbitration.

FINANCIAL: Grosses of Broad.

(Continued on Page 11)

THE DAILY
THE DAILY
NEW YORK, MONDAY, SEPTEMBER 25, 1939
TEN CENTS

UA Files Counter Interrogatory Blast in Equity Suit
"EXTEND PLAYING TIME", SCHENCK URGES EXHIBS.

Carl Laemmle, Industry Pioneer, Dies in Hollywood

Former President of Universal Succumbs to Third Heart Attack
West Coast Bureau of THE FILM DAILY
Hollywood—Carl Laemmle, Sr., 72, film industry pioneer and until 1936 head of Universal, died of a heart attack here yesterday.
Funeral services will be held tomorrow noon at the Wilshire Boulevard Temple, with Rabbi Magin officiating.
Strengthened sudden yesterday, (Continued on Page 5)

SCHINES ADD HOUSES IN FACE OF WRIT PLEA
Columbus, O.—Schine circuit is expanding in the face of the Department of Justice's suit move in Federal Court at Buffalo to block the chain's growth pending trial of
(Continued on Page 4)

Special Session Cancels Boren's Okla. Allied Talk
Washington Bureau of THE FILM DAILY
Washington—Members of Oklahoma's Congressional delegation, in Washington for the special session, have all cancelled their appearances
(Continued on Page 4)

GB SUBSIDIARY LOSES SUITS VS RCA, ERP
Wilmington, Del.—Invalidation of two patents important in motion picture projection was ordered by Judge John P. Nields in the Federal Court here late Friday in his decision on two suits in equity brought by British Acoustic Films, Ltd., wholly owned GB subsidiary, one against
(Continued on Page 11)

Boris Moros and RKO Reach Oral Agreement
Boris Moros and RKO have reached an oral agreement on a production deal whereby the producer will make one or more pictures for RKO release. Moros, who left Saturday for the Coast, said that a
(Continued on Page 4)

UA Counters Government with Move for 38 N.Y. Equity Suit Interrogatories

USTG Demands Election Be Voided by the NLRB
West Coast Bureau of THE FILM DAILY
Hollywood—Demand that the NLRB void the studio of-

ing agency election, won by the IATSE, on the ground that the IA was guilty of coercion and intimida-

(Continued on Page 5)

Murphy Talk Off
Washington, D.C.—(DAILY) By RALPH WILK
Washington—By order of F.D.R., Attorney General Frank Murphy at the week-end cancelled his scheduled appearance before the House Committee on the Motion Picture Democratic Committee. It was explained the President's motion on political speeches during the war crisis extended to his Cabinet.

Necessary to Maintain Pict Quality Standards, Says AMPP Prexy
West Coast Bureau of THE FILM DAILY
Hollywood—(DAILY) By RALPH WILK
Hollywood—Success of efforts to maintain high level of production in face of lost European revenues depends entirely upon the support given to exhibitors, according to Joseph M. Schenck, 20th-Fox board chairman and AMPP prexy, in a statement prepared just prior to his departure for Mexico and South America.
Schenck said that American exhibitors can provide adequate revenue by making it possible for worthwhile pictures to have extended playing time.
"It is no longer a question of
(Continued on Page 10)

RKO BOARD APPROVES WAR EMERGENCY PLAN
In order to maintain its production program with quality and entertainment value unimpaired, RKO has inaugurated an emergency plan to meet the situation created by the war in Europe. The plan includes
(Continued on Page 10)

Burger Replaces Lawrence As M-G-M European Manager
Sam Burger, home office representative for M-G-M, has been named manager for Continental Europe, replacing Ludwig Lawrence who has
(Continued on Page 4)

SWG Executive Board Meets Today on Goldwyn Proposal
West Coast Bureau of THE FILM DAILY
Hollywood—Executive Board of the Screen Writers Guild will meet today to consider Samuel Goldwyn's suggestion that a representative
Ampa to Resume Thursday, Honoring Past Presidents

The Ampa resumes activities at a lunch meeting today. The meeting will be held at New Amsterdam Hotel, second floor. A change in the Ampa's program was announced as "Past Presidents' Day." All ex-presidents of the 25-year-old advertising and publicity organization have been invited to attend.

Among those who have already signified their intention of being present are: Arthur J. Kaplan, P. A. Parsons, Paul Lazarus, Sr., John C. Filipp, Glendon Alvine, George Harvey, Edward Kline, Ray Turner, W. A. Bertheas, and Lon DeWitt. An additional feature will be the presentation of a small trophy to the former presidents who will make the trip from out of town.

Ampa's Board of Governors announced that the meeting-place for the organization has been changed. Beginning with Thursday's luncheon, the group will meet in the private dining-room on the fourth floor of Stouffer's Restaurant. Fifth Ave. and 44th St. Increased facilities and new low prices are the reasons given for the change.

Change Sheridan Itinerary

A change in Arnold Sheridan's p.m. itinerary will have the Warner star open her tour at the Earl Theater, Washington, on Friday, instead of at the Strand, New York. Sheridan will play the Broadway de luxer on Oct. 6 and 13.

Griffith and Wometco Set New Deals with Columbia

Columbia's 1938-40 product will play several hundred theaters operated by Griffith Amusement Co. in Oklahoma, Texas, Arizona, Kansas, nebraska and Arkansas, as result of a deal concluded on the week-end and growing out of huddles between Rube Jacker, Columbia's assistant sales manager, and R. E. Griffith, representing the circuit.

Coincidentally, it was announced by Columbia that its successful deal with Wometco Circuit of the Wolf- son Meyer Theatrical Enterprises has been extended, assuring Columbia product of playing time in Miami Beach, West Palm Beach and Nassau.

Sidney Meyers represented Wometco in the negotiations.

Extended Run for "Women" at the New York Capitol

The "Women" will stay at the Capitol, Broadway, for an extended run, it was decided following an opening which was reported to have been the best in the last two-and-a-half years, with the exception of "The Wizard of Oz." Opening was reported to have been topped only by four other pictures.

Local 644 Confabs Off

Negotiations between Local 644, F.M.G.'s union, and film producers here were indefinitely postponed Friday when Pat Casey, producers' labor representative, was suddenly called to the Coast to sit in at the IATSE studio confabs. Whether or not further negotiations will be held on the Coast or will be adjourned until Casey can return here could not be determined.

FINANCIAL

(QUOTATIONS AS OF FRIDAY) NEW YORK STOcks

[Table of stock prices]

SAFETY | LOYD'S

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave.
New York City

[Contact information]

Weekly, Monday, September 25, 1936

COMING AND GOING

WILL H. HAYS is due in New York today by flight from the Coast.

WILLIAM F. RODGERS, general manager of distribution for M-G-M, left for Chicago Saturday.

MOUNTY BANKS, director, sailed for England Friday.

EDWARD EVERETT HORTON arrived in Hollywood Wednesday from New York in a visit.

EDDIE GOLDEN goes to Clarksville, Virginia, today to address the ITDA convention there tomorrow.

GEORGE KRASNA of Boston's Fine Arts Theatre arrives here today.

BORSI MOREtti left the Coast at the week-end for New York.

BEDDY FELT left Hollywood Saturday for New York where she will appear in a stage play.

ROBERT CILLHAM, Paramount ad-public. chieftain, trained out of Hollywood for New York at the week-end.

CARROLL Young, store editor for Principal Pictures, is back at the Coast following a trip East.

C. BLOUMENFELD left the Coast at the week-end for Dallas en route to Mexico City.

VIRGINIA VAN UPP is in Washington gathering material for her next Paramount script.

PAT SHOEMAKER expects to leave New York today for the Coast.

J. A. MCINVEILL is due back from Havana where he conducted a Columbia sales conference.

WALTER J. HUTCHINSON, director of distribution for Warner Bros., is due to return to the home office this morning after a short week-end trip to Cuba.

JULIS BERNSTEIN, Loew's manager in Toronto, is a home office visitor.

MRS. JOHN BALABAN and daughter, Ida Mae, arrived in New York for the World's Fair.

JOHN BALABAN will fly in to join them.

MARIE STEIN, daughter of Lewis Dreyfus of the Minnesota Amusement Co., was a visitor to Paramount's World's Fair bungalow.

FRANK S. COATES, sales manager in Cleveland, was in town Friday for conferences with home office executives.

SUES S. A. Lynch for $250,000

Suit for legal fees in the alleged sum of $250,000 was filed on Friday in New York Supreme Court against Stephen A. Lynch, by David Stone- man, Massachusetts attorney. Plaintiff claims that the fee is due for professional services rendered between Feb. 1, 1933, and July 2, 1936, in reference to Lynch's interests in the Paramount-Publix reorganization proceedings.

Happy Birthday

Best wishes from THE FILM DAILY to those reaching their birthdays: SEPTEMBER 25

Fay Wray
Robert Wyler
Al Cohn
Arthur James
WORLD PREMIERE! BIGGEST IN 5 YEARS!

EYES ON HOUSTON!
EXTRA! 2nd BIG WEEK AND STILL S. R. O.!

Watch the First Engagement of M-G-M’s “BABES IN ARMS”

Here’s what Houston means for you!
Take a tip from Houston’s hysteria!
Start your planning now!
Clear the decks for your run!
No attraction like it in years!
Ask M-G-M for Extra Time immediately!
“Babes in Arms”! Oh baby!
Schines Add Houses
in Face of Writ Plea

(Continued from Page 1)
an anti-trust suit seeking its dissolution.
The Schines have acquired the Majestic Theater in Nelsonville, and will take over on Oct. 1. Spence Steenrod, former owner, will continue for two years as manager for the circuit, which headquarters in Groversville, N. Y.

Cincinnati, O.—Harry Schwartz, veteran Kentucky exhibitor, has sold his Opera House in Lexington and the Paris theater, which is under construction to the Schine circuit. The Opera House will be operated by the chain, but the Paris site will be altered for storerooms. Schwartz will retain his Frankfort theater.

Boris Morros and RKO Reach Oral Agreement

(Continued from Page 1)
"gentleman's agreement" had been concluded but that no contract had been signed.

Morros plans to return to New York in three or four weeks, stopping off at exchange centers en route.

Special Session Cancels
Boren's Okla. Allied Talk

(Continued from Page 1)
at the Oklahoma Allied convention opening tomorrow in Oklahoma City. Rep. Lyle H. Boren was to have outlined his proposed Federal divorce bill at the convention. Others who were forced to forgo their appearance because of the special session include Weasley E. Disney, Will Rogers, and Jed John son, all Democrats.

Abram G. Myers, Allied General Counsel, will probably leave today for the Oklahoma City meeting.

"Nurse Cavell" Playing
14 Key Cities This Week

Following a big start at Radio City Music Hall, "Nurse Edith Cavell" is playing key cities running this week in Boston, Lowell, Providence, Chicago, Columbus, Kansas City, Los Angeles, New Orleans, Omaha, San Francisco, Washington, Cincinnati, Toronto and Buffalo.

Anna Neagle and Herbert Wilcox attended the Music Hall opening Thursday and then left for Boston where they were on hand for the picture's premiere at Keith's Memorial Theater.

Wedding Bells

Ruth Landerman of M-G-M's publicity department will be married Wednesday to Martin Deits.

Along the Rail

With Phil M. Daly

• • • Universal is doing something to keep America out of the war...and that something is...re-issuing "All Quiet on the Western Front" in the "uncensored version"...What this latter phrase means...is that Universal has invaded into the present footage...certain sequences which the company refrained from using...when the pix originally roared across the American scene and screen...almost a decade ago...grabbing top spot in THE FILM DAILY'S Ten Best Pictures Poll of 1930...the Academy Award for the best production that year...pre-eminence among National Board of Review selections...and a bevy of other honors from domestic and foreign field...The censorship originally applied to "All Quiet on the Western Front"...is of course self-imposed by the company...

• • • IN addition to these scenes..."All Quiet" carries a powerful prologue of historical shots...dealing events which led up to the 1914 blow-up...and happenings which caused the current war...Narration, pulling no punches in its arrangement of Nazi ideology...and delivered with telling effect by John Deering...accompanies the prologue...and is also used betimes later on and as an epilogue...to add present-day emphasis to the main dialogue...It was Deering, in- cidentally, who also narrated Warners' "Confessions of a Nazi Spy"...

• • • HOW the Nate Blumberg ballistics happened to re-issue "All Quiet"...is because exhibs. wanted it...Some 200 requests for the pix having come to the home office...Universal had considered the move a natural...right from the outbreak of hostilities abroad...But as behooves sound business practice...a test run was launched a bit ago...at F & M's St. Louis Theater...where the storm of patronage...brewed up by the campaign of the house's publicist, Les Kaufman...boosted the b.o.rometer to four times the normal gross...On Friday, last, the opus opened in Detroit and Toledo...and is set to dito soon in Frisco, Jersey City, Akron, Paterson, Bridgeport...just to name a few...and..."illearned...will double his nestle in the local Bistro...When it does re-bloom on Broadway...it will be one of the decidedly few re-issues ever to return a second time here...Originally, it roadshowed at the Central for six months...commencing toward the end of August, 1930...

• • • EXHIBS. great and small...are enabled by a circuit of circumstances...to cash in heavily on "All Quiet"...Rarely is a film's title so much on tongue and in newsprint...Dailies the nation over are using the phrase in text and caption...and, to boot, the Hearst newspapers are currently running serially the film's original story property by Erich Maria Remarque...Further, Universal's Lou Pollock...in charge of promotion activities in the East...has turned out a 16-page press book...which is a gross-grubber...and features the powerful and timely catch-line..."You Can't Blackout Truth"

• • • As this department sees it...the re-issued "All Quiet"...is far more timely and gripping than in 1930...Then it dealt retrospectively with a war that was...Now with a war that IS...if belligerents' soldiers could see the current version...the film would go far towards emptying the forts and trenches...as effectively as it appears destined to fill pix auditoriums.

SMPE to Hold Night Session at the Fair

First evening session of the SMPE held its second day, which opens here Oct. 16, will be held at the New York World's Fair so that members may photograph special parlors, demonstrations, and sound recording demonstrations at two of the principal exhibit buildings there, it was announced simultaneously by W. C. Kupferman, exhibition vice-president, and D. E. Hyndman, chairman of the Atlantic Coast, which is in charge of local arrangements.

The evening session will convene at the premises of Exhibit for a demonstration of stereoscopic pictures by Jack Norling, of Laucks & Nor ling. This will be followed at 10 p.m. by a special demonstration of "Two-channel Recording and Reproduction with Steel Tape" in the A. T. & T. Exhibit, with visiting delegates participating. Efforts are being made to arrange a special television showing for the delegates between the two demonstration periods.

The afternoon and evening of the convention's second day have been left open to permit delegates to visit the Fair again, or to enjoy sightseeing.

An interesting program of papers on a wide assortment of subjects, including sound recording and reproduction, will be presented, including special studio reverberation, television projection problems, and many others is being arranged for the four-day convention, which will be held at the Hotel Pennsylvania.

The convention of the Engineering Vice- President L. A. Jones; Financial Vice-President A. S. Dickinson; Secretary J. Frank, Jr., and Treasurer L. W. Davee, expire at the end of the year. Nominees for the positions include Dickinson and Frank, to continue the same duties, and David E. Hyndman, of the Eastman Kodak Co., for Engineering Vice-President; and J. Strock, of the Eastern Service Studios, Inc., for Treasurer.

Climax of the convention will be the semi-annual banquet and dance to be held in the Grand Ballroom of the Pennsylvania Hotel, Oct. 18. At that time the Society's Progress Medal and Journal Awards will be presented, and the officers-elect will be introduced.

BURGER REPLACES LAWRENCE

As M-G-M European Manager

(Continued from Page 1)
joined the French army. Burger leaves for Paris by clipper on Oct. 8. Burger recently returned from a two-weeks' business trip to South America, South Africa and Europe.

STORKS!

Richmond, Va.—Mary Jane Taylor, cashier of the State Theater, became engaged to a baby girl at the Johnson Willis Hospital.
UA COUNTERBLAST TO INTERROGATORY

(Continued from Page 1)

ent facts of specific Government charges.

Each of the 38 questions requested the names of witnesses with knowl-

dge of circumstances. The defendants, in their answer, referred to the
denial by the industries of the relevant facts from which the conclusions
would be drawn, were demanded to be set forth.

Interrogatories were confined to the exhibition and distribution fields
solely and did not refer to produc-
tion activities.

The first few questions requested the names of witnesses with knowl-
dge of circumstances of specific

terms of employment, such as
denial of opportunities, or quality

defects of specific products. The inter-
rogatories also referred to the

denial of opportunities of specific

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Everybody Can Enjoy
"Honeymoon in Bali"

Madeleine Carroll and Fred MacMurray are cast for comic roles in Paramount's "Honeymoon in Bali."

BY WANDA HALE


THE CAST
Bill Burnett Fred MacMurray
Gail Allen Madeleine Carroll
Eric Sinclair Allan Jones
Lorna Smith Helen Broderick
Noel Van Ness Osa Massen
Rose........... Carolyn Lee
Window-washer Akim Tamiroff

Mr. Hays must have just finished a goose dinner and settled down with a brandy and a big cigar when he put the stamp of approval on "Honeymoon in Bali." It isn't that the censors were off guard, there is really nothing in it to make anybody blush, except, possibly, Gov. Lynen Dickinson. And, most likely, he'll never see it.

The new Paramount picture is a smart, sophisticated comedy, co-starring two delightful people, Fred MacMurray and Madeleine Carroll, with lines that border on, shall we say, the suggestive.

Madeleine Carroll Stars
Miss Carroll throws off her reserve and enters into the spirit of the picture with an unexpected flexibility of face and voice as an efficient business woman whose well-set plans for independence and freedom are gradually broken down by Fred MacMurray. The dialogue, furnished by Virginia Van Upp, keeps our interest.

MacMurray is a guy who lives the life of Riley in Bali. On a visit to New York, he meets and falls in love with Miss Carroll but is repulsed by her notion that career and marriage don't mix. Allan Jones is the other man. Yes, he sings, one aria, much to the delight of the audience. He is very much in love with the lady, but in accord with her modern ideas of marriage, if any.

Tries to Persuade Her
Helen Broderick is Miss Carroll's friend who tries, in a very matter-of-fact way, to make her friend see that love and children are necessary to make a woman happy. She ought to know as she represents a woman who has had neither. Akim Tamiroff is seen briefly as a window-washer who has had the chance to study Miss Carroll, unobserved. His work, if you can get it. He puts in his two cents' worth of advice to the woman whose routine is upset by the engaging visitor from Bali, which she figures is well worth taking.

Paramount's new find, Carolyn Lee, a cute little trick about 4 or 5, makes a bright addition to an already bright cast.

The credit for the able direction of "Honeymoon in Bali" goes to Edward Griffith.
Paramount’s
“HONEYMOON IN BALI”
...Gives New York Paramount biggest opening in a year...
"Couldn't have been released at a more opportune time . . . A fine production, brilliantly directed . . . Anna Neagle puts feeling and reverence into the role."
—Wanda Hale, N. Y. Daily News

"Impressive... profoundly stirring... comes to the Music Hall with terrible timeliness."
—Bland Johaneson, N. Y. Daily Mirror

"A deeply affecting tale of individual heroism under the crushing influence of modern warfare."
—Frank S. Nugent, N. Y. Times

"A true picture, and a fine one . . . Its strength lies not alone in the story it tells, but in the manner of its telling."
—Eileen Creelman, N. Y. Sun

"An unusually distinguished production . . . fine and forceful . . . Miss Neagle's performance brilliant."
—Rose Pelswick, N. Y. Journal & American
powerful and honest...telling
it timely...every incident takes
added impact and significance
at a time when ruthless invasion,
the killing of women and children,
and high courage are once more
the order of the day."
—Howard Barnes, N. Y. Herald-Tribune

...The film takes on all the
rills and excitement, suspense and
terror of a spy melodrama...
leaves you limp with terror and
ar...A beautiful directing job."
William Boehnel, N. Y. World-Telegram

Dignified portrait...Miss
aigle is rather a beauty to behold
brings warmth and inspiration."
—Irene Thirer, N. Y. Post

"NURSE EDITH CAVELL"

ANDERS • MAY ROBSON • ZASU PITTS
WARD • ROBERT COOTE • Produced and Directed by HERBERT WILCOX • Screen Play by Michael Hogan
ITOA Condemns Censorship by State’s M.P. Div.

ITOA again has condemned openly film censorship by the Motion Picture Department of the New York State Department of Education. The organization renewed its attack at a meeting last week when it declared that the reversal by the Board of Regents of the state’s board of censure that its action was "inconsistent and incompetent and expensive to the theater owners of the state."

President subsequent the proposal meeting can call abeyance that "The present five week, tion. to collapsed. be not gross $1,250,000 16 "Wagons

Yates Confident England to Continue Remittances

Film Bureau of THE FILM DAILY

Hollywood — That England will continue to send money due American distributors was the belief expressed by H. J. Yates at a press conference here. Yates said that not more than 20 per cent of Rep- public’s income comes from foreign sources and that England represents 16 per cent of this income.

Yates believes the gross on “Man of Conquest” will reach $1,250,000 and announced “The Hit Parade” has been delayed in “William Westward,” which will start Oct. 25 with a cast headed by John Wayne and with a budget comparable to that on “Man of Conquest.”

He believes Republic will sell 10,000 accounts in United States for 1939-40 season; that the American public does not want war pictures and that war newsreels will be more thrilling and authentic than studio-made war pictures.

Yates announced England has already ordered eight Gene Autrys to be shown for entertainment of its soldiers; that bookings of Autry pictures have increased 35 per cent in England.

Republic will put 10 pictures in production to be delivered by Jan. 1 and they will include a George ? and Gene Autry as ranchers, “The Old Maid” and several “anniversary specials,” Yates disclosed. He added Republic will not change its type of film stories, concentrating on action pictures and including a few comedies.

Producers will be presented with temporary increases in their salaries, but such reductions will be confined to employees in the higher brackets.

According to an announcement on Friday by President George J. Schaefer, no employee receiving $4,000 per year or more will be affected. From this point upward, a graduated scale will apply so that the largest earners will suffer the largest percentage cuts, some more than 35 per cent.

In explaining the move, Schaefer said: “I have withheld any comment on RKO plans to meet the emergency created by the war in Europe until I could review the situation thor- oughly. I was unwilling to make a proposal without full study. We are prepared to continue production unless I was reasonably confident that such a course was possible.

“Already there has been a drastic falling off in foreign revenue, which I believe will continue throughout the duration of the war. In view of the drop in foreign exchange and possible restrictions on transfer of funds, the limited reopening of theaters in England and France leads to no certain conviction that sub- stantial revenues will be available from foreign exchanges. It has been felt it necessary to find means of effecting economies at home which will be offset by the cut in income from the United King- dom and France, to maintain our production program with quality and entertainment value unimpaired.”

The program which we have de- vised to meet the war emergency, including the salary reductions, was approved at meetings today of RKO Radio Pictures, Inc. and RKO Ser- vices.

"It is my confident belief that with the fine morale now shown throughout the organization our plans will be successful and that the RKO program will be completed without the least sacrifice of quality or entertainment value.”

Garver Terre Haute Houses Pass to Alliance Circuit

Chicago — The Alliance Theater circuit, successor to the Gregory chain, has started its long delayed expansion program by the addition of the Garver Terre Haute circuit in Terre Haute, Ind. The houses added are the Orpheum, the Swan, Idaho and Virginia theaters. Improvements will be made in these houses.

**"Exhibit No. 13"**

Lincoln, Neb. — Gene Buck’s personal contract with Acap, both as its presi- dent and as a contributor, was offered in evidence in the anti-Acap test case here.

Ominously marked "Exhibit No. 13."
SHOTS, INC.

announces...

"MELODY PUZZLES"

The newest, most exciting development in show business!

A short film, with live actors, combining a fast entertaining screen story with popular swing music and prize awards.

A contest unlike any other ever devised—either on or off the screen. Ten minutes of clever, amusing fun . . . a novel, stimulating game that will make your audiences think, feel and talk!

The first four "MELODY PUZZLES" are now ready:

"AIN'T LOVE GRAND?"

"THE TRIAL OF EILEEN BALLEW"

"THE SECRET OF THE DOUBLE DOORS"

"CRIME DOESN'T PLAY"

Directed by Reginald LeBorg
Camera: Robert Pittack, A.S.C.

WESTERN ELECTRIC RECORDING

There is NO GAMBLING.

"MELODY PUZZLES" are new, entertaining and legal!

(The title and idea are fully protected by copyright.)

SHOTS, INC.

1040 North Las Palmas Avenue, Hollywood, Calif.
CINECOLOR

16 mm

Right now CINECOLOR can deliver 16 mm reduction prints from 35 mm negative that have not been equalled by any other color processor.

THIS IS WHAT CINECOLOR OFFERS IN 16 MM PRINTS:

1. Sound as good as black and white—the supreme achievement in making a 16 mm color print or reduction. Same volume, same clarity, same at high frequencies as black and white. Fader set at same level.

2. Quality same as standard CINECOLOR.

3. Uniformity of prints guaranteed—only CINECOLOR’S exclusive patented process makes this guarantee possible.

4. Prints of this quality never before offered at our price.

CINECOLOR IS THE BEST BUY IN COLOR

2800 SOUTH OLIVE AVENUE, BURBANK, CALIFORNIA
Canadian Circuit Execs. See Quick Rise in Film Biz

"Business as Usual", British Industry's War Answer

"Never Any Jitters and No Hitch Anywhere," Says Ernest Friedman

By ERNEST W. FREEDMAN
Managing Editor of "Daily Film Renter"

London (By Mail)—At the time of writing we've been at War two weeks, so perhaps you'd like a pen picture of how the British film industry is reorienting itself to the new conditions.

It's settling down nicely—and in 10 days has, in fact, accomplished a marvellous job of work. Immediately on the outbreak of hostilities, came the close-down order of all cinemas and the evacuation of the staff. (Continued on Page 12)

WAR WILL BRING NO "HATE" FILMS—HAYS

Chicago—While Hollywood studies probably will produce films in which war will appear as a secondary element, there will be no cycle of "hate" pix for propaganda purposes resulting from the present war in Europe, Will H. Hays, MPPDA head, assured here yes-ter-day. (Continued on Page 7)

Oklahoma Allied Meets, with Legislation to the Fore

By ERNEST W. FAIR

Oklahoma City—First convention of the newly formed Allied Theater Owners of Oklahoma was set to open here this morning. Organization work has been underway for several months. (Continued on Page 12)

Canadian Circuit Execs. See Quick Rise in Film Biz

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Oh, Yeah????!!

Harrisdurg, Pa.—Add Believe It or Not! When Leni's Theater here advertised the "Life of Louis Pasteur" film, house attracted some fans who thought it was a revival of "The Life of Louis Pasteur."

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Execs. Meet Today to Plan “Night of Stars” Program

Leaders of the amusement industry will meet at 4:30 p.m. today in the offices of Marvin H. Schenck in Loew's State Theater Building to crystallize plans for the "Night of Stars," a winter program of entertainment to be held on the night of Nov. 15 in Madison Square Garden for settlement of Jewish refugees in Palestine.

Among those who will attend today's meeting are: Ben A. Boyar and Marvin H. Schenck, associate chairmen of the producing committee; Jesse Kaye of Fanchon & Mar buff, director of the Roxy Thea-
ter; Leon Leonidoff of Radio City Music Hall; Herbert I. Rosenthal, CBS; John Shubert; Harry Mayer, Warners; Frank Roche, Survivors WHN; Sidney H. Piemont, WHN; Harry Kaliche, Lester Isaac and Samuel Chotzinoff.

Three Majors Get 20 Days to Answer "Gov't's" Brief

Okalahoma City — Defendants in the U. S. Department of Justice suit against the Griffith Amusement Company and affiliated circuits un-
der the Sherman anti-trust laws, in which the government seeks to prove the company forms a monop-
opy in distribution of first- and second-run motion pictures, have been given 20 days to file a reply to the Government's brief by Edgar S. Vaught, district judge.

Specific defendants named in the 20-day grant of time were: Artists Corp., Universal Film Exchange Inc., and Columbia Pictures, Inc.

Eddie Golden to Address W.Va. ITO Convention Today

Clarksburg, W. Va.—Edward A. Golden, Monogram's vice-president in charge of exchanges, will be guest speaker at a meeting of the Independent Theater Owners Association of West Virginia at the Waldo Hotel here today.

Four hundred are expected to at-
tend the business sessions, accord-
ing to Danny Davis, chairman of the convention committee. R. H. Hieb is president of the ITOA of West Virginia. Other officers are R. D. Mirks, vice-president and Gar-
land West, treasurer.

Jury Trial Ordered

A jury trial in December of the suit brought by the International Flight Corp. against Moviethr News and Fox Film Corp. was or-
dered yesterday by New York Su-
preme Court Justice Iaidore Wass-
serg based on writs of habeas corpus for alleged negligence on the part of the defendant in handling a plane loaned to them in 1934 to fly films at the Wings of Victory air show of King Alexander of Jugoslavia.

Fordham-Waynesburg Game to Start Tele’s Season

Television's first season of interstate football via NBC will be under way Saturday, with a tele-
cast of the Fordham University-Way-
nesburg College game at Rand-
dall's Island. The telecast will be-
gin at 2 p.m. over Station W2XBS.

Other games already booked for broadcast by the NBC mobile unit are: Maryland at Randall's Island Oct. 7; Col-
lege of the City of New York versus 

Scranton, Oct. 14 at Lewisohn Stu-
adium; C.C.N.Y. versus St. Joseph's 

Nov. 18 at Lewisohn Stadium, and Long Island University versus Cath-
ol University, Nov. 23.

NBC is also after two distinctly big-time contests and there is also no possibility of one or more pro-
fessional football contests being telecast.

warnings Adding 5 Cents to Hartford Nabe Scale

Hartford — Warners have raised admission of all the Hartford nabe houses from 25 to 30 cents. The Colonial and the Strand Manchester will also have an ad-
mission increase from 35 to 40 cents. The Colonial, Hartfort returns to a second-run policy, after a two-
weeks' trial of a reserved seat, first-
run, day and date policy with the Strand.

Expect ITOA of Ontario Will Convene in October

Toronto — Annual convention of the ITOA of Ontario is expected to be set for the first week in October, at a meeting of the association’s exces, here Thursday.

Tim Donahue Dies

Boston—Tim Donahue, Columbia city salesmen, died suddenly of a heart attack here yesterday afternoon. He collapsed on the corner of Church and Melrose Sts., in the film district and was rushed to the hospital where he was pronounced dead upon arrival.

Para. Sets Circuit Deals

Chicago—Paramount has closed seasonal product deals with the Al-
luance and Anderson circuits in this ter-
tory, according to Manager James Donahue.

Increase in volume of biz at the local branch has brought the addi-
tion of Harold Wise to the booking staff.

Miss Shearer in Hospital

Norma Shearer will be in the Doctors Hospital for a few days. She is recuperating successfully from the extraction of a wisdom tooth by Dr. Leo Winter, surgical dentist.

WILL HAYS returns here today.

ROBERT RASSELER, story head in England for 20th-Fox, has arrived here from London.

LEON NETTER, Paramount theater chief, and LEONARD GOLDSENN, returned to New York yesterday after a two-week trip in the middle-West.

ANN SCHADIAK arrives here tomorrow morn-
ing from Chicago.

LEONETT HARRY J. LEWIS, U. S. Army Signal Corp, has arrived in Hollywood to study the picture industry.

CHARLES L. GLETT, vice-president of Eastern Service studios, returns from the Coast today.

M. BESET, secretary-treasurer of Alter Service Corporation, has returned today from a trip to the Coast.

SIMEON SIMON, French actress, is on route to New York to appear in the musical stage play, "The Gibson Girl."

AL LEWIS is due here early next month from the Coast with a stage play, "Quiet, Please!" which the two film writers, F. Hugh Herbert and Hans Kraly, have written, which they expect to produce here.

DAVID A. RAIDER arrived in New York yest-
day on a brief business trip; he's at the St. Moritz.

ANDERSON, special assistant to Shout Subject Sales Manager Harry McIlhenny of RKO Picture Sales, is in a tour of several exchanges in the South.

20th-Fox to Release 17 in Three-Month Period

Headed by three Technicolor spe-
cials, 20th-Fox will release 17 pic-
tures during the next three months, including two re-issues, it was an-
nounced yesterday by the company. Technicolor films are "Drums Along The Mohawk," "Deceit" and "Caval-
cade" and "The Blue Bird." Record number of seven will be released during October with the two re-
isues going out that month.

SAFETY LLOYDS

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave. New York City

RYDER Marines

R.Y. 9-5500

SECURITY

THE NEW YORKER CORP.
BROADWAY PIX "TAKE" STILL MOVES HIGHER

(Continued from Page 1)

only slightly short of the house record.

Space makers were Paramount's "Gone with the Wind" at the Paramount, and Metro's "The Adventures of Don Juan," the Capitol. "The Raines Came," both-Rko, continued strong at the Roxy in its third and final week, with a total attendance of approximately 375,000 or more expected for the three-week run.

"Nurse Edith Cavell," Rko, topped all other recent rko releases at the Music Hall and was set for a second week. "Espionage Agent," Warners, at the Strand, recorded better than average business and was set for a second week. "The Real Glory," United Artists, continued big at the Rivoli, with Saturday's business equal to anything in the theater's history. Picture will go at least two more weeks, it was said.

Propaganda Fund Charge Untrue, Declares Amkino

Testimony by Dr. D. H. Dubrowsky before the Dies Committee on un-American Activities that Amkino provided money for Communist propaganda was branded as untrue yesterday by a spokesman for the distributing company, T. P. Lewis, of Amkino, which is the exclusive distributor of Soviet pictures in the U. S., denied all charges made by Dr. Dubrowsky.

According to Dr. Dubrowsky, Amkino uses about $1,000,000 a year from American film firms to pay for Communist propaganda in this country.

Lewis declared yesterday that Amkino was a company chartered under New York State Laws and that its books were open for inspection by anyone who wanted to see them.

WEDDING BELLS

Chicago—Miss Gene Gedwell, secretary to M. M. Rubens of the Great States circuit, has resigned and has been succeeded by Miss Grace Winchester. Miss Gedwell was married to Charles Organ of Berywne last week.

Sheboygan, Wis.—Glady Schramey, cashier at the Rex theater, and Alex Kunstman, projectionist at the Majestic theater were married here.

Engagement is announced of Charles Vileency, former film reviewer of The Syracuse Herald and now chief of the Herald Journal's Binghamton bureau, and Ruth Small, New York actress.

CIRCUIT EXECS. COOL TO BRANDT PROPOSAL

Harry Brandt's suggestion that circuits in the Metropolitan area agree to arbitration as a means of settling disputes, including clearance problems, has failed to draw any reaction from circuit executives. A tendency to make no comment of the idea was apparent on Friday and from some sources it was indicated that Brandt's proposal would be vetoed.

The distributors have not signified their intentions officially to include arbitration in their clearances, although most of them have expressed their willingness to arbitrate disputes arising from contract violations.

The ITOA, which is sounding out the circuits' attitudes on arbitration, has received no replies to its letters up to Friday night.

Two New Movie Courses At New York University

Kenneth F. Space, pioneer in 16 mm. pix production for non-theatrical use will give the new elements in moving this Fall in the School of Education of New York University. Formerly a pharmacist chemist and a still and motion picture cameraman with the Agfa Anseo Company, Mr. Space has been a motion picture director-cameraman and film editor for the Harmon Foundation since 1934.

Another new course in the field of motion pictures is to be presented at the School of Education by Ernest L. Cox of the New Jersey Visual Education Association on the class-room and educational use of motion pictures.

The general course on the motion picture in its technical, artistic, educational and social aspects is to be continued under the direction of Dr. Frederic M. Thraisher, Professor of Education, who is also technical director of the Metropolitan Motion Picture Council.

Polio Bars Juve Patrons

Richmond, Mich.—The Richmond Theater has been instructed to refuse admission to persons under 18 years, due to new cases of infantile paralysis in the community.

New House for Suffolk

Suffolk, Va.—Honny Roth, general manager of the Pitts-Roth Theaters here, has announced that his company will erect a new $1,000,000 seat house here as soon as plans are completed by Ed Shimn, architect, of Richmond.

STORKS!

It's a boy—in the home of J. S. Bridgman, Alice engineer in Seattle, Wash.
THREE SHOWS TO KEEP YOU ON YOUR TOES!

BETTE DAVIS
and
MIRIAM HOPKINS
in
• THE OLD MAID •
with
GEORGE BRENT
DONALD CRISP • JANE BRYAN
LOUISE FAZENDA
James Stephenson • Jerome Cowan • Winchell • Cecilia Loftus
Directed by EDMUND GOULDING
Screenplay by Casey Robinson • Based on the Pulitzer Prize Play by Leo Akins and the Novel by Edith Wharton • Music by Max Steiner
A First National Picture

JOHN GARFIELD
and
PRISCILLA LANE
in
• DUST BE MY DESTINY •
with
Alan Hale • Frank McHugh • Billy Halop
Directed by LEWIS SEELER
Screenplay by Robert Rossen • From a Novel by Jerome Odlum
A First National Picture

JOEL McCREA
and
BRENDA MARSHALL
in
• ESPIONAGE AGENT •
with
JEFFREY LYNN • GEORGE BANCROFT
Directed by LLOYD BACON
Screenplay by Warren Duff, Michael Fessier and Frank Dunphy
From an Original Story by Robert Henry Borkner
A First National Picture

JACK L. WARNER in Charge of Production
HAL B. WALLIS Executive Producer
Rossmont first for the new year beats Warners' biggest of 3!
Six weeks at Strand N. Y. — first attraction in 6
5 go over 4 weeks! Paramount B'klyn registers big-
2 weeks of all time and goes a 3rd! Frisco, L. A., New
everywhere the same sensational boxoffice story!

THE OLD MAID

Rossmont first starring show for John Garfield and Priscilla
by far the biggest show they've had to date. Written
by the author of 'Each Dawn I Die'! No 'ifs', 'ands',
— everything that 'I Am a Fugitive' meant to your
for 1932 this will mean in 1939! Get set for it now!

DUST BE MY DESTINY

Rossmont most timely, most revealing, most true-to-today
wer! First picture of the U. S. Foreign Service — and
it as strong an entertainment as the great Warner
pictures' of the past. It's Brenda Marshall's starring
and a big shot that will be heard 'round the industry!

ESPIONAGE AGENT
Industry's Leaders Pay Tribute to Carl Laemmle, Sr.

‘Services Were Distinguished,’
Says Will H. Hays,
MPDA Prxby

Industry leaders and figures associated
with him in the development of film
bit
yesterday joined in expressions of grief
on the passing of Carl Laemmle, Sr.,
founder of the industry.

Many in the trade first learned of
Laemmle's death yesterday through THE
FILM DAILY, which exclusively carried
a Coast wire story.

Typical of the tributes paid were
these:

Will H. Hays: “In almost three-
quarters of a century, Carl Laemmle
traveled far. He crossed the At-
lantic to the United States to
become a fine American citizen. He
crossed the United States to the Pacific
to become a great distributor and a
producer who helped set the motion picture
plan in its

“Now Uncle C-1 has started on
a longer journey in a land no man
knows, but we do know that he will
find friends there. In his long jour-
ney from life until death, he never
traveled anywhere without making
or finding a friend.

“The services of Carl Laemmle
to the motion picture industry were
distinguished. He had courage and
vision that kept his honor bright.
He fought for what he believed to
be right and kept his plighted word.
He gave more than he asked.
His friendship braved the storm.

“Carl Laemmle had and deserved
the deep personal affection of all
who knew him. He was a little man
who was big enough to fill our
hearts. His death is a public and
a personal loss.

Nicholas M. Schenck: “Carl Laemmle
made a great contribution to
the industry and he also made
friends in every land. I was
proud to be among them.”

Barney Balaban: “The death of
Carl Laemmle marks the passing of
one of the true pioneers of motion
pictures—the men of vision, daring
and enterprise who founded the in-
dustry and guided it through the
troubled early years of its existence.
The entire film industry mourns his
passing and honors his memory.”

Sidney R. Kent: “The passing of
Carl Laemmle, Sr., is a deep shock
to all of those who knew and ap-
preciated his contributions to the
motion picture industry.”

Harry M. Warner: “The passing of
Carl Laemmle is indeed a sad blow
to the industry in which he was
a pioneer. We shall miss him great-
ly.”

David O. Selznick: “The passing
of Carl Laemmle is a source of great
sorrow to all who grew up in the
picture business and knew him as
one of the greatest and best beloved
pioneers.”

James R. Grainger: “It is difficult
for me to put into words what I feel
about the passing of Carl Laemmle.
It was my great


(Continued from Page 1)


1867 Carl Laemmle 1939

“He Made Friends of All Whom He Knew,” Declares
Nicholas M. Schenck

George J. Schaefer: “Carl Laemmle
was a true pioneer for the
early years of motion picture
industry. Almost from its begin-
ingen he contributed to its de-
velopment and his influence
on its progress was many.

Jules Levy: “Carl Laemmle
in the vision of a pioneer and the
con-

Maj. Albert Warner: “I have been
privileged to know Carl Laemmle
for many years and it is with deep
honors and his great

Sprouse Skouras: “The motion picture
industry has lost not only a pioneer but also one of its
located figures in the passing of Carl
Laemmle, Sr.”

Jack L. Warner: “Death has re-
moved one of the industry’s true
great figures in the passing of Carl
Laemmle. It is a severe loss for
many who knew him and re-

Phil Reisman: “Carl Laemmle
constant contact with the details of
not only production but distribution
is probably one of the reasons for
cat’ success in the picture business.
He was one of the great believers in
selling and advertising, and he
always spent as much on an ad-
vantaging campaign as pictures
alone justified. ‘It’s my job to get
my cut of the action in selecting at
least one or two outstanding stories
a year. When he was a member of
the industry, it was a

Jack Cohen: “Having started the
motion picture career 20 years ago,
in close association with Carl Lamm-
le, Sr., I feel qualified to say that
he was directly responsible for the
remarkable development of our
industry. He had great foresight and
limited courage. I feel a deep
personal loss in the passing of Carl
Laemmle and was shocked beyo-
days when I heard of it.”

Ned E. Benedict: “Having worked
for Universal from its organization;
until 1924, I had the opportunity to
personally know of the great leader
ship of Carl Laemmle, in which I
always respected and admired his
undaunted spirit and courage.”

Dr. Carl L. Sears: “I was pro-
foundly shocked to learn of Carl
Laemmle’s death. A pioneer, a hu-
manitarian, and a great grand old man of the
industry, I know he will always be remembered as such.”

“Feeling Pretty Good,” Wrote Laemmle Friday

What was one of the last, and possibly the very last, letter written by Carl
Laemmle, Sr., was received yesterday morning in New York by Michael
Mindlin, film

industry

writer. The missive was postmarked, as California on Friday, last, and
the

concluding paragraph read: “I am feeling pretty good these days. I have
had some

of the worst weather that I have experienced in 25 years. As I have

found myself in my well-heated room at home, working and dining there as
well as

sleeping, I have not experienced discomfort because of the humid weather.
With kind-

hate weather greetings, I remain, Sincerely yours, Carl Laemmle.”

R. H. and P. D. Cochran: “We
were terribly shocked to hear the
news of Carl Laemmle’s death over
the

radio. We have lost a great
friend. The industry has lost a lead-
er who can never be replaced.”

Pandro S. Berman: “While Carl
Laemmle has been inactive for sev-
everal years he influence was still
prevalent in Hollywood and the
industry will miss him.”

J. Robert Rubin: “The business is
better for Carl having been in it.”

Tuesday, September 26, 1923
**Two Silent Period, Laemmle Tribute**

(Continued from Page 1)

Nazi Birth in Los Angeles, with Rabbi Edwin B. Margin, officiating. The body will lie in state at the Temple from 11:30 to 12:30 noon today.

Interment will be in the Home of Peace Mausoleum here.

Late last night, Sam Behrendt, David Tannenbaum, Dr. Leland Hawkins, Ben Strauss, Herman Einstein, Jack Ross, Fred Meyer and Sam von Sonkel were named to act as honor bearers.

A resolution conveying sympathy to the family and paying tribute to the life of Laemmle was adopted by the Association of Motion Picture Producers.

"The influence of Carl Laemmle upon the industry to which he devoted his entire life is inestimable," the resolution stated.

During his long career as a motion picture leader all have learned to respect and love him. To his family we express our deepest sympathy in their personal loss.

In a joint statement by Nate Blumberg, president, and J. Cheever Cowdin, board chairman, the executives said:

"The motion picture industry has just lost, by the death of Carl Laemmle, one of its finest figures and real pioneers. Although Mr. Laemmle was no longer an officer of our family, Universal executives and employees everywhere keenly feel this loss in a sincerely, personal way."

New York Allied Units Will Meet on October 17

(Continued from Page 1)

ance of the association. The name, Allied Theaters of New York, will be retained.

Meanwhile, reports are current that national Allied will invade New York with a new group, indicating that the Albany unit will be the nucleus. Current rumors say that the Syracuse, Buffalo and Rochester chapters will remain loyal to the Cohen regime, while Albany leans toward the national body.

Cohen is of the opinion that the independent exhibitors will be without a code or a fair trade practice formula for at least five years. The war, he believes, will retard the equity suit trial. Blame for this condition is laid by Cohen to Allied leaders for the rejection of the code and for their efforts in allegedly urging the Department of Justice to brand the proposals as illegal.

**Capital V. C. Seeks Funds**

Washington Bureau of THE FILM DAILY


**Memphis MPTO Meet Elects: No Action on Trade Reform**

(Continued from Page 1)

acted in half a day to make time for the luncheon tendered by Film Row and the golf tournament in the afternoon.

No action was taken on trade practices or reforms requested by President Ed Kyukendall of the MPTOA in his opening address wherein he mentioned outside interference, government regulations, taxes and "formers."

M. A. Lightman outlined the advantages of the Variety Club.

President R. X. Williams, Mayor of Oxford, Miss., urged that exhibitors get together with their exchange managers and ascertain prices obtained in other towns.

"You need to know what is going on and policies offered there to offset the combine of film managers and salesmen," he said. "Also keep in touch with your legislators."

K. R. King, president of ITO of Arkansas, was general manager of the Interstate Circuit, Dallas, Tex., and Y. D. Moore, sec-

Action-Filled; Credited: Director, John Brah: Original Story, Jean Negulesco; Screenplay, Aben Kandel, Edwin Justus Mayer, Frank Partos, and Stephen Morehouse Avery contributed a strong screenplay, based on an original story by Jean Negulesco. Jimmy McHugh and Ralph Freed fashioned one song for Miss Gurie, and Freed and Frank Skinner composed two. Art Director Jack Ortterson designed two attractive settings. For his gigantic swindle in Paris, Rathbone played an over-eager huckster. Jacobs 30 miles from Rio de Janeiro. To be near him Sigrid gets work as a cafe singer in Rio and McLaglen, as a bartender. Sigrid meets Cummings who is slowly drinking himself to death, despondent over the collapse of a bridge he was building. Sigrid induces Carrillo, owner of the cafe and a ranchero, to give Cummings a job. Rathbone makes an escape and reaches Rio only to learn that Sigrid is in love with Cummings. He threatens to kill Cummings, but is restrained by McLaglen. In attempting to escape from the police, who have closed in on him, Rathbone is killed and McLaglen dies with him.

**Memphis MPTO Meet Elects: No Action on Trade Reform**

(Continued from Page 1)

... in support of the Variety Club Welfare Fund.

**Black Shifts Managers**

Harry Black, general manager, Fabian Staten Island Theaters, an-

nounces the following changes: Ed-

gar Goto, manager of Paramount Theater promoted to divisional public-

... service of Liberty Theater.

**World Has "Ski Chase"**

"Ski Chase," featuring Hannes Schneider, has been re-recorded with English narration by John Martin and will be released nationally as a featurette by World Pictures.

**War Will Bring No "Hate" Films—Hays**

Budd Rogers, vice-president and general manager of Alliance Films, has set several distribution deals for The War Has No "Hate" Films, a four-reeler which has been playing first runs at a number of NKO and Fox theaters.

Lou Baxter is handling the film in Texas, Oklahoma, and Arkansas. Jack Armstrong, of company, is cov-

ering the Southern territory which includes North and South Carolina, Alabama, Georgia, Florida, and part of Tennessee.

Los Angeles, St. Louis spots are set with Special At-

tions, Pam-O-Film Exchange is handling the picture in Buffalo, and the Herbert Rosenier Company has the distribution in California, Wash-

ington, and Oregon. Colonial Pictures, Ltd., is releasing "The Warning" in Canada, the Maritime Pro-

vences, and Newfoundland.

**Oklahoma Theaters Write Hearing Set for Oct. 2**

Oklahoma City—Judge A. P. Mur-

rah has set Oct. 2 at 9:30 a.m. as the time when he will hear the ap-

lication of Oklahoma Theaters, Inc. for a temporary injunction against various distributors here. The application seeks to force film distrib-

utors to cease the Odeon theater in Shawnee, Okla., second and subsequent-run film which it alleges have not been sold to any other Shawnee theaters and which the distribu-

tors have refused to sell.

A. B. Memond is owner of Okla-

homa Theaters, Inc.

**Mrs. G. L. Willer Dead**

Grand Rapids, Mich.—Mrs. Bessie L. Willer, wife of Grover L. Willer of the firm of Willer & Willer, operators of the Liberty, Madison and Franklin theaters here, died after a long illness. William is survived besides the husband, by a daughter, her mother and two sisters.

**MP Associates Meet**

Business meeting and luncheon of the Motion Picture Associates will be held today at the Astor to discuss plans for the annual dinner and dance. Date for the affair has been set for Nov. 25.
These are the hard selling ads that were used in Hartford and Albany... They are in the press book!
NEW PICTURE!

SI FABIAN...

HARTFORD...

George Landers,
E. M. Loew Theatre, Hartford, Conn.,

Says: "Good opening followed big exploitation campaign...word-of-mouth excellent! Reviews fine! Everything points to fact that 'U-BOAT 29' is one of the best showman's pictures ever made. Its box-office is assured."

ALBANY...

Lou Golding,
speaking direct from Grand Theatre, Albany,

Says: "It is everything Columbia said about it. It opened big and is going strong."

SMART SHOWMEN ARE RUSHING DATES!
Held
SECOND
RADIO CITY

BUSINESS SENSA
indicate another RKO RADIO BIG circle of $100,000-a-week hits! . . . the most lavish critical praise ever shocked the world is all set for mo

ANNA NEAGLE in her first Hollywood
with EDNA MAY OLIVER • GEORGE H. B. WARNER • SOPHIE STEWART • MARY
Over the Week
MUSIC HALL

TIONAL!... First four days
ONE shooting up into that charmed
Hailed by a nation-wide chorus of
accorded a picture, this story that
big openings this week and next!

appearance as "NURSE EDITH CAVELL"

SANDERS • MAY ROBSON • ZASU PITTS
OWARD • ROBERT COOTE • Produced and Directed by HERBERT WILCOX • Screen Play by Michael Hogan
office of distribution companies in
and around Wardour Street was
exactly eleven days after the de-
claration of War, all kinemas are
again open—and distributors re-
turning to their old offices.

It's amazing how we have ac-
cepted the new conditions; there
has been no panic at any time, and de-
finitely never any jitters. Wise pre-
cautions were made in evacuating
film companies' offices, with their
huge staffs, to safer places in the
country, and for three days the task of
arranging fresh accommoda-
tions, dumps for storage of films and
transport facilities, was hectic in the
extreme. Staffs labored night
and day to bring the situation
in the country in districts that never
in their wildest dreams expected to
take the full physical pressure of the big
film enemis marketed in their midst.

Metro In English Mill
Some of the places they have
taken are unique. Columbia Pix-
tures are at Castledown in Sun-
ssex, and Metro-Goldwyn-Mayer have a
real English Mill, complete with
water gas. One of the biggest house
with the staffs sleeping in dormi-
tories and anywhere they could find
room for a bed.

But gradually order has been re-
stored out of the chaos. Sales de-
partments have been brought back—
kinemas have re-opened—they don't
close until ten o'clock, except in the
West End, where a six o'clock cur-
few operates. In that, I think, you’ll find will also be adjusted in
a few days to come into line with
general closing at ten. Nobody
wants it quite so hot at night. However,
this will adjust itself in time. Pro-
grams are precisely the same as
which would have been in place in time;
American and British features,
news-reels and shorts, make up their
contents. Two feature bills just as
before—nothing has been altered yet.

The film industry here has ex-
cellent leaders; CEA and KRS work
in union, and have done a very good
job of work in persuading the au-
torities to re-open kinemas and
quickly. The Government official
in their turn, too, have been very
helpful.

"Life Goes on Just the Same"
Wardour Street presents a curi-
ous sight, with so many of the big
buildings evacuated, but they will
all be teeming with renewed activity
in a day or two. Life goes on just
the same; people visit the kinemas,
for the closing down robbed them
of their greatest pastime of amuse-
ment, and now they're flocking back.

Studios, halted in their programs,
are going ahead; there will be no
repeal of the Quota—that is very
certain. The pictures that will be
made will definitely be of a light var-
ety, but there will be cornue notes, for it's recognized that heavy
themes are out.

Staff personnel depleted by war
calls, of course, but there are plenty
left to carry on. Everybody doing
their jobs very cheerfully, with a solid
and improved determination to do the
job as times.

Vaude, and Cheaper
Chicago — Warner Theater circuit is
adding west-end vaudeville to the Sym-
phony House schedule, reducing the admissions to 25 and 30
hours.

RCA Promoting Tele on National Scale
RCA is intensifying its efforts to promote television on a national scale by
arranging exhibitions in which local departments are expected
to see tele shows for the first time. While RCA and other firms have been arrang-
ing tele pictures for New York and at both World's Fairs, this is the first time that a co-
nected attempt has been made to demonstrate on a national scale, par-
cularly in cities where no regular television service is available.

Ohioan Allied Meets, with Legislation to the Fore
(Continued from Page 1)
Several months under the direction of a special committee headed by Or-
ville Spence, president, and George W. Sumner, the-
teer supply, the latter as cor-
responding secretary.

At least 100 indie theater owners from all over Oklahoma are expected for the opening conclave in the Bilt-
more Hotel here. First address will be that of Col. H. A. Cole of Dallas,
proxy of Allied States, who is expected to point out the value of a
co-operative drive and the D of J's legal campaign, here and elsewhere.

A joint committee is being struck by a special bulletin to all exhibitors in the
state, which, in part, said:

"It is now generally conceded by experts that the development of the motion picture industry can only be secured through legislative means.

There are laws, with the state and federal laws regulating monopolistic ten-
dencies of big businesses such as steel, oil, and others, the motion picture
industry is a new one and distributors refuse to admit that they should be
subject to any regulatory laws.

The reply of the United States Senate indicates that the prevailing sentiment of Cong-
sideration and election of officers are set for the afternon program.

It is also understood that the buying power may also be brought up for consideration before the con-
vention today.

No entertainment events will be
staged during the two-day conven-
ion.

State Rep. George Miskovoros has been set for a major address to
morrow. He will present a chain store tax bill upon which he has been working for some time. It is understood that this bill's scope will extend to theaters.

Canadian Clearances Board Plan Submitted to Execs.
(Continued from Page 1)

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Michigan Allied's President Calls for Code Revival

SURVEY SHOWS BUSINESS OUTLOOK IS BRIGHTER

Censorship of War Pictures Will be Sought in Congress

French Production to Resume Next Week:
Activities to be Centered in 4 Studios

ITO of W. Va. Votes "US" New Contract
For the Neely Bill
BIZ Runs 60% Ahead

Ray Branch, Michigan Allied’s Prexy, Believes Trade Code Can be Salvaged

SECOND FILM DAILY SURVEY COVERS 18 KEY CENTERS THROUGHOUT U. S.

ALL ARMS OF TRADE AT LAEMMLE FUNERAL

= Intimate in Character
International in Scope
Independent in Thought

THE DAILY
= The Daily Newspaper
Of Motion Pictures
Now Twenty-One Years Old

V. 76, No. 61
NEW YORK, WEDNESDAY, SEPTEMBER 27, 1939
TEN CENTS
Film Alliance Has 25-Pix Backlog, Says Wachsberger

Film Alliance of the U. S., Inc., has an immediate backlog of some 25 features which it will release during the current season here, it was asserted by Nat Wachsberger, company vice-president and general manager, at the screening yesterday afternoon in the Waldorf-Astoria of "The Challenge."

The company, in which Harry Brandt is interested, will distribute its product nationally via key city exchanges now being selected, and 15 such distribution points have already been selected. A deal is expected to be concluded within a week whereby Film Alliance will utilize Broadway Central Theater for the U. S. premieres of its more important French imports.


All but two of these listed pictures have been completed. Wachsberger said that, due to the Haver action, work is expected to be resumed on it in France next week.

Film Alliance's line-up will consist of about nine British pic, the remainder coming from French studios.

B & K Employees to Elect Chicago. Election of delegates from the various B & K Theaters to the B & K Employees Association will take place today. 

SAFETY LLOYS FIlM STORAGE CORP. Storage by Reel or Vault

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B & K Employees to Elect

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SAFETY LLOYS FIlM STORAGE CORP. Storage by Reel or Vault

FILM STORAGE CORP.
MONDAY and TUESDAY
OCTOBER 2 and 3
(Date set locally by each exchange)

GALA THEATRE
PREVIEWS OF

HOLLYWOOD
CAVALCADE

FOR LEADING EXHIBITORS
IN EVERY EXCHANGE CITY
OF THE U.S. AND CANADA

All seats reserved! Admission by invitation only!

HAVE YOU MADE YOUR RESERVATIONS?
peared to be no holding back on the part of exhibitors in buying the new program.

The picture business, he said, was beginning to feel the effects of the general upswing of industry, especially in his division. Re-employ-

ment and the sudden strong activity in the manufacturing centers were reflecting on grosses and he predicted a boom year for motion pic-

tures. Executives in other lines of business, said Heineman, are preparing for it with increased operations.

Heineman was enthusiastic over the reception given to the so-called "uncensored" version of "All Quiet on the Western Front." He said that while the St. Louis Theater, St. Louis, was given the credit for removing the picture and allowing it to go on in the box-office market, in reality the credit goes to a small theater in a small town near St. Louis. This theater, he said, booked the picture on a hunch, because of the European crisis, on a flat rental of $50. The house had a gross business of $700 for two days, Heineman said, adding that he saw pictures rarely drew more than $500 or $400. That incident opened the eyes of Universal execs as to the picture's possibilities as a re-issue.

The family theaters to play "All Quiet" in its new dress were the Adams in Detroit and the Rivoli in Toledo where normal business was expected to have been tripled over the week-end.

D of C's Amusement Census

Will Start on January 2

(Continued from Page 1)

(C) 1939 by United Feature Syndicate, Inc.

COLE AT OKLA. ALLIED

MEET URGES CHAIN TAX

(Continued from Page 1)

F. G. Miskovsky's Monday ad-

dress on his retail chain store tax

bill and State Representativ William High's yesterday's talk, the sub-

ject was that $500 per theater was the best chain tax, or a gross receipts tax taking an aggregate of grosses of all theaters in a circuit combined.

Cole, Col. told his audience of 11 Oklahoma independent exhibitors, augmented by a small delegation from Texas, that the biggest indus-

try problem today is the re-creation of a buyers' market rather than a sellers' film market, such as exists now. Few exhibitors, he asserted, knew their own rights and need local Allied units to direct them.

Dean A. B. Adams, head of the Universal and Oklahoma Business School, also broadcast over KOMA, traced the history of monopoly. He said the trouble now is that courts cannot prevent monopolies, can only punish after they are formed. He cited the motion picture industry as an example of monopoly eliminating small business. He proposed that Congress pass an act regulating indus-

try similar to the SEC act, or, Federal motion picture commission to administer it; state laws on divi-

cement; an independent buying pool and taking the exhib's cause to the public.

Dr. W. B. Bialczak, president of the University of Oklahoma, spoke on visual education.

Censorship of War Pictures

To Be Sought in Congress

(Continued from Page 1)

co-operation with state censorship boards, Thomas said. "All war pic-

tures should be passed by a nation-

al board to prevent propaganda and inflaming of the public mind," Thomas continued. He added that his amendment will also cover radio programs, such as the Orson Welles "war scare" broadcast.

SWG Answers Goldwyn; Asks Domestic Revenue Facts

(Continued from Page 1)

pox revenues, the Screen Writers' Guild executive board wrote him in reply declaring the Guild wishes to get facts regarding a likely increase in domestic revenue on films. The Guild asserts that such an increase has been predicted. The organiza-

tion agrees with Goldwyn that there should be co-operative action to in-

vestigate war's effect on the world's revenue from pictures.

War Casualty

Detroit — The Trieste Film Exchange, operated by Paris Buell and Patsy Quigley, distributed some German and Polish films, has been closed.

"U'S" NEW CONTRACT

BIZ RUNS 60% AHEAD

(Continued from Page 1)

Hard Luck Guy

Lincoln, Neb.—Bob Livingston, exhib. at the 40th Avenue, is a hard luck guy. Not only was it necessary for him to go to the bank to borrow money today to figure "his losses," but in telling it up-

stairs, he stumbled and fell and broke his arm out of joint. What's more, he said, it had to be a bone he couldn't even spell. "It was a mechancal.

War Savings Stamp

Day

(was)

ALONG THE RAILS

with PHIL M. DALY

(Continued from Page 1)

(Continued from Page 1)
U.S. Movie Critics Will Convene on March 2-4

(Continued from Page 1)

be held in March 2-4 in Chicago yet to be selected, although Memphis is bidding for the conclave, it was announced here yesterday by Harry Martin of the Commercial Appeal, chairman pro tempore.

The Planning Committee—Harry Martin of The Times Commercial Appeal, chairman pro tem; Buck Herzog of the Milwaukee Sentinel, secretary pro tem; Keith Wilson of the Omaha World-Herald; and Potter met in Chicago last week and worked out a skeleton Articles of Association to be submitted at the March meeting. The Articles call for the election of a board of governors to be chosen on a regional basis, the board in turn to name the officers. A temporary board is being lined up by appointment of the Committee to serve until an election can be held in each region.

Merle Potter, m.p., editor of the Minneapolis Times-Tribune, will serve as general chairman of the NFCA committee to poll its membership on the best films and performances of the year. Committee by-laws will be named shortly. Potter is dropping his own yearly poll.

Local Observances Next Week as Jubilee Climax

(Continued from Page 1)

the result of the up-scale newsmen will include the visit of Will H. Hays to the Edison laboratories in West Orange, N. J., to pay the industry's tribute to Thomas Edison's memory for his contribution to the development of the motion picture.

The committee has prepared a radio script containing background material for local broadcasts. Another has been prepared for the use of local chairmen of the various state Federations of Women's Clubs.

The New York public library will exhibit a motion picture collection, beginning Monday.

Jack Snyder, Veteran Lab.
Man Dies in Hollywood

West Coast Bureau of THE FILM DAILY
Hollywood—Jack Snyder, veteran laboratory man and general sales manager of Cinema Laboratories, Inc., died yesterday of a heart attack. Before coming to California in 1923 to join Bennett Film Labora-

tory with Republic Laboratory in New York.

In 1936 he left Consolidated Film Laboratories, which had taken over the former plant, to join the newly created National Cinema Laboratories which later became Cinema Laboratories, Inc.

Funeral services will be held tomorrow morning at 11 o'clock at Edward Bros. Mortuary.

MICH. ALLIED PREXY URGES CODE REVIVAL

(Continued from Page 1)

“bring order out of chaos.” His remarks were the first in favor of the Code to come from an Allied leader.

Schiff's pre-convention comment (Michigan Allied holds its annual conclave next week) created a sensation here.

“I feel keenly disappointed that we lost the Code,” he said. “Surely the speculative loss to the distributor or producer would be small compared to the losses sustained without a Code. I believe they speculate too much on possible losses and too little on probable gains. We can be sure that if you are giving everything, but the fact remains that we have nothing to give; they have it all now.”

Branch stated that the distributor representatives approached the problem sincerely. He said he believed the same group could again sit down and work something out, adding that “every man is big enough to forget the unpleasant exchange of words and complete the job.”

“This came the nearest to anything ever attempted to correct the evils of the industry,” he continued, “and it is high time that another field of talent be explored for men who can and will write the document; and the rank and file exhibitors will insist such a document be written.”

Westinghouse's Feature Offered to Exhibits. Free

(Continued from Page 1)

out charge, but there will be no pay to those showing it, it is understood. Theatrical presentation of the film will precede its availability to other exhibition mediums.

The film, produced by Audio Productions for Westinghouse and Fuller and Son, is a color film, is held by MTPS to be a logical offering to circuits and exhibitors, because (1) the supply of Technicolor pix is not sufficient to meet exhibitor demand, and outlets, particularly in the “hinterlands,” are regarded as a definite source of playing time, and (2) that a great section of the public in the more remote locales of the nation have not yet seen the New York World's Fair, colorfully depicted in the film.

MTPS has set a special screening of “The Middletons Family at the World's Fair” for 4 p.m. today in the ballroom of the Waldorf-Astoria.

Soviet Closes “U” Deal for Deanna Durbin Film

(Continued from Page 1)

D. Vasilev, President of Amkino Corp., of New York, on behalf of the Soviet government, says that the first production under the “U” deal for Deanna Durbin was bought by Soviet distribution.
BY EXHIBITOR DEMAND

NOW...TO EVERY AMERICAN

More gripping...more meaningful...greater...TODAY!

FREDRIC WARNER
MARCH • BAXTER
LIONEL BARRYMORE

THE ROAD TO GLORY

with

JUNE LANG • GREGORY RATOFF

Directed by Howard Hawks • Associate Producer Nunnally Johnson
Screen play by Joel Sayre and William Faulkner
Darryl F. Zanuck in Charge of Production

New PRINTS...new PAPER...new TRA
MORE VITAL THAN EVER!

The only REAL scenes of the "war to end war"...authentic!...official!...from the secret and guarded archives of great nations! What actually happened in all its gory brutality...as it is happening again!

THE FIRST WORLD WAR

Edited by
LAURENCE STALLINGS

Produced by
TRUMAN TALLEY
(in association with Simon & Schuster)

ERS... new CAMPAIGN MATERIAL!
BIZ PICTURE OUTLOOK IS FOUND BRIGHTER

(Continued from Page 1)

light the prevailing industrial conditions on the assumption that industrial prosperity is the best key to potential increases in grosses.

Summarized, the survey reports follow:

CHICAGO—Steel mills of Indiana report an increase and are now running 71 per cent of capacity. Market conditions generally have been affected by war news and prices have been higher. Box office has continued its exceptional gains over early summer months.

DALLAS—Retail sales advanced along a broad front maintaining a 12 per cent to 13 per cent margin over last year. Wholesale activities are 12 per cent to 14 per cent above the comparable 1938 week. There is a general belief that prices in the downtown market are too high and have not been adjusted in this center. Box office is naturally affected.

CLEVELAND—Steel production went up to 85 per cent of capacity. This is now 87 per cent of the highest mark of the year. Everything but employment registration shows a cumulative gain for this year over last.

PITTSBURGH—Business in the Pittsburgh district continued to rise again this week gaining 2 1/2 points and stood at 96. A thousand men will return to work within the next two weeks, and the theater men are feeling much happier because of the employment situation. Orders are pouring in for steel, and all orders are almost exclusively from domestic consumers who fear shortages in their own fields.

MILWAUKEE—Indications point to an increase in business this week. The general, A. O. Smith Corp. hired an additional 600 employees this week. Allis-Chalmers Corp. hired an additional 500. Some of these people have been idle for 2 1/2 years.

This entire territory is largely industrial, the trend of business seems to depend upon the decision of Congress as far as “cash and carry” selling to foreign nations is concerned. It is believed that Congress decide to sell foreign nations on this basis, a tremendous increase in business would take place within this territory within the next 30 to 60 days.

CINCINNATI—On Sept. 1, 1938, this city’s business index stood at 19 per cent below normal, but as of Sept. 1 this year it stood at 14

“Love a Parade”

Chicago—The “Oomph” Girl, Ann Sher- idan, and the “Great Swede” Emma Schlaifer, of the American Legion parade here yesterday and was acclaimed by 2,000 downtown crowds who were reported to have broken through the police lines to greet the Warner Bros. star.

Shirley Temple on Air to Aid MPRF

West Coast Bureau of THE FILM DAILY

Hollywood—Shirley Temple will make her radio debut on the Screen Guild Show to broadcast from Hollywood a Sunday afternoon. It was announced yesterday by Jean Hersholt, pres of the MP Relief Fund, and James Roosevelt, chairman, income tax committee. Co-sponsors of the 20th-Fox and the star’s parents made the arrangements possible. Offer of $35,000 for Shirley in the role of her “Little Lord Fauntleroy” was renewed yesterday. Star will do a scene from 20th-Fox’s “The Blue Bird” and may sing as well.

ITO of West Virginia Votes in Favor of the Neely Bill

(Continued from Page 1)

bill and the Code by Abram F. Myers, the members voted in favor of the Neely bill.

The following officers were elected for coming year: President—Richard D. Mays of Clarksburg; Vice-President—George Sallows of Morgantown; Treasurer—Garland West of Buckhannon; Executive Secretary—I. D. Davis of Lumberport.

The banquet was held at 7 P.M. with George Sallows as toastmaster. Address of grocery men were made by Hon. L. B. Davison, city manager of Clarksburg. Other speakers were Arthur E. Myers and Edward C. Davison, vice-president of Monogram Pictures. A motion picture ball was held in the evening with a golf tournament for those attending the convention to be held today at the Clarksburg Country Club, with Ethel and D. Mann, newly elected president, in charge.

The “little fellow” business must not be destroyed and must be even per cent above normal.

INDIANAPOLIS—General business conditions throughout the Indiana territory are very satisfactory.

BOSTON—General business is above average; the retail stores have since Labor Day, shown an increase over last year, and from all indications, this business will continue good at least until Christmas. Department store interest is still keyed to the motion picture grosses, because of centralized locations. The New England manufacturers look forward to the passage of Roosevelt’s “cash and carry” plan on war commodities, as this together with the large surplus of credit money that is available, places them in a very secure position.

ST. LOUIS—Local branch managers are optimistic about fall grosses, expecting the theaters to benefit rather than suffer because of the war. Optimism also prevails among the advertising men. The “Rink Came” opened its first run here to considerably better than average for opening day. This, despite the fact that the temperature was 69 in the shade.

SAN FRANCISCO—General business locally was circumspect this week with the awarding of $29,000,000 in ship building contracts which will employ 13,000 men for an indeterminate length of time.

SEATTLE—Prospects are favorable. Grosses are very encouraging.
Move to Revive Code May be Launched by Mich. Allied

STUDIOS FACE IATSE DEMAND FOR SHORTER HOURS

Coast Film Investigation Starts, With Stebbins a Witness

Ralph Morgan on Stand Today,
Louis B. Mayer Tomorrow;
Union Men Summoned

West Coast Bureau of THE FILM DAILY

Hollywood—Arthur W. Stebbins, insurance man, a nephew of Joseph M. Schenck, yesterday testified before the Federal grand jury which is investigating charges of alleged irregularities in the motion picture industry.

He was said to have been questioned regarding his knowledge of asserted income tax evasions in merger of film companies, alleged monopolistic activities of major com-

(Continued on Page 5)

VON GULKER ELECTED
OKLA. ALLIED PREXY

Oklahoma City—Allied Theaters of Oklahoma came into being official yesterday when a small group of independent elected officers and adopted a constitution and by-laws.

Only eight exhibitors attended the meeting yesterday and there was some question during the meeting yesterday when a Hayes house spokesman said.

Maj. Warner Host to Jewish Drive Aides at Golf Tourney

Maj. Albert Warner, co-chairman with David Bernstein of the Amuse-
ment Division of the Jewish Feder-
ation of Charities, will host today to members of the 1939 campaign committee at a golf tournament and

(Continued on Page 5)

Herbert Cruikshank Dies;
Funeral Rites Saturday

Herbert Knight Cruikshank, 48, widely known in the film industry through his editorial association with the local Morning Telegraph and the one-time Motion Picture World, died yesterday in his home at 25 Central

(Continued on Page 5)

Atlanta Corp. to Submit New Underwriting
Proposal Under RKO Reorganization Plan?

At the request of proponents of the RKO ring, plan, Federal Judge Alfred C. Knox yesterday postponed hearings until Oct. 11 at 2:30 p.m. before federal judge William Bondy. It is understood that Atlanta Corp., at present is considering a new underwriting agreement. Decision as to a fair price for common stock has not yet been reached by Atlanta.

MPPDA Again to Tackle European
War Problems at Parley Wednesday

The possible effect of the European war on the motion picture business and ways and means of combating problems resulting from the situation were discussed yesterday by the board of directors of the MPPDA. No decision on any of the questions was reached and the meeting was adjourned until next Wednesday, a Hayes house spokesman said.

(Continued on Page 5)

Negotiations Resume Early
Next Week on Further
Union Requests

West Coast Bureau of THE FILM DAILY

Hollywood—IATSE demands with respect to hours and working condi-
tions of 12,000 film craftsmen, members of 11 different locals, will be considered at a conference or conferences early next week.

IATSE will be represented by William Boff as negotiator while the studios will be represented by E. J. Mannix and the members of the Producers Labor Negotiation Commit-

(Continued on Page 5)

EUROPEAN WAR WON'T
HIT SHORT PROGRAMS

No curtailment of short subject production is contemplated because of the European war, and in some instances, programs may be increased, a survey reveals. A check-

(Continued on Page 5)

Franklyn Warner Comes
for Hammons Confabs

Franklyn Warner is due in New
York from the Coast today to con-
fer with E. W. Hammons, president of Grand National, in regard to the production of a series of pictures

(Continued on Page 5)

Chicago Operators Union
Calls Meeting for Today

Chicago—A special meeting was called last night by the Chicago operators' board of directors to con-
sider failure of Chicago theater own-
ers to grant wage increases and

(Continued on Page 5)

Kalamazoo, Mich.—A move to re-
open negotiations for a fair trade practice code may be launched here next week when Allied Theaters of Michigan holds its annual conven-
tion at the Burdick Hotel. Dates are Oct. 2-4.

Belief that the ball may be started

(Continued on Page 5)

Fox Theaters Hearing
Awaits Cahill's Report

In an opinion filed in Federal Court yesterday, Judge John C. Knox directed that hearing of ob-
jections filed against the final ac-

(Continued on Page 5)
Carl Laemmle Left Estate
Valued at $4,000,000

West Coast Bureau of THE FILM DAILY—Carl Laemmle left in an estate valued at approximately $1,000,000. His realty holdings comprised business concern on Hollywood Blvd and his estate in Beverly Hills. His securities represent a value of $2,000,000. His annuities are reported to amount to around $500,000.

With the will were found eight legal advices covering today's business. This family. Directed that they continue a foundation which he established and through which he brought 200 refugees from his native Germany and placed on his property

Annuities amounting to $500,000 or more revert to his two children, Carl Jr. and Mrs. Stanley Bergerman. He provided for his brothers, Louis and Siegfried; his grandchildren, Carol Bergerman, 5, and Stanley Bergerman, Jr., relatives, his secretary Jack Ross and family servants.

Exports of Photographic, Projection Goods Fall

Washington Bureau of THE FILM DAILY

Washington—Exports of photographic projection goods show a decline in August compared to the same month of last year, it was reported to the Department of Commerce. The eight months ending in August also show a drop for 1938 compared to 1938, it was reported.

Exports of such goods in August, 1939 amounted to $1,495,000 compared to $1,290,000 in August, 1938, for a drop of $104,000. The eight-month period for 1939 was reported at $12,700,000 compared to $12,920,000 for the eight months of 1938, representing a decrease of $920,000.

AMPA Set for Big Turnout for Initial Fall Meeting

Capacity attendance of AMPA's membership at the AMPA meet last Saturday that assured the organization's inaugural of Fall season meetings which will be held in the fourth-floor dining room of Stouffer's Restaurant Fifth Ave. and 44th St., at 12:45 p.m.

The Board of Governors announced yesterday that assurances had been received assuring the attendance of all ex-presidents of the body who are currently in New York and vicinity.

It was also pointed out that new low prices would prevail, namely $1, including tips, in the instance of members, and $1.25, including tips, for non-members.

11,000 Contracts for Year

Chicago—William F. Rodgers, M-G-M general sales manager, said yesterday that he expected the company to have 11,000 picture contracts by the end of this year. Rodgers left yesterday for St. Louis for further sales conferences.

Files Plagiarism Suit vs. Para. Over “Midnight”

Plagiarism suit which demanded an injunction against exhibition of “Midnight” was presented in Federal Court yesterday against Paramount Pictures Inc., and Charles Beahan by Robert L. Buckner.

Plaintiff claims that in 1933 he and Beahan wrote a play entitled, “Dearly Beloved,” and delivered a manuscript to Paramount. The complaint charges Paramount with infringing the play in the picture “Midnight” and states that Beahan is named a defendant because he refuses to join the suit as a plaintiff.

Court Reserves Decision in UA’s Hart Case Appeal

The Appellate Division of the New York Supreme Court yesterday reserved decision after argument on the appeal of United Artists Corp. from a jury’s verdict which awarded William S. Hart and Mary Hart $190,000 damages, plus $60,000 interest, against John A. Spang and the. Spang represented United Artists on argument and Max D. Steuer represented the Harts. Suit charges the defendant with breach of contract in blocking the “Hart picture, Tumbleweeds,” with an alleged inferior picture entitled, “Wild Justice.”

“What a Life” Will Open at N. Y. Para. on Oct. 11

“What a Life” goes into the New York Paramount on Oct. 11 instead of “Rulers of the Sea” which previously had been booked tentatively, “Honeymoon in Bali” and Glen Miller’s band are reported to be doing heavy business and will be held for two weeks, during which time the “Disputed Passage” will follow “What a Life,” with “Rulers of the Sea” spotted for later in the season.

Producer-DG Confab Friday

Meeting between the committee representing the film companies and the Dramatists Guild is expected to be held tomorrow to continue negotiations on a new contract covering financing and purchase of plays by the film companies. Following the last meeting, progress was reported as satisfactory to be received by a Guild exec, and it was said then that only a few basic points remain to be worked out before the pact can be concluded.

GTE Declares Dividend

Directors of General Theaters Entertain Corp. have declared a cash dividend of 10 cents per share on the capital stock, payable Oct. 16 to stockholders of record Oct. 6.

Conn. Allied to Elect

New Haven—Allied Theaters of Connecticut will hold an election luncheon meeting at the Hofbrau Restaurant Tuesday noon.
WE HAVE JUST SEEN "NINOTCHKA" and we pronounce it SENSATIONAL!

Long live the Lubitsch touch! It has brought your box-office a new Garbo, sly as a wink! A gorgeous Garbo they've never seen before! A champagne lady, lively, lovable! This comedy of a flirtatious secret affair in Paris will positively captivate the nation! It makes Garbo a bigger star than she ever was before in her entire career! One of the year's IMPORTANT pictures! Prepare for another M-G-M triumph!
slated for distribution during the present season.

Paramount will distribute 85 two-reelers; M-G-M, six 3-reelers and 73 one-reelers; 20th Century-Fox, 52 one-reelers; Vitaphone, 18 two-reelers and 68 one-reelers; RKO, 24 two-reelers, 39 one-reelers; 13 March of Times and 18 Disney cartoons; Universal, maximum of 104 reels and a minimum of 69 reels, plus three serials; Columbia, a minimum of 52 one-reelers and a minimum of 13 two-reelers, in addition to four serials.

Chicago Operators Union
Calls Meeting for Today
(Continued from Page 1)

The entire union membership meets this afternoon at 11 o'clock to take action if their demands are turned down. Strong efforts were made last night to reach a peaceful settlement.

5,000 Fans Storm Station
As Ann Sheridan Arrives

More than 5,000 fans greeted Ann Sheridan, Warners' "Oomph girl," at Grand Central station yesterday. Depot police said it was the biggest demonstration tendered to an arrival since the "42nd Street Special" came to town six years ago with a cargo of Hollywood stars. Two news photographers were pushed off the platforms in the sheds as the throng rushed to meet Miss Sheridan, who opens a personal appearance engagement at the Strand on Oct. 6.

Defter Local 258 Hearing

Petition of Local 258, CIO union, scheduled to be heard yesterday before the State Labor Relations Board for recognition as a bargaining agent for certain employees in the RKO Metropolitan theaters has been postponed by request of the Local. It is expected that the hearing will not take place for at least two weeks. Jurisdiction in the same field in the RKO houses is also claimed by the IAETSE.

Credits

Newark, N. J.—"All that I am, I owe to G-man, racketeer pin and Westinghouse." That's the way Abe Levin, Elwood theater manager, explained how, with three shots, he put to rout a gunman who had ordered his brother Jack "Kiki" and an ally. Jack's cries brought Abe running.

IA DEMANDS SHORTER
HOURS AT PIX STUDIOS
(Continued from Page 1)
wards of $2,000,000 to studio payrolls.

Billof said yesterday the IA would insist on shorter hours with the same pay scale, and numerous improvements in working conditions.

"It cannot be said that producers granted an increase or that they were persuaded that one was fair or economically possible; they merely surrendered," said the statement in part.

Mannix declared that producers' presentation of plain facts and figures which show the injustice and discrimination in adding to production costs when industry revenues are decreasing to the point of disaster were met in each instance in a manner to achieve the unyielding strike ultimatum.

Mannix also said that the request of producers for delay of at least four or five weeks in which to survey the situation was denied and studio heads were forced to concede to demands, which, in the long run, will prove injurious to those who made them as well as to the rest of the motion picture organization.

He said his statement was not made in a spirit of resentment but for the purpose of making clear to all concerned that hard decision and conditions are sometimes accepted by those who must submit to force rather than to fairness and logic.

Civic, Club Groups Select
"Happy-Hour" Shorts Today

Columbia will screen today at 2:30 p.m. in the projection room a number of shorts from which representatives of civic and women's groups attended will select six for a new "Happy-Hour" program, which is the only organized juvenile film serial in the industry, and one which has been successful in those features in a large number of theaters throughout the country.

Choices will be made by delegates of the D.A.R.; International Federation of Catholic Alumnae; the film department of the City Federation of Women's Clubs; Parent Magazine; Girl Scouts; Boy Scouts; Y. M. C. A.; Russell Sage Foundation, and MIPPA.

Jack Curry Stricken

Oklahoma City—Jack Curry, manager of the Paramount Pictures exchange here, ill from a heart attack.

Calif. Booster

In his air show Tuesday night, Bob Hope informed the world that in Calif- fornia the site of "The Great Cane" would be changed to "It Can't Happen Here."

European War Won't Hit Short Programs
(Continued from Page 1)
**MAJOR WARNER HOST TO AIDES IN DRIVE**

*Continued from Page 1*

Members of the Amusement Committee expected to attend include:

Franklyn Warner Comes for Hammons Confab

*Continued from Page 1*

for GN release. It is understood that Warner's three-picture commitment to RKO will not conflict with his tentative agreement with GN.

Para. Signs Sturges

Preston Sturges, author of a number of stage and screen plays, yesterday was signed as a director by Paramount. His first assignment is "Down Went McGinty," for which he also will write the screenplay. Sturges now is working on the screenplay of "Triumph Over Pain."

WB Books "Forbidden Music"

"Forbidden Music," has been booked solid on Warner Theater Circuit by World Pictures.

**AMPA presents***

**STEBBINS TESTIFIES AT COAST PIX PROBE**

*Continued from Page 1*

companies and alleged labor racketeering.

Numerous studio and union officials have been summoned to appear at the inquiry which is being conducted by Charles H. Carr, Special Assistant U. S. Attorney General. Among others summoned are Sid Rogell, RKO exec, Harlan Holmisen, former vice-presxy of the IATSE. Guy Cooper, former 1A registering secretary, and H. K. Sovell, business representative of the Motion Picture Painters' Union.

The investigation is expected to last for several months.

New House for Flushing

Construction on a 600-seat house for Rskybond Theaters has been started in Flushing by the Puritan Land Corp. Theater will be at the North-east corner of Fresh Meadow Lane and 69th Ave. House will be modern in every respect and will be wired for television. It is expected to open around Feb. 1.

**WEDDING BELLS**

Herman Starr, New Jersey district manager for Skouras Theaters Corp., and Betty Marx, of Simmons Tours, were married yesterday at the St. Moritz Hotel.

Joseph Calechman, assistant of the Howard Theater, New Haven, Conn., announces his betrothal to Sally Eskin of New Haven.

**France Closes Screens to Soviet Films. Distribution Agency Closed, Agent Ousted**

Paris (By Cable) — The French government has closed French screens to all Russian films, whether artistic or propaganda.

Distribution agency handling Soviet films has been closed and its representative ordered to leave the country.

Action, by decree, follows the dissolution of the Communist party in France, directed as a result of the Russian invasion of Poland.

Fox Theaters Hearing Awaits Cahill's Report

*Continued from Page 1*

counting of Milton C. Weissman, as receiver of Fox Theaters Corp., mark time until U. S. attorney John C. Cahill concludes an investigation into the affairs of the company.

Judge Knox designated Nathan A. Smyth as special master to hear the results of Cahill's investigation. If these results, the opinion stated, indicated the need for further hearings on objections made by creditors, then Smyth would conduct them. The opinion pointed out, that aside from objecting creditors, no other party desired any further inquiry. However, the opinion concluded, in view of the charges of impropriety, something should be done publicly either to sustain or to disprove them.

Charity Bingo Okayed as Detroit Raises Ban

Detroit—The total ban on Bingo games, decreed in Detroit a few weeks ago, has been raised by Mayor Richard W. Reading. A policy of "common sense" enforcement is being inaugurated, which will allow games to continue for "bona fide charitable purposes," when conducted by veterans', religious, or fraternal institutions.

Karma In Loew Houses

Prince Karma, numerologist, is currently in the second of his six-week p.a. run in seven Loew de luxe houses in the Metropolitan territory, playing one week in Valencia, Jamaica, Mount Vernon, Paradise, Bronx, State, Newark and Pitkin, 46th Street and Kings in Brooklyn.

Cinecolor's Slide Film Order

West Coast Bureau of THE FILM DAILY

Hollywood—Cinecolor is just finishing an order for 4,300 prints of the new Chevrolet color slide film, produced by Jan Handy. Film will be delivered to dealers throughout the world. Total of 3,100 prints are for use in conjunction with recorded narration. Order is believed to call for largest number of color slide film, charitable purposes, placed by any commercial producer this year.

Vade for Manchester

Manchester, N. H.—The Strand Theater here will add six acts of vaudevilles to its progr.
"The Private Lives of Elizabeth and Essex" with Bette Davis and Errol Flynn. Warner. 105 Min. ENTERTAINMENT DE LUXE FOR ALL AUDIENCES WILL ROLL UP A GOLDEN "TAKE" FOR SHOWMEN.

Like Grant took Richmond, this bril- liant Technicolor feature will take audi- ences everywhere. And what a result: the golden "take" for showmen! For here is a picture telling a highly dramatic and esthetic story; and in the hands of the magnificent pageantry of the Elizabethan age, and telling it, if you please, with sustained acting and a great deal of visual de luxe, and you'll be telling the truth. Say that it is a setting for one of Bette Davis' finest characterizations (many will say it is her finest): and that's as truthful. And, for instance, if you will, that it will be well to the fore when Academy and other honors are bestowed, and you'll be on safe ground. Analytically, "The Private Lives of Elizabeth and Essex" is a work of art that has emerged from Warner studio teamwork. There is a certain precision, a certain smoothness that attests the co-ordinated efforts of Jack L. Warner, Hal B. Wallis and Reg- bert Lord on the production side, of Di- rector Michael Curtiz and his two aides, Stanley Logan and Shirley Doard; of Norman Reilly Raine and Aneas Mac- Kenzie who prepared the tightly knit screenplay from Maxwell Anderson's Theat- er Guild play, and of all the others concerned with the production, whether players or technical staff members. Directorially, the picture is in the hands of Mr. Curtiz, who leads the story forward swiftly; his 106 minutes might be 60, so fast does it seem to move. To point up what Curtiz has accomplished it might be added that there is no resort to sword play, to the swashbuckling her- oics of a stage production, essentially that of dazzling dominant per- sonalities and of wills. Stripped of its picturesque dress, this is the story of two people who meet, fall in love, and loved again, but who could not forget that one alone stood for England. For England, Elizabeth stands. So far as England and Elizabeth and England, refused to say the words that would have stayed the head of a king. The rest, their quarrels and reconciliations, the intrigue of the court, the ill-fated expedition to Ireland and Essex's revolt, is secondary, however it may serve to deck out the framework.

Miss Davis moulds an emotional Elizabeth vibrantly alive, wholly comprehensible, and uncannily magnetic. The role of course, is a rich one, and the star never misses, whatever the mood. And the transition from one to another comes comedy, Errol Flynn's Essex is a handsomely roman- tic figure, certain to add to his matinée following. Of the supporting cast, the most impressive performance comes from Donald Crisp as Francis Bacon, the opportun- ist. Olivia de Havilland is a well chosen costume drama; so is the Queen's lady-in-waiting who vainly loves Essex. Effec- tive also are Henry Stephenson, Henry Daniell, Leo G. Carroll, and, as Essex's court enemies and Alan Hale as the Irish Earl of Tyrone who defeats Essex's expeditory force. The value of

"Two Bright Boys" with Jackie Cooper, Freddie Bartholomew, Alan Dinehart. Universal. 70 Min. WELL-PACED MELODRAMA WITH SEVERAL FAVORITES HOLDS POP AP- PEAL.

An earnest little melodrama with a plausible story and capable cast, this one holds plenty of popular appeal. Casting is commendable, performances ditto. Cooper, Bartholomew, and Alan Dinehart headline the cast, which includes Dorothy Peterson, Melville Cooper, J. M. Kerrigan, Eddie Acuff and Willard Robertson. There is plenty of punch and sentiment in the film. Cooper is trying desperately to com- plete the drilling of a wildcat oil well on his rundown farm in Texas with the help of his mother, Dorothy Peterson. Dinehart, ruthless oil baron, attempts to get the prop- erty away from them as it promises a rich oil field. Freddie Cooper, father of Freddie Bartholomew, is caught cheating in a card game by Dinehart and racketeer. Stakes for big money, his father try to pawn themselves off as Lon- doners with banking affiliations in order to get to Texas. Well, when an accident occurs and they win the good will of Jackie Cooper and his mother. Complications ensue in the well when after accepting a mort- gage loan his well is wrecked. Freddie and his father are run off the place when their attempt to and Dinehart is discovered, but they later return to help bring in the well in time to stave off foreclosure.


CREDITS: Associate Producer, Burt Kel- ly; Director, Joseph Santley; Screenplay, V. Burton and E. Hartmann; Camera- man, E. Thomas; Editor, Thomas Shourds; Cast, E. Bennett, Robert McFarlane, Virginia Matty; Music, Erich Wolfgang Korngold.

DIRECTION. Able. PHOTOGRAPHY. Good.

Technicolor to costume drama was never better demonstrated, no, not even in "The Adventures of Robin Hood." The camera picks up the Polychrome light accurately and gives it to the highly sympathetic musical setting by Erich Wolfgang Korngold.


CREDITS: In Charge of Production, Jack L. Warner; Executive Producer, Hal B. Wallis; Associate Producer, Robert Lord; Screenplay by Norman Reilly Raine and Aneas MacKenzie; From the Play "Eliza- beth the Queen" by Maxwell Anderson; Directed by Michael Curtiz; Dialogue Di- rector, Robert Lord; Associate Director, Sherry Shourds; Photographed in Technicolor by Sol Polito; Associate Phot- ographer, Howard Graden; Technicolor Color Director, Natalie Kalmin; Art Director, Anton Grot; Film Editor, Owenson Talmage; Sound by C. A. Rigs; Technician, Alfred Leach; Motion Picture, Walter Eicholz- gornd. Korgnold; DIRECTION. Brilliant. PHOTOGRAPHY. Aces.

"$1,000 a Touchdown" with Joe E. Brown, Marilyn Raye, Eric Blore. Paramount 71 mins. (HOLLYWOOD PREVIEW)

LIVELY COLLEGE Football COMEDY PIECES UP HEAVY QUOTA OF LAUGHS. Recommended for the first time, Joe E. Brown and Marilyn Raye pile up a heavy lot of laughs with their campus caperings. Another important fun-maker is Don Wilson, of radio fame, who is the announcer of the football game that gives the picture its title. Eric Blore is another laugh-maker, as are George McKay and Syd Saylor. Susan Hayward is decorative and capable, while John Hartley, Tom Dugan and Matt Mc- Hugh co-direction. Director James Hogan provided a lively pace and kept the laughs coming fast. To William C. Thomas and his crew, it was a labor of love. The picture is well directed and written, and ends with a very nice finish. They have an exposure and see a neighbor murdered. They are threatened voice death by a jewel thief unless they keep still and, being frightened, they with- hold all the evidence they have. However, gangsters kidnap young Dickie Jones just long enough to rescue his grandpa (Grapewin) into action. They finally locate the building where Dickie is being held. Meanwhile, the police raid on his place and nail him to the mast with their testimony.


"The Man Who Dared" with Henry O'Neil, Charles Grapewin. Warners. 60 Min. MOTHER MELLER WITH GOOD ACTI- ON AND STORY TWISTS O.K. FOR PROGRAM FARE. Designed for the program spots this picture will fill in neatly. It has plenty of action, a personable American family beset by gangster trouble for audience interest, the girl is personable, and the parents are appealing.

The cast is capable with expert trouper handling the principal roles. Charles Grapewin, Henry O'Neil, Jane Bryan, Dickie Jones and Elizabeth Risdon headline the cast. Grapewin, on leave from the old soldier's home, is having dinner with his grandchild- ren. They hear an explosion and see a neighbor murdered. They are threatened voice death by a jewel thief unless they keep still and, being frightened, they with- hold all the evidence they have. However, gangsters kidnap young Dickie Jones just long enough to rescue his grandpa (Grapewin) into action. They finally locate the building where Dickie is being held. Meanwhile, the police raid on his place and nail him to the mast with their testimony.


"Treachery on the High Seas" with Bebe Daniels, Ben Lyon. Film Alliance of the U. S. 68 mins. CROOK COMEDY PROGRAMMABLE FOR BEN AND BEN BACK TO SCREEN HERE.

Made in England, this serves as an American "comeback" for Bebe Daniels and Ben Lyon. Film is a crook comedy and it will serve nicely as a program offering. Supporting the principals is Charles Farrell and a capable cast of Eng- lish players. Action of film is laid on a boat going from New York to Southampton, Bebe, in addition to proving that she has lost none of her charming act, again better, is on board to get a ruby necklace being taken to Eng- land by a wealthy jewel collector. Ben, a detective for an insurance agency, plays the part of the crook. There is some fast double-cross- ing and swift movement of the real neck- lace. The conclusion of the story, film, everything is ironed out by detective Lyon.

CAST: Bebe Daniels, Ben Lyon, Tom Mel- more, Charles Farrell, Hay Petrie, Gordon McKinnon.

CREDITS: Produced by British Films; Di- rector, Emil Reinert.

DIRECTION. Adequate. PHOTOGRAPHY. O.K.
Local 802 Sets Nov. 27 For Its Music Festival

Monday evening, Nov. 27, is the date that has been set by Local 802, New York musicians' union, for a musical festival and dance jamboeree in Madison Square Garden sponsored by the Medical Bureau of the Local. Proceeds go to pay for medical aid to members of the union and their families who need such assistance because of unemployment or other reasons.

Program will have a 150-piece symphony orchestra under the baton of a noted conductor, and will also have all the top-flight name bands appearing the same night. The union's Medical Bureau now comprises 25 surgeons and physicians.

Leichter Returns to Coast

West Coast Bureau of THE FILM DAILY
Hollywood—Mitchell Leichter has returned from a six-week tour of the United States, during which he sold all territories on "Sudan," with the exception of Detroit and Atlanta. He has also disposed of foreign and Canadian rights to the picture. He will leave shortly for Detroit and Atlanta to close deals for those territories.

"Chicken Wagon Family"

with Jane Withers, Leo Carrillo

20th-Fox 64 mins.
ADVENTURES AND TRIALS OF CARE.
CARRILLO WILL APPEAL TO FAMILY AUDIENCES.

Based on a novel published some years ago of a lovable family that toured the country doing odd jobs, this is a story of the family and kid trade. The popular Jane Withers and Leo Carrillo head a capable cast including Spring Byington and Marjorie Weaver, all four of whom comprise the Fippany family. The family makes a living and enjoys life to the fullest, but Carrillo has a penchant for poker, and in unusually unlucky. Jane and Leo are content to wander the rest of their lives, but Marjorie and Spring Byington, with a gun and a settle down. Finally, after losing all the savings the family had Leo agrees to move to a city life. The family settle in New York and their troubles start. Life in the big city is more complicated than trading merchandise for chickens. However, through the offices of Kane Richmond, a cop who falls in love with Marjorie, and several other breaks, things look up considerably for the family, with a ray path ahead.

CAST: Jane Withers, Leo Carrillo, Spring Byington, Marjorie Weaver, Kane Richmond, Hobart Cavanaugh, Hamilton MacFadden, Inez Flerlage.
CREDITS: 20th-Fox Production; Director, Herbert L. Strock; Screenplay, William Shore; Based on a Novel by Barry Benefield; Cameraman, Edmund Cronjager; Editor, Fred Albin.
DIRECTION, Good. PHOTOGRAPHY, Good.

“The Man They Couldn’t ‘Not Hang’

with Boris Karloff, Lorna Gray, Robert Wilcox, Roger Pryor.

Columbia 72 mins.
THRILLER ASSURES AN EMOTIONAL FIELD DAY FOR THE HORROR FANS.

Since “horror” has long been a box office commodity, this latest efforts of providing shocks for human absorption is a success. Boris Karloff is a scientist who discovers how to re-kindle the flame of life in the dead. What follows is placed on trial for having caused the demise of a student. Karloff’s methods are with incredibility, and after the background has gone far very along its fantastic way, Karloff is convicted and sentenced to the gallows. Karloff is bitter against society, and particularly toward the prosecuting attorney, judge and jury. Upon these, he vows vengeance. He gets his revenge carried out is rebuffed by a physician-disiple. Then the provost calls in the death angels. Most of the picture’s thrill is derived from the sequences wherein Karloff collects the remaining “persecutors” in his house. He himself is finally killed but not until he has taken the secret of perpetual life on his planet into the grave with him—via destroying the complicated laboratory apparatus. Film is well-acted in the typical thriller fashion. Direction and photography are good. The love interest is virtually nil, as accent is always toward the human spine, rather than the human heart.

CREDITS: Director, Nick Grinde; Screenplay, Karl Brown; Cameraman, Benjamin Kline; Editor, William Lyon; Musical Direction, M. W. Stafoll.
DIRECTION, Good. PHOTOGRAPHY, Good.

“Met A Murderer”

with James Mason, Pamela Kellino.

York Pictures 78 MINS.
UNUSUAL DRAMATIC STORY BRILLIANTLY FILMED AND SKILLFULLY PRESENTED.

There is a pleasant surprise in store for exhibitors who book this film, as mature audiences should like it immensely. Produced on a shoestring, with a budget that did not allow for any interior shots or lighting effects, acted by a cast of unknown players, filmed, directed and adapted by the same man, the picture is a shining achievement for the people who produced it. It is unfortunate that there are no "names" to sell on marques. Roy Kellino gets credit for the amazingly fine photographic, also for the direction and adaptation of the story. The story was written by James Mason and Pamela Kellino, who also act the principal roles. The story is simple, it is told either in flash or by phony backgrounds in a direct and unswerving fashion. Mason, married to a shrivelled woman, kills her when she shoots his dog. The murder is discovered and he flees from the police, a hunted man. He meets a novelist, Pamela, who is wandering around the country in a trailer. Their ex-

CAST: James Mason, Pamela Kellino, Cyril Cullen, William Price.
DIRECTION, Fine. PHOTOGRAPHY, Excellent.

“Riders of Black River”

with Charles Starrett, Iris Meredith, Dick Curtis.

Columbia 59 mins.
HANG-UP WESTERN WITH PLENTY OF ACTION WILL DELIGHT COWBOY FANS.

Bullets, fist-fights, ambushes, cattle rustlers and crooked sheriffs assure plenty of entertainment for Western fans. The action is fast and there is plenty of it. Charles Starrett is personable as the Texas ranger, Iris Meredith is attractive as his sweetheart, and Dick Curtis will draw many a fan from the fans as a villainous cattle rustler. The Sons of the Pioneers, well known singer.

“Torpedoed”

with H. B. Warner, Nora Beery.

Richard Cromwell

Filmmakers of 24 Mins.
TIMELY STORY OF THE BRITISH NAVAL SHIP SHOULD BE GOOD B.O. CURRENTLY.

Although the story material in this new Herbert Wilcox production is adequate, the film deals more pointedly with the ability of the British to "cope with the situation' in a documentary fashion. Picture was made with the co-operation and assistance of the British Navy. Directed by H. B. Warner, Nora Beery, Richard Cromwell, Robert Douglas and Hazel Terry, suits the situation thoroughly. Warner, the director, has built up the proper amount of English spirit and a certain amount of suspense has also been injected into the film. Story concerns the dispatching of a British ship to a small country where there are signs of trouble. Hazel Terry, sweet-hearted of Douglas, arrives in the troubled country the same time as the warship. An inscription of a number of people is made and the ships are attacked. A British ship, commanded by Hazel jumps overboard before it is blown up, and Britannia’s rule over the waves remains.
MICH., ALLIED MAY LAUNCH CODE MOVE
(Continued from Page 1)

rolling towards a plan to revive the “lost code” was expressed by some following the statement by Ray Branch, the president. He declared that the code deserved further consideration.

Meanwhile, P. C. Sheoram, chairman of arrangements, has completed the convention program. On Monday, June 19, a promptly was set for 10 a.m. and have dinner at the hotel at 6:30 p.m.

A golf tournament will be held Tuesday morning, with Jim Olson as chairman. At 2 p.m., the business meeting will open with a report by the president, Ray Branch. Guests will be introduced and appointments will be made of the various subjects to be discussed. The program will be opened with the address of the President, the keynote of the meeting. Wednesday morning will be open for golf for those who wish to play or a tour of the nearby town at 10 p.m., taking two hours, will be available. Luncheon will be served at the Maple Hills Country Club. Business will be held at 2 in the afternoon.
The final banquet in the evening promises to be one of the best attended. Special entertainment is being booked out of Chicago and Detroit. The program for the evening has not been set as yet, but a big name is promised for the occasion. It had been expected to have several Congressmen present, but due to the calling of Congress, the committee is not certain as to who will be available at the last minute. Under any circumstance, President Branch has promised an outstanding personality.

VAUDE IN NORTH ADAMS
After Lapse of 10 Years

North Adams, Mass.—The Paramount Theater here has revived vaudeville after an absence of more than 10 years. The Paramount is the third theater in Western Massachusetts to put on vaudeville, Court Square in Springfield and the Victory in Holyoke preceded.

“Harvest” on Monday

American premiere of “Harvest,” distributed by French Cinema Com- pany, takes place Monday night at the World theater under auspices of the New York League of Women Shoppers.

For Sweet Charity

St. Louis—Opening night receipts of the new $500,000 Equitable Theater will be turned over to the Community Fund of Greater St. Louis by the Schach ...

SHORTS

“Unseen Guardians” (Passing Parade)
M-G-M—11 mins.
Interesting Short

A shyster business men’s room, an underwriter’s society and a children’s home, all close at hand and passed every day by thousands, but unnoticed in the rush of a big city, are featured in this short. It is interesting in every respect. First we see the operations of a shyster business designed to mince people of their savings and the subsequent arrest of the confederate, who held the authorities. Secondly, the famous underwriters’ society is spotlighted. This sequence is of particular interest as it shows the diversified tests each new product must go through in order to get the seal of approval. Third sequence deals with a children’s home and the reasons why so many prospective parents for orphans are refused by the home in an effort to allow the children to go to only homes where they will be assured of proper care.

“Football Thrills Of 1938” (Pete Smith Specialty)
M-G-M—10 mins.
Swell Sport Short

Every football fan in the country—and who isn’t a football fan?—will be interested in seeing this short. The film is a collection of action shots taken from games during the 1938 season that provided the big thrill. The Carnegie Tech game set over Pittsburgh, the Army-Colu- mbia upset and many others are shown in the highlights of each game. Here is a short that is timely and is a natural for any exhibitor to book right now.

“Continue Film Course”

For the third successive year, 40 students will be accepted this Fall in the course on the History, Technique and Aesthetic of the Motion Picture conducted by Iris Barry, Curator of the Museum of Modern Art Film Library for the Department of Fine Arts, Columbia University. The course will be held in the private room of the Museum’s new building, 11 West 63rd Street.

Columbus Cold to “Flesh”

Columbus, O.—Initial stage offer- ing of the season, “La Vie Paree,” at Loew’s. Broad was received in rough fashion. Gross indicates that the circuit will stick to straight for- mula offered in the future. The RKO Palace has a press release for Eddie Cantor for a p.m. on Oct. 6 and for three days only, first split-week booking in recent years.

REVIEWS OF NEW FILMS

“Think First” (Crime Does Not Pay)
M-G-M—20 Mins.
Strong Object Lesson

The latest of the Metro series on the subject of crime could not have been timed more aptly for the streets by the shuffling route. It presents a strong case for the right side of the law in a dramatic fashion. Story deals with the vice racket by introducing a leg- side restaurant who are lured into joining the shuffling ring. They are arrested, but the chief of the ring is murder and knowing too much, they tell what they know to the authori- ties. The police round up the whole ring, and in the end the guilty go to jail and the innocent receive a monetary reward. It always does sooner or later.

“Captain Spanky’s Showboat” (Our Gang Comedy)
M-G-M—11 mins.
Funny Kid Comedy

Kids will get a kick out of the latest of the ever-popular Our Gang comedy releases with all their favorite old-timers. Captain Spanky’s uncle allows his nephew to use his showboat to give a perfor- mance for the kids. However, the local touch boys are resentful when they are not allowed to sing in the show. The show starts with the villain’s uncle, with a troupe of very good singing and dancing girls, and the riot starts. Justice prevails, how- ever, and the tough boys get their just deserts with show going even in a big way.

WILLIAMS ADDS ANOTHER

Oklahoma City—K. Lee Williams Theaters, Inc. has purchased the Wright Theater and building at Gordon, Ariz., from G. Sterling, K. Lee Williams, general manager of the circuit, has announced. Pos- session will be taken Nov. 1. It will be remodeled, a new marquee built, new RCA sound and complete booth equipment installed, new seats and acoustical treatment given the auditorium.

Consolidated Adds House

New theater being constructed on the corner of 43rd and Broadway has been taken over by Consolidated Amusement Enterprises on a 10-year lease, it was learned yesterday. It is expected that the house will be delivered to Consolidated around Dec. 1. The new theater will receive new equipment and will be operated as a first-run house.

Bob Drew Under Knife

Cincinnati—Bob Drew, Monogram, is reappearing at the Kenwood Val- ley Hospital, Charleston, W. Va., from an appendectomy.

Night Golf Next

Chicago—And now it’s night golf that begins as film competition. Local pay course has ordered the necessary flood lighting equipment.

VON GULKER Elected

OKLA. ALLIED PREXY

(Continued from Page 1)
as to the advisability of continuing the organization.

Orville Von Gulkner was named president of the new group of theater officers include Sam Caporal, vice- president; C. E. Norcross, secretary-treasurer. The board of directors include one from each Congressional district. They are E. M. Frieberthey, Harry Holt, Sam Caporal, Orville Von Gulkner, C. E. Norcross, Mrs. Juanita Berry, A. B. Moman and Jess L. Cooper.

Dues were assessed at the rate of one cent per seat per month, with concessions to larger theaters in proportion.

Col. H. A. Cole, national Allied president, urged the group to con- tinue as a unit despite the small attendance of the Whaler, stating he matter how small its membership was it could have “tremendous” value in national legislative matters.

Robert Schwartz Opens

Thomaston Film Theater

New Haven—The 700-seat colon- ial playhouse, Thomaston, opened last night as the fourth opening since Sept. 1 in the New Haven exchange territory. Robert Schwartz, operator, formerly ran the Paramount, which he will keep closed under lease. The opening fol- lows close on that of 700-seat State Theater, Jewett City, by the Torani Amusement Corp. and the renovated 40-seat Fairmont Theater by Al Pickus, Stratford operator.

An Oct. 1 opening date is also set for the 457-seat Deep River Thea- ter, acquired from L. Pratt by Lee Malcarini, Essex and Clinton opera- tor, this summer, and closed for the season.

Also following along in the un- usual construction and exchange activity which this territory has experienced since last spring, are the new Windsor-Plaza Theater, Wind- sor, which the Shulman interests of the Webster and Rivoli, Hartford, are building; the Groton Theater, under construction by J. C. Hess of Maysville; the Windsor Theater, un- der new Gordon-Lookwood-Lampant management and being renovated; and two new building operations just begun, the 350-seat Natalie D. Francesco house in Cheshire, and the 900-seat brick house which the Whaler, New Haven, have started in the Whitney- ville suburb of New Haven.

Thursday, September 28, 1933
Two Independent Exhibitor Groups Looming in New York

IATSE, PRODUCERS REOPEN WAGE ISSUE IN MARCH

Bright Outlook for Films in Northwest; Grosses Up

Agricultural Uptown Will Be Generally Reflected; Exhibs. Optimistic

Minneapolis, Minn.—The film industry in the several Northwest states of which Minneapolis is the hub, faces one of the most prosperous and busy Fall and Winter seasons in its history, according to all indications.

There are several very important reasons for this outlook. Outstanding among these is the fact that Northwest farmers in most sections which were hit by drought for many years, have just enjoyed one of the most bountiful harvests in the history of Northwest agriculture and that means that there is plenty of

CHICAGO OPERATORS WIN 5% WAGE BOOST

Chicago—Theater projectionists here were awarded a five per cent wage increase yesterday, following conferences between union officials and representatives of independent and circuit theaters. The wage hike will be retroactive to Sept. 1. Union officials said last night that the set

Selznick to Take 4-Month Leave; May Visit So. Amer.

West Coast Bureau of THE FILM DAILY

Hollywood — David O. Selznick leaves early in December for a four-months vacation which he will combine with field work on behalf of Selznick International. Much of his

“Mohawk” in 14 Reels

West Coast Bureau, THE FILM DAILY

Hollywood—20th Century-Fox will release “Drums Along the Mohawk” in 14 reels, longest four-color Technicolor picture so far to be released in the history of the industry.
Wilmington Operators Appeal from Picketing Junket

Wilmington, Del.— Projectionists Local 478, IATSE, has appealed to the Supreme Court of the State of Delaware from a recent ruling of Chanceller William Watson Harrington in the New Castle County Chancery Court. The Chanceller granted the Rialto Theater an injunction against picketing by the union.

The union, through H. Albert Young, attorney, alleges error in the record and proceedings in the Chancery Court action, and a writ was served Wednesday, Sept. 27, on Register in Chancery Anthony F. Emory to send to the Supreme Court within 15 days a certified copy of the Chancery record and proceedings.

Pennsylvania Amusement
Tax Threat in Fadeout

Harrisburg, Pa.—The possibility that an amusement tax would be enacted this fall at a special session of the legislature did a fadeout with the Pennsylvania Supreme Court de- claring the tax upon foreign corporation franchise tax.

The tax has netted $21,000,000 for the last biennium and it is estimated that $14,000,000 will be collected this biennium. The money will be used to meet relief needs. If the state court is reversed and declared the tax un- constitutional it would have been necessary to raise funds through other means. The mode of payment tax was one of the means suggested.

Raphaelson Suing Kane; Contracts Charge Broke

Breach of contract suit brought by Samuel Raphaelson for $25,000 damages against Robert T. Kane was disclosed in the Supreme Court yesterday when an application to examine Kane before trial was filed. The plaintiff in the suit, founded upon the complaint, the amount sued for is due on a contract made in February, 1933, under which the defendant employed the plaintiff as a journalism, picture scenario writer for 10 weeks at $2,500 per week.

Kane has interposed an answer in which he denies the charges and claims that he operated in the capacity of agent for New World Pictures, Ltd., in hiring Raphaelson.

Settlement Is Expected in F & M-Operators Scrap

St. Louis—At the request of Fed- eral Conciliator William F. White, conferences continued yesterday be- tween representatives of the operators union and St. Louis Amusement Co. in an effort to avert a strike in five of company’s string of 28 houses. It was learned yesterday that toward a peaceful settlement of the point in dispute there has been made. Conferences is insistent on the right to pick its own projectionists.

Harry C. Arthur, Jr., ranking ex- ecutive here for Fanchon & Marco, C. B. Nelson, personnel director for the Fanchon & Marco theaters, which include the Fox, Ambassador and Missouri in addition to the St. Louis Amusement fleet, headed by the 4,- 000-seat St. Louis Theater; Concili- ator White, Robert Thomson, Presi- dent of Local Union No. 143 of the Moving Picture Machine Operators Union, and the two Circuit Court judges for the Possibility American, Secretary of the Central Trades and Labor Union, and Avery M. McKown, are sitting in the conference.

Levy to Hold RKO Exchange Mgrs. Meet in Detroit Sun

Jules Levy, RKO Radio’s sales chief, leaves tomorrow for De- troit where he will hold a conference of eastern exchange managers for the company on Sunday. Those in attendance will include E. L. Mc- Evoy, Eastern and Canadian sales manager; Nat Levy and the following branch heads; B. G. Kranze, Al- bany; R. C. Cropper, Boston; C. Bross- berg, Buffalo; B. Pitkin, New Haven; S. C. Jacques, Cincinnati; G. Leuko, Cleveland; F. L. McNamara, Phila- delphia, and H. H. Greenfield, Pitts- burg.

Action on Wis. ITPA Agenda

Delayed by Maertz’s Illness

Milwaukee—All action on ITPA of Wisconsin has been postponed for 30 days in view of serious illness of President Edward Maertz. The association is scheduled to meet Oct. 24-26 in Milwaukee for its next confab.

No action was taken on trade problems aired at the current two-day meeting.

Sam Dembow Will Retain F & M Financial Interest

Sam Dembow will retain his financial interest in Fanchon & Marco although he expects no active participation with the company. His resignation has not yet been effective but it is understood that he will make a personal announcement shortly as to his future plans.

“All Quiet” Into Rialto

Universal’s “uncensored” version of “All Quiet on the Western Front” is slated to open on the Rialto-Broadway, on Oct. 4.

FIANICAL

NEW YORK STOCK MARKET

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WILLIAM T. DAVIS

LONG THE

WITH PHIL M. DAILY

• • • THAT most welcome of industry signs...and the SHO... hung figuratively but distinctly yesterday...at AMPA's first feed-
bag festivities of the new season...held in the colonial atmosphere
of Stouffer's mansion of mastication...and to the echo of the Fifth Ave-
One Coach Co's, transportation monsters...The guys and gals stormed
the precincts...the gals slightly outnumbering those in the cast of
"All Quiet on the Western Front"...and the guys...well, for all
practical purposes...the gathering suggested a Universal sequel.

"A Hundred Men and a Room"

• • • FOR a while before the Paul Lazarus, Jr., panel-rap
...the invading host of guests and members...was so great
that it appeared inevitable...that some of the stalearts in
good "standing"...would have an excellent opportunity to
tell that way...or be rocked along with their dopey face. It
was astonishing attitude...indicative of a phrase which was
used during the later relay-race of speech-making...to
wit, that AMPA is filmland's most desirable organization.

• • • THE renowned double-play combo of Tinker to Evers to
Chance...was demonstrated to be as simple in structure as an atom
and as uncomplicated as an amoeba...when Presy Paul spoke
brie fly on organization matters...including an exhortation that each
member kick in with the annual bank of ten smackers...to Treasurer
Herb Berg... (in other words to "give the Devil his dues")...for
Presy Paul introduced Ralph Bolan...who introduced Gordon White
who presented Bill Ferguson...who flipped the ball to Hal
Home (with a slight roll)...and then the apple...or more
fittingly the Adam's apple...went successively to Ed Klein,
George Harvey, Glen Allsbro, John C. Flynn, Paul Lazarus, Sr.,
then to Paul, Jr., again and finally to Arthur James...The "pail-out"
was completed shortly before three o'clock.

• • • LOU LIFTON, Monogram's promotional pump-
ejects word that company's "Mutiny in the Big House"
...bobo into the b.o. yesterday...Tis the pix in which Charles
Bickford plays the role of the prison chaplain...a far cry
from his former "tough guy" characterizations...A week
from Sunday...the Museum of Modern Art continues its Cycle
of Seventy Films...until Nov. 6...with showing at 3 and
5:30 p.m. instead of the present 4 p.m...Ability of music
lovers to get tickets for Ascap's Festival of American Music
...is reported to have reached the "scarcer than hen's teeth
stage"...because of the popularity of the concert series open-
ing this Sunday in Carnegie Hall.

• • • PARAMOUNT has a slick nation-wide merchandising tie-up
with the Sun Dial Press...publishers of "Jamaica Inn"...Para. pix
starring Charles Laughton...Publishers have agreed to redeem
two types of coupons for copies...the first type going to purchasers of the
book who can use them for b.o. discount...and the second type
going to theater patrons who see the film, "Jamaica Inn."...These
grant a discount on the book.

WARRING MUSIC GROUP SIGNS NEW SWPA PACT

(Continued from Page 1)

The augmentation of production schedules. He will also spend a good deal of
time with Charlie Chaplin on the comedian's forthcoming film, the
tentatively designated "Production No. 6." He will be accompanied by Mrs.
Silverstone.

"Maginot Line" Deals Set

Tower Pictures has set "Double Crime in the Maginot Line" to open
Saturday in Max Cohen's New York
other deals have been closed with the Studio, Philly: the Larkin, Frisco; the Esquire, Holly-
Warner's DeWitt, Bayonne: the Esquire, Portland, Ore., the Met-
ropolitan, Seattle, and Vogue, Kan-
as City.

Murray Silverstone to Coast to Confer With Chaplin

(Continued from Page 1)

Call Execs. to Testify
In Coast Industry Probe

ports of collusion between labor lead-
ers and producers in union activities. Sid Rogell, studio manager for
KGO Radio, had already testified while J. B. Todd of 20th Century-Fox
was a witness yesterday. Among other witnesses testifying before the
grand jury were Louis B. Mayer, Ralph Morgan, president of
the Screen Actors' Guild, Kenneth Thomson, its secretary, and Robert
Montgomery, a former president of the Guild, and also Carpenter and
Guy Cooper of the Studio Techni-
cians' Local 37; J. M. McLane, Jack
R. Holt and S. T. Stimpfl.

NEW YORK MAY HAVE TWO INDIGENOUS GROUPS

(Continued from Page 1)

at the offices of New Jersey Allied and, while no statement was issued, it is understood that plans were
formulated for a group which would
affiliate with national Allied. It also
was learned yesterday that Allied
members in Syracuse will meet on
Tuesday to draft a similar procedure.

It was reported that several of the
upstate members of the original
New York Allied unit prefer to be
linked with a national organization
and they plan to co-ordinate their
efforts in welding a new body.

Cohen had planned to call a meet-
ing of the state units on Oct. 17 but
this plan may be changed.

Warrers Setting Tieup
With Standard Oil Co.

Warrers is negotiating a tieup under which Standard Oil Co. will
plug its forthcoming releases through ads in newspapers in 850 cities and towns.
First picture to figure in the arrange-
ment will be "The Private Lives of Elizabeth and Essex" the
Bette Davis-Enrol Flynn production, with the initial ads to break just
prior to its general release on Nov.
11. It is estimated that the copy
will reach 15,000,000 newspaper
readers.

Supplementing the national news-
paper campaign, Standard Oil deal-
ers will distribute photos of Miss
Davis and Flynn. More than 35,000
dealers will co-operate in the plan.

30 Documentary Films
Will be Shown at Fair

Association of Documentary Film Producers will show 30 outstanding
documentary films at the New York World's Fair to be held in the week of Oct. 8, it
was announced yesterday.

The list includes pictures from Belgium, England, Czechoslovakia,
Holland, France and the United States. Four or five films will be
shown every hour between 4 p.m. and 6 p.m. in the Little Theater in
the Science and Education Building.

Leichter Takes War Film
West Coast Bureau of THE DAILY
Hollywood—Mitchell Leichter has
taken over "He Goes to War," featur-
ing Eleanor Boardman and Rupert
Hughes and will cut it down from 16
reels to eight reels. Revised ver-
sion will be ready in six weeks.

Leichter will call on independent ex-
changes throughout the country.

Loew's Books Col. Short

"The Story of Elias Howe," first of Columbia's new short subject his-
torical series, "Fools Who Made His-
tory," has been booked nationally by the Loew Circuit.
"THUNDER AFLOAT" climbed into the Big Hit class. (Typical reports are Flint and Bay City, Michigan, a few dollars less than "Boys Town" and Kalamazoo which beat "Boys Town.") Theatres are stressing timely angle of submarine warfare and how the U-boats are destroyed! Wallace Beery's role best since "Hell Divers" mixing comedy and thrills. Don't spare the big guns in promoting this show. It's profitable!

"THE WOMEN" hold-overs are mounting to a new extended run record. Promotion angles stress the big cast (Norma Shearer, Joan Crawford, Rosalind Russell and 135 others), the racy dialogue from the stage hit, the Technicolor Fall Fashion show. Extend the ad budget for this one. Best business in 35 weeks at Capitol, N. Y. (except "Oz" personal appearances).

"BABES IN ARMS" is doing "Boys Town" business in the 2nd week of its test engagement in Houston, Tex. This remarkable musical comedy (Mickey Rooney, Judy Garland and cast of hundreds) is unanimously rated by all trade press reviewers as unique in show business. M-G-M urges its customers to double ordinary booking time and to be prepared for further extended runs.
"DANCING CO-ED" continues to be the subject of discussion and forewarning! It is important for all showmen to screen it at once to see for themselves what a smash box-office attraction it is. Not since "Dancing Daughters" days has there been a "sleeper" of this type and it too will make a new star—Lana Turner. (Also featured: Richard Carlson, Artie Shaw and Band). A real opportunity for showmanship and profits!

"NINOTCHKA" (don't pronounce it—SEE IT!) Literally it's a shot-in-the-arm for the public! M-G-M is arranging screenings so that you can see for yourself what the famed Lubitsch touch has done for Garbo. She is a new person, laughing, loving, vivacious and flirtatious. (Melvyn Douglas, Ina Claire in grand cast). Lubitsch never made a more down-to-earth comedy, racy, romantic, uproarious, than this affair in Paris. The critics will rave! The public will roar! Get busy!

TODAY'S FUTURE HOT TIPS!

"REMEMBER?" (Robert Taylor, Greer Garson, Lew Ayres). It was sneak previewed and wowed the audience. A grand comedy. They'll be watching for Greer Garson after her work in "Goodbye Mr. Chips."

"NORTHWEST PASSAGE". Technicolor. (Spencer Tracy, Robert Young, Walter Brennan). Keep your fingers crossed! Here is one of the industry's greatest adventure thrillers. The studio previewed it in a theatre in rough-cut form. It's sensational.

"ANOTHER THIN MAN". (William Powell, Myrna Loy and Asta). It's shaping up into their best yet! Watch!

More in our next issue of TODAY!
BRIGHT PIX OUTLOOK
IN N. W. “TAKES” UP

(Continued from Page 1)

money. Formerly a thriving and pleasant place, this agricultural
upturn will be felt by better conditions in the cities, villages and
communities where the farm buying power goes into action.

Other reasons for a bright outlook are: A new optimism by exhibitors
and a trend to higher grosses have already been evident in the later
weeks of Summer, and the fact that film product releases for Fall
and beyond contain much box-office potential.

Cash giveaways are less important in the big cities than heretofore.
Bank Night is still operating in most of the towns outside of the Twin
Cities of St. Paul and Minneapolis, but with less punch than formerly.
However, premiums are making gains.

There is a growing number of houses in the 10,000 to 30,000 towns
going in for doubles. In St. Paul and Minneapolis, dual bills are still
being offered in the nates under the guise of Surprise Nights, by which
the house adds the bait of a second attraction without the yet repre-
sented (in this territory) label of “double feature,” in their advertis-
ing.

A. W. Steffes, president of North-
west Allied, is leading a fight in
behalf of the independents in Minne-
polis to secure an ordinance limiting
movie programs to two hours and 15
minutes. If any type of pix deserves top b.o. rating, hereabouts, it probably is
day scale western epics. Star value
seems less important than ever, with
few able to draw considerably on their
own.

Projectionists in Chicago
Win 5 Per Cent Wage Boost

(Continued from Page 1)

tlement was satisfactory and that
they were well pleased.

Hobbies on the situation were
called Wednesday night when the
operators demanded the theater
owners to consider previous re-
quests for an advance in salaries
and vacations with pay.

New Ohio Drive-In

Wooster, Ohio—A new “drive-in”
open air movie theater has opened at
nearby Creston. Owners are C. A. Pierce and S. E. McFarren of Akron. Parking
space is provided for 500 cars, the owners
report.

VICTORY FOR OOMPH

Columbus, S. C.—Student body
of the University of South Carolina has voted
Aggie Sheridan its “favorite and oomph
girl.”

NEWARK NO HOBO HAVEN

Mayor Ays Has to Prevent
“Adverse Publicity”

Newark, N. J.—No, sir, this is no
“tramp town.”

And Mayor Ellenstein, aroused by
reports that “The Tramp from New-
ark” was on the Hollywood horizon
as a sequel to “Golden Boy,” has no
advised Prexy Will H. Hays of the
MPPDA.

“Regardless of whether the word
tramp designates the male or female
of the species, Newark has no
monopoly on characters of either
city and strongly resents any at-
tempt through the motion picture
industry to exploit such characters
at the expense of Newark,” Hizoner
wrote.

After citing police activity that
has given the city “the distinction
of being a most unusual police
place; as the rendezvous of such social
parasites,” the letter to Hays con-
duced:

“Under the circumstances, I re-
spectfully and most strongly protest
to you against the release of the pic-
ture in question which can only serve
to bring adverse publicity to this city.”

N. Y. Ban on “Ectasy”
Upheld by State Court

Albany—New York censors’ ban
on “Ectasy” stays.

The Appellate Division, Third De-
partment, sustained unanimously
the motion picture (censorship) di-
vision of the State Education De-
partment in refusing to license the
pix for public exhibition.

The members of the court at the
opening of the fall term on Sept. 11
viewed a revised version of the film
and after hearing the argument of
counsel reserved decision. Eurekla
Productions, Inc., producers of the
film argued that changes had been
done to meet the objections of the
censor, and that the censor’s rejec-
tion of the revised version was arbi-
trary and unreasonable. It was con-
tended in behalf of the censor that
the revised version was practically
the same as the original.

Harry Kalmine Again Named
Pittsburgh—The Variety Post
of the American Legion here has re-
lected Harry M. Kalmine, com-
munications director of Pathe
Inc., and James G. Balmer, finance
officer; Father James Garrahan, service
officer and chaplain; Dr. L. G. Beh-
hauser, first vice-commander and Joe
Hiller, second vice-commander. I.
Eimer Eckl is chairman of the execu-
tive committee, to which has
been added Dr. A. L. Wise and Brian
McDonald.

MAYFLOWER PROD’N
IN U. S. FORESEEN

(Continued from Page 1)

Laughton company will be able to
arrange any necessary financing
here, either through banks or
through any distributing company
with whom they may make a deal.
Production would be on the Coast.

Move by Mayflower to produce
here, if it is carried through, may be
a forerunner of production in this
country by other English
organizations who face the same pro-
duction difficulties abroad that com-
panies still here are undergoing now.

A tightening of money and
decimation of trained personnel by
mobilization makes production in
England somewhat difficult at this
time, and with the war apparently
going to continue for some length of
time, further troubles will beset
producers abroad if widespread
bombings take place.

Selznick to Take 4-Months
Leave; May Visit So. Amer.

(Continued from Page 1)

Time in New York will be devoted to
search for material for his feminine
studies, Vivien Leigh and Ingrid
Bergman.

If time permits, he will go to
South America for a survey of Latin
American film markets.

Blatts to Reopen Corry
House Dark for 8 Years

Corry, Pa.—The Grand Theater,
owned by Blatt Bros., who also oper-
ate the Rex Theater in this town
along with a chain of other houses
throughout Western Pennsylvania,
will be reopened, dismantled and re-
furnished. The Grand has been closed for
the past eight years and will be
reopened Thanksgiving Week.

Orders Auten to Testify

Harold Auten was ordered yesterday
to testify before trial on Oct. 10 by New York Supreme Court Jus-
tice Thomas Noonan on application of
the trustees for Societe Pathé
Cinema S.A., who are suing Auten
for $138,872 under a contract made
in April, 1933. A counter-claim
has been raised by Auten asking for
$5,700 for allegedly filing prod-
uct of the plaintiff to RKO.

Gears Treasury Post

Pittsburgh — Miss Mary Alice
Brown, who has been employed at
the local Paramount exchange for
the past three years, has just re-
cieved a government appointment
in the Treasury Department at
Washington. Prior to her leaving
here within the next two weeks her
fellow employees at Paramount are
staging a farewell party in her
honor.

Friday, September 29, 1939

REOPEN STUDIO WAGE
ISSUE NEXT MARCH

(Continued from Page 1)

tive date of the contract. Pact is
renewable Aug. 12 when the IA
producer “closed shop” agreement
will expire.

At the March conference, the pro-
ducers will review conditions affect-
ing the industry, principally the re-
turns from the foreign market, and
will either ask for help by way of
wage reductions or will admit that
such relief is unnecessary.

Bernstein, Greenthall Winners in
Charity Drive Tourney

(Continued from Page 1)

Amusement Division of the Federa-
tion of Jewish Charities Major
Albert Warner acted as host for the
tourney described as a recreational get-together prior
to the launching of the Federation’s new drive.

Monroe Greenthall, UA promotion
sooner, was locked in a tie with Bern-
stein for low net award, but lost the
toss for the trophy. However, there was
copious compensation, for he
amassed the low gross with a 79.

Other award winners in the low
net bracket were Samuel Strauss-
berg, 83; Eugene Picker, 81; Herman
Robinson, 78; Marvin Schenck, 78;
Harold Rinalder, 72; Oscar Doob, 76;
Arthur Israel, 74; Sam Shain, 78;
Sam Rinalder, 70; Milton Weisman,
70; and Leopold Friedman, 79.

Able Kronenberg found his as-
sistantship to Major Albert Warner
a temporary “handicap,” for after
though he shot a 73 net, he was de-
classed ineligible for a prize. Major
Warner is co-chairman of the Amuse-
ment Division of the Federation of
Jewish Charities drive, with David
Greenblatt as chairman.

Tourney got under way at 10:30 a.m.
and wound up with a gala din-
er in the clubhouse.

RKO Execs. Will Attend
Nat Levy Detroit Dinner

(Continued from Page 1)

is being transferred to the Philadel-
phia area. Levy is being succeeded in
Detroit by Walter Branson, Chi-
cago district manager. A testimoni-
al dinner for Levy will be held in
Detroit tomorrow night.

Jules Levy, Ed McAvoy and H. M.
Richey will represent the home of-
lice at the banquet. Others to at-
tend include George Levi, Cleve-
land; H. H. Greenblatt, Pittsburgh;
Izzy Rappaport, Baltimore; Charles
Bonsberg, Buffalo; Jay Emanuel,
Philadelphia, and Walter Branson.

STORKS!

Pittsburgh—It’s a 7½ pound boy
for the Joseph Daugherty. Father
is shipper for the local Republic
exchange.
What? picture will take showmen and their records on a joyride thru the clouds with the highest entertainment values ever seen in a romantic comedy?
Answer: Every dollar of Walter Wanger's top production budget glitters from its scenes of laughter and heartbreak, brilliantly played by the seasons' biggest 9-STAR cast to make the profits ETERNALLY YOURS.

WALTER WANGER presents

ETERNALLY YOURS

starring

LORETTA YOUNG • DAVID NIVEN

with HUGH HERBERT • BILLIE BURKE • C. AUBREY SMITH
BRODERICK CRAWFORD • ZASU PITTS • VIRGINIA FIELD • RAYMOND WALBURN
A TAY GARNETT Production • Original screenplay by GENE TOWNE and GRAHAM BAKER
Directed by TAY GARNETT • RELEASED THRU UNITED ARTISTS
Pollock to Head Publicity for Wire Broadcasting Corp.

Appointment of Leo A. Pollock as director of public relations was announced yesterday by J. R. West, president of Wire Broadcasting Corp. of America. Pollock, who will make his office at 250 Broadway, 57th St., left the public relations department of the New York World's Fair, where he was assignment editor, to join Wire Broadcasting.

The first radio editor named by the New York Evening Journal, Pollock later became drama and film editor of that newspaper. He also served Hearst as director of publicity for Columbia Broadcasting System and as editor of International Newsreel.

Buoys Ashtabula Theater

Youngstown, O. — Billy Thomas, for many years manager of the Elks Club here, has purchased the 600-seat Harbor Theater at Ashtabula.

“Irish Luck”

with Frankie Darro, Dick Purcell, Lillian Elliott

Monogram

58 Min.

**“ILL-MADE AND EXCITING PIX WITH DUO AT HIS BEST AND PACKING WIDE APPEAL.”**

Plenty of action centering around young Frankie Darro, in the role of an amateur detective, commends this latest of his starring vehicles to his present bevy of fans, and is certain to win him a new crop of admirers, since the picture is strong on general appeal. It is both clean, rapid-fire adult entertainment, and the type of film which is bound to please the younger generation. Frankie, as the irrepressible “inventor” of anything and everything of an unusual character which happens in the hotel where he is a bell-hop, gives a lively performance which is climaxxed by his success in smashing a bank job, and although his path to glory is strewn with hurdles, the plot of the story is smoothly fashioned and relates exciting happenings growing out of the mutterings of a hotel guest. Suspicion for the slaying falls upon Sheila Darcy, whom Frankie succeeds in extracting from the hotel and subsequently from her dilemma. The big thrill scene is when Frankie finds himself facing death at the hands of the crooks. The supporting cast is thoroughly adequate, Mantan Moreland supplying some good comedy as the coloredporter. Howard Bretherton’s direction is polished, and the acting is top-notch, and interestingly photographed by Harry Neumann. It’s the best Darro to date.


CREDITS: In Charge of Production, Scott R. Dunlap; Directors, Howard Bretherton and Joseph Kane; Associate Director, Howard Bretherton; Director of Photography, Russell Schoengarth; Screenplay, Mary C. McCarthy, based on the story, “Death Hogs the Reel,” by Charles Mynheer Brown.

DIRECTION, Solid. PHOTOGRAPHY, Good.

Ray C. Coley Fatally

Crushed Beneath Auto

Little Rock, Ark.—Ray C. Coley, 38, until recently assistant resident manager for the Ark. Amusement Corp., was injured fatally when he was crushed under his own automobile. The car had been placed on jacks and Coley was under it making some repairs when the machine fell on him.

Before coming to Little Rock 14 years ago, Coley was in the theater business in Jackson, Tenn.

Surviving are his widow, a son, Coleman, 3, daughter, Annis, 2; a sister Miss Marion Coley, all of Little Rock, and three brothers, Curtis of Neosho, Kan., A. J. of Joplin, Mo., and Tyrol Coley of Fort Sill, Okla.

Denial by Bill Casta

New Orleans—Bill Casta, head of the Louisiana Motion Picture Exchange and who is in connection with Lou Langlois in operation of a chain of small houses in Mangouin, Woodville, Payette, Patterson.

“Everybody’s Hobby”

with Henry O’Neil, Irene Rich

Warner

54 Min.

**NEAREST FAMILY TO HIT THE SCREEN WILL AMUSE THE NEIGHBORHOOD FOR WEEKS.**

The latest addition to the screen families now in existence will serve nicely as nabe fare. The cast is amiable and believable, and the story itself has enough action and comedy to make it plausible. Henry O’Neil appears as Tom Leslie, with Irene Rich as his wife. Jackie Moran and Jean Shannon fill the younger roles and Aldrich Brockwell is the uncle. The title, in the case of this picture, has some significance as each member of the family has a hobby, and thereby hangs the story. O’Neil, editor of a small town paper, is faced with the necessity of either bowing to the policies of a new publisher, policies which he does not hold with, or losing his job. Irene gets him to buy a lot of new camera equipment, with his radio set when all communications break down after a devastating forest fire gets under way, and O’Neil uncovers an escaped criminal with his camera. The paper is also provided with news. The new publisher reaches an agreement with O’Neil and everybody is happy.


CREDITS: Warner Bros. Production; Director, Edwin L. Marin; Screenplay, Eddie Sotul, John Dierkes; Art Direction, Cedric Gibbons; Music, Howard Obolensky; Photography, Sid Sirk; Editor, Fredric Knudtson.

DIRECTION, Pleasing. PHOTOGRAPHY, Good.

“Scipione L’Africano”

with Annibale Ninchi, Camillo Pilotto, Isa Miranda

Esperia Films

105 Min.

**LAVISH PRODUCTION OF SECOND PUNIC WAR RANKS AMONG BEST IMPORTS FROM ITALIAN STUDIOS.**

Produced on a lavish scale, with at least 6,000 extras employed in the battle scenes, this new Italian film using the second Punic War as a background, is probably the most pretentious film that has ever been turned out by the Italian studios, and it ranks among the best. The cast is good, the direction is good and the backgrounds are excellent. Apparently the Italian production heads took the wrapper off the bank roll when this was made as it ranks in the super-super class of colossal productions. Isa Miranda, Annibale Ninchi, as Scipione, Camillo Pilotto as Hannibal, Franco Giachetti, as Massinissa, and the remainder of the cast handle their roles well. Story deals with the second Punic War, opening with Scipio’s futile pleas to the Roman Senate for an army to fight Hannibal. It goes on from there to a dramatic climax, with the famous battle of Zama being fought.


CREDITS: Consorzio Scipione Production; Directed and Produced by Giovanni Francovich; Screenplay by Mario Maglieri; the Cinecitta Theater with Italian dialogue and no English title.

DIRECTION, Good. PHOTOGRAPHY, Good.

“Nincsenek Veletlenek”

(Everything Has a Reason)

with Ida Turay, Laszlo Szalay

Hungaria Pictures, Inc.

87 Min.

**AMUSING COMPLICATIONS IN DO-MEASURE TRIANGLE WILL PROVIDE LAUGHS.**

Latest film from the Magyar studios should amuse the Hungarian audiences with its merry complications. A pleasing cast takes good care of the characterizations and the film is well paced. Ida and a local dandy, just married, stop in a hotel for the night, but among the wedding presents is a ring with a note thanking the lady for past happiness. The groom accuses Ida of having a past and she sets out to find out the why and wherefore of the ring. She discovers that the ring was sent to an actress who had adjoining rooms, but was delivered to her by mistake. By the time everything is straightened out Ida has fallen for a new man, and the dandy and the groom and actress are left stranded.


“The Battle Fleets of England”

(March of Time)

HKO Radio

20 min.

Timely and Dramatic

The first bulwark of defense that has protected England from invasion, starred her enemies by blockades, and helped to build and then protect the far-flung empire over which the flag of England waves, is the English navy. This reel is particularly timely as newspapers are filled with stories of raiding by the British fleet, of submarines being sunk by English ships and a slowly tightening blockade of ships that can be turned for war.

The film is done without any flag waving or unnecessary fanfare. The 15 minute reel with Trafalgar is the story it unfolds. Here is the English fleet in all its power, the strongest naval force that has ever been seen on the high seas, and it should prove to be particularly interesting and comforting for any member of the English Empire to see. The real shows the training of the English navy, from the time apprentices seamen of tender years join the navy, to the time they become full-fledged sailors and officers in English sea forces. Training of cadets is shown, we see the Dartmouth officers’ school, and then the positions the English navy occupies on the high seas today. One division protecting the Oriental interests of the nation, another guarding the Mediterranean sea lanes and the Suez Canal, and the grand battle fleet blockading the North Sea. We are shown how Hong Kong and Gibraltar defenses, and the firing of shells, torpedoes and depth bombs by the warships. The March of Time organization has done an excellent job of bringing this subject to the screen at this time, and in an outstanding fashion.

“Day On Treasure Island”

with Edward G. Robinson

M-G-M

10 min.

Exposition In Technicolor

First of the James Fintan film travelogues series for the 1939-40 season shows the San Francisco Golden Gate Exposition in Technicolor. The M-G-M producers have not had the opportunity to attend the Exposition will get an excellent idea of what can be done, as Treasure Island is this film. It opens with a skyline shot of the exposition buildings by the distance. Moving onto the exposition grounds the short takes us through many of the exhibits in and all the other sights to be seen.

Sander Tompa, Bela Mihalyfi.

CREDITS: Hannia Master Film Production; Director, Istvan Bokhely. Presented at the Metropolitan with Hungarian dialogue and no English titles.

DIRECTION, Good. PHOTOGRAPHY, Good.
Theater Closings

MISSISSIPPI
North Carrollton—Carroll (9-1-39); Owner: J. C. Alexander; Dismantled.

MISSOURI
Maryville—Tivoli (9-17-39); Owner: C. E. "Doc" Cook; New Theater to be opened one block west.

NEW YORK
Fleischmanns—Whipple (9-15-39); Owner: Kallet Circuit; Only open for summer months.

OKLAHOMA
Enid—Criterion (8-29-39); Owner: Griffith; lease expires.

WISCONSIN
Green Bay—Grand (Sept. 1939); Owner: Standard Theatres Co.; For renovation purposes.

Theater Openings

IDAHO
Burke—Burke, approximately 200 seats, (9-3-39); Owner: Simmons Amusement Co.; House Manager: Lenie Amato.

MICHIGAN
Wyandotte—Magie, 1,500 seats, (9-20-39); Owner: Associated Theaters; previously closed May, 1939.

NEW YORK
Flint—Garden, (9-15-39); Owner: Butterfield Circuit; previously closed May, 1939.

UTAH
Salcadia—Garland, 300 seats, (9-15-39); Owner: Glen Lawrence; previously closed in May or June.

WISCONSIN
Milwaukee—Ogden, 537 seats (Sept 1939); Owner: Fox Wisconsin Amusement Corp.; Previously closed June 1939.

Theaters Planned

LOUISIANA
Piaqueme — Osage, 1,000 seats; Owner: Billie; Cost: $20,000; Operator: H. D. Haire.

MICHIGAN
Detroit—Van Dyke, 800 seats; Near present Eastown; Builder: Ross M. pear; Cost: $25,000; Operator: S. H. Daire.

OHIO
Cincinnati—Time, 750 seats, 6th and Walnut; Architect: H. M. Price and J. Eberston.

Renovations Planned

IOWA
Cedar Falls—American; Work Planned: Complete remodeling; Owner: Dake R. Goldie.

NEW YORK
Gloversville—Glove; Work Planned: Complete extensive remodeling; Owner: Schine Enterprises; To be completed 10-6-39.

Pennsylvania
Johnstown—Rialto; Work Planned: Addition being built to increase the seating capacity; Owner: Joseph Parkas; To be completed in near future.

WISCONSIN
Fondur—Rex; Work Planned: Heating and ventilating system; New Front; Owner: H. A. Stuhlf; To be completed 9-22-39.

Wisconsin
Singhur—Auradium; Work Planned: Complete modernization; Owner: Ray Pfeiffer; To be completed soon.

Andrea—New, 400 seats, Main St.; Builder: Local Contractor; Operator: Sibley & Tanne; To be completed 11-1-39.

TEXAS
Fort Worth—White, 1,200 seats, Hemphill & Berry; Cost: $75,000; Operator: M. S. White.

Change in Ownership

ARKANSAS
Gurdon—Wright transferred to R. B. Lincoln Williams Theater Corp. by G. Sterling; House Manager: R. B. Hardy.

WISCONSIN
Washburn—Rex, transferred to H. A. Stuhlf; Owner: W. H. Lumber; to be owned by W. A. Stuhlf;

AMPP Cutting Personnel

As Result European War

West Coast Bureau of THE FILM DAILY

Hollywood—Carrying out instructions from a committee of producers, Frederick W. Beeton, executive vice-president and secretary of the AMPP, notified a number of his staff of impending reduction in pay and personnel. Reason for salary cuts and loss of jobs, Beeton said, developed from the tremendous slump in the industry's revenue caused by the war.

Pay cuts will not affect persons receiving $50 per week or less, and each person not remaining on the payroll will be given a month's notice.
EASTMAN’S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry.


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**EASTMAN**

**PLUS-X**

*for general studio use*

**SUPER-XX**

*for all difficult shots*

**BACKGROUND-X**

*for backgrounds and general exterior work*
BEVERAGE DISPENSER
FOR FILM THEATERS

Film theaters now have available to them a new and ingenious type of beverage dispensing machine, embodying the best features of modern design, mechanical simplicity and craftsmanship.

The machine, known as the "Thirst Quencher," and manufactured by Beverage Dispensers, Inc., at 522 Fifth Ave., New York, dispenses a drink speedily, efficiently and in generous quantity.

Upon insertion of a nickel, a freshly carbonated Coca-Cola, chilled to a temperature below 40 degrees, is automatically extracted into a glass machine. Simultaneously a sanitary drinking cup is dropped upon a chromium platform, and a stream of sparkling Coca-Cola fills it to the brim.

The taste, temperature and quantity is as consistent as the popular drink for which this machine was designed. A patented coin detector rejects all slugs before they reach the coin chute, and conveniently deposits them in a specially-made "coin returner." Each drink is registered by a meter, and the mechanism throughout the entire machine is as troubleproof as highly-developed engineering can make it.

Within the attractive cabinet of steel are stored holding 200 sanitary cups, purity reservoirs holding respectively two gallons of syrup and eight gallons of water, resulting in a capacity of 220 drinks which are perfectly carbonated via a tank and mechanism for this purpose. The cabinet, 39 inches high, 27 inches and 18 inches deep, and weights 350 pounds net, and 575 loaded.

Donald M. Forgan is president of Beverage Dispensers, Inc.; Henry B. Stimson, secretary and treasurer, and B. A. Needham, the vice-president and sales manager.

$125,000 Improvement
For Cameo at Detroit

Detroit — The Cameo Theater, North End house of George Plucks and William Stolca, is to be completely remodeled. House will have 1,500 seats, practically doubling the present capacity. Cost of building and equipment is estimated at $125,000. Bennett & Strait, of Dearborn, are the architects.

Mitchell In Whitesboro

Dallas — Work on remodeling a building on the south side of Main St. in Whitesboro to house a film theater was started by Tom Mitchell, who has been in the show business in Denton.

THEATERS
• CARPETING
• COOLING EQUIPMENT
• PROJECTION

Glass Theater

Lee, Mass.—Miss Elizabeth Formento has awarded the general contract for the new 700-seat Lee Theater to Graves & Hemmen, Inc., of Great Barrington. The theater will be completed about Feb. 15. The structure will be one story of Carerra glass, modernistic and will be air-conditioned. Miss Formento is interested also in the Park Theater here.

NEW ORLEANS HOUSE
HAS NOVEL FEATURES

New Orleans — The Circle, this city's latest de luxe $125,000 nabe, opened this week.

Due to location and the shape of the lot upon which it stands, the building combines new architectural features. It is broad in front and narrows down in the rear to meet the limitations of a triangular site which gives it three excellent approaches. Originally, plans called for a stadium construction, but they were later changed to provide a balcony which has more seats than an orchestra floor.

The house is modern in design, simple, with the walls in natural stone color and the ceiling a combination of oak and maple, with tinted lights. Hanger's harmonize. Lighting is provided by neon-tubed troughs, with fluorescent lights in the lobbies and lavatories. All hangings, booths equipment, carpet, seats, etc., is by National Theater Supply; air conditioning by Frigidaire; sound by RCA Photophone. Architect: Eugene Gibert. Contractor: Herman T. Maksosy; Electrical fixtures and fronts: Industrial Electric Supply.

The Circle is owned by Jaddell Theaters, Inc., which brings together Henry Lazarus, successful operator of two theaters, and Jack Doharry, owner of the last steam packet on the Mississippi and of the Lincoln Theater for negroes.

RCA Photophone Equipment
Goes Into Many Theaters

RCA Photophone's sound equipment is currently being installed in many theaters throughout the country.

Included in the long list of present contracts are installations ordered by the Madison, Detroit; the Pix, Grand circuit house on New York's 42nd St.; the Grand, Orlando, Fla.; the Cleveland and the New, in Cleveland; and the Bay and City, Texas, respectively; the Florida, West Palm Beach; Orpheum, Green Bay, Wis.; Uptown, Muncie, Iowa; the Lake, Lake Worth, Fla.; the Lemp, Calvert, Baltimore; the Crystal, Brooklyn; Broadway, Yonkers; the Lowell, Lowell, Mass.; the 450-seater rising from the ashes of the burned Fox at Meade, Fla.

Paramount's branch in Atlanta is also installing RCA Photophone sound equipment in its preview room.

Considerable Replacement
Orders for Gen'1 Seating

General Seating Co. reports consistent volume sales of theater chairs under stimulus of the Fall season, which is accounting for considerable replacement orders.

Among the most recent installations are for the Dixon Theater, Dixon, Ill.; Marrow's Theater, Hert, Ill., and the Lyric East Prairie, Mo., the latter two purchases having been effected by the house through L. F. Rockenstein Co. of St. Louis.

Through the Western Theater Equipment Co., Butte, Mont., the New Theater, in nearby Drummond, has purchased the latest type General Seating chairs.

New Storm Lake House

Storm Lake, Ia. — Remodeling work is being done on the Empire Theater building preparation to the opening of a third movie house in Storm Lake. George Norman moved out of the building a year ago when opening the new Vista. Norman will run the new house.

Photophone Installation

Detroit—RCA Photophone is being installed in the Times Square Theater, which will install four projectors. House is being prepared for opening by the Jack Broder Circuit.

Jagmin Decorates Five

Detroit—T. J. Jagmin & Co. is now engaged in decorating the new Motor City Theater at Van Dyke for William A. Schulte, and the new Shubert at Garden City for Walter D. Shafter, as well as redecorating of the Eaton at Charlotte for Cass R. Beechler.

Jobs are about to start on the Your Theater in Detroit for DeLoder Circuit, and the Roselle East Detroit for Jeff Williams.

Improvements In Arkansas

Little Rock, Ark. — Recent improvements at theaters in this state include a new noon sign for the Marquee at the Lyric, Harrison; interior and exterior of the Strand, Paris, is being remodeled and new surfaces installed; Conway Theater, Conway, has installed 425 new seats at a cost of $3,000, seating capacity at the Grand, Conway, is also being enlarged.

M T E Gets Rialto Order

Bridgeport — Modern Theater Equipment Co. has been awarded equipment in the Rialto Theater, Strand Amusement Co. theater.

SIXTY YEARS
Role of Electric III

By ROBER
Nela Park Engine.

(Editor's Note: This is the first of a series of articles dealing with the advances in the art and science of theater lighting since the advent of the incandescent lamp.)

WHEN the incandescent lamp made its appearance in the Fall of 1879 it at once captured the imagination of theater men who had long been searching for a better way to light their stages and theaters.

At that time practically all of the large and up-to-date playhouses were lighted by gas, an illuminant that offered advantages over previous and other contempoary flame sources but which, nevertheless, was far from being a thoroughly satisfactory light source.

Gas could be controlled to a certain extent—indeed, to an extent impossible with oil lamps or candles, for example, in that gas lighting provided enough light for the most sort of performance.

It was not surprising then, that the theater was quick to recognize and to exploit the advantages of electric lighting.

Which theater was the first to install electric lighting with incandescent lamps apparently is undetermined, but it is a matter of record that the new system was put into use in the Paris Opera in 1880, less than a year after Edison had produced his first successful lamp. The following year found electric lighting in the Savoy Theater in London and the year after that in the Brno Theater in Austria. In 1882 at the Electrotechnical Exhibition at Munich a small experimental theater was completely lighted with incandescent lamps. So successful were the results that worldwide interest in the new illuminant was aroused.


M E N T

SOFT LIGHTING ILLUMINATION IN THEATERS

By MORRIS DEPT., CLEVELAND

BUT theaters in this country did not wait for Europe to point the way. During the first few years after the introduction of the "botted" light, installations were made in the People's Theater, New York, in the Halsted Street Academy of Music, Chicago, in Boston's Bijou Theater, and in the Baldwin Theater, San Francisco. And shortly after these pioneering installations were made the spread of electric lighting in theaters became too rapid to keep track of it.

Edison's first successful lamp was composed of a high resistance carbon filament in a high vacuum within a completely enclosing glass globe having all joints sealed by a fusion of glass. The filament was heated to incandescence by the passage of an electric current conducted to it by wires which passed through the glass stem supporting the filament. Although innumerable improvements and refinements have been made in incandescent lamps during the 60 years that have elapsed since Edison filed his basic patent application, today's incandescent lamps practically all have the essential features incorporated in the first successful lamp.

For many years the carbon lamp was the best and most efficient practical light source obtainable. But many a scientist devoted his time and energy to the search for a better material from which to make filaments. Tungsten, because of its high melting point, was tried again and again, but it proved to be an obstinate metal and not well adapted to being fashioned into a hair-like filament.

FINALLY, in 1905, Dr. Willis R. Whitney, head of the Research Laboratory of the General Electric Company at Schenectady, introduced a lamp with a metalized carbon filament. It was known as the Gem lamp and operated at 25 per cent higher efficiency than the regular carbon lamp, or about 4 lumens per watt.

The following year the first suc-

NEW STAINLESS STEEL LUMBER FOR THEATERS

Pittsburgh—Considerable interest is rife here in technical circles with respect to the newly-introduced Stainless Steel "Lumber," which is the product of the local Allegheny Ludlum Steel Corp., through its Ludlite Division in Watervliet, N. Y.

The new "lumber" is known as "Ludlite Bord" and combines the advantages of stainless steel with load carrying ability. It is easily fabricated and economical for both indoor and outdoor application.

Since "Ludlite Bord" absorbs sound and so has excellent acoustic properties, in addition to offering great resistance to heat or freezing by impact, its use in film theaters is being carefully weighed by architects, who are attracted to the material because of its possibilities for interior structural and decorative use, particularly for wainscoting, to which the four-foot lengths are especially suitable.

The material comes in another size of corduroy panel three-eighths of an inch in thickness, which, when used as a wainscoting, saves considerable time in the application of the material, as it is absolutely necessary to use the material for the purpose of forming structural panels of considerable size the same size as the wall width. The material is also used for wall surfaces of film theaters.

The material is in sheets, and the material is relatively easy to work with. For purposes of application, the sheets can be cut to any desired thickness, and the material can be shaped and molded to any desired shape. It is also a desirable sound-absorbing material, and its use in film theaters cannot be too highly recommended.

Lighting Innovation

Cincinnati — New ideas in theater lighting will be carried out in the new RKO Grand Theater, now under construction on the site of old Grand Opera House, downtown. New fluorescent tube lighting, developed for the World's Fair, is included in plans drawn by Associated Architects, Frederick Gardner of this city, and John Eberston, New York City. Frank Messer & Sons, are general contractors and Behrboiser Electrical Co., will install the electrical work.

Rodgers Circuit to Build $100,000 Illinois House

Carbondale, Ill.—Plans have been completed for the new 1,100-seat, $100,000 theater and store building to be erected here by the L. W. Rodgers Circuit of Theaters of Cairo. Contract has been awarded to Edgar Stephens of Cairo.

In July, 1939, the new theater will be opened.

Remodeled El Rey Opens

Oakland, Calif.—The El Rey Theater, formerly the Plaza, has been opened following a $50,000 remodeling program by the owners, Herbert Blechel and Paul Aghetti. Complete new equipment includes RCA sound equipment, new cooling, ventilating and lighting systems, new drapes, stage hangings and curtains.

THE MAN IN THE IRON MASK

There is nothing mysterious about the popularity of Alexander Smith Carpet. Luxurious appearance, long life and moderate price are the three reasons why you find it in most of the country's successful theaters.

ALEXANDER SMITH CARPET

GENERAL REGISTER'S SALES BRISK--FINKE

Chicago—D. H. Finke, vice-president of General Register Co., states here that business is unusually brisk on company's secret-control Automatic ticket registers.

Numerous sales, he asserts, have been made to leading circuits and indep operators, and that among the recent installations have been for B & K, Butterfield circuit, St. Louis Amusement Co., Indiana and Illinois Circuit, Fox Midwest Theaters, the Schoenstadt and Kernosets circuits, and numerous others.

Business outlook for the autumn and winter months is characterized by Finke as excellent.


STUDIOS

- FURNISHINGS
- SCREENS
- SOUND SYSTEMS
The thoughts of the country are turning southward... and southward lie the scenes of this spellbinding story...

Of a fascinating plunderer... of the lady whose fatal beauty sent him to a tropic penal cell... of a drifting young American who won the love that the other man had committed murder to keep!

The New Universal presents

Basil Rathbone and McLaglen

Rio

With Sigrid Gurie, Robert Cummings, Leo Carrillo

Billy Gilbert, Samuel S. Hinds, Irving Pichel, Maurice Moscovitch, Ferike Boros, Anne Gwynn

National Release Sept. 29th

Directed by John Brahm