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Settlement or Spread of Strike Expected Early This Week

20TH-FOX TO STRESS $2,000,000 PIX NEXT YEAR

MPTOA, Allied Marshal Forces for Neely Bill Hearings

THE WEEK IN REVIEW
Final Reform Draft

DOMESTIC
TRADE REFORMS: Climaxing a vital, event-studded week, came finalization of trade reform draft which was released on Thursday night. It embodied proposals by both distribs. and exhibs., and text was supplied also to D of J, with whom conference was proposed. Prompt action by exhibs. was indicated by their opinion on the acceptability of draft whose arbitration provisions were incomplete. UA, it was learned, had withdrawn from participation in the conferences and the code, in general, reason reported to have been inability of its seven producers to agree on certain draft points.

NEW YORK STRIKE: Eastern nerve center of filmland was beset with strike of Local 360 of projectionists in home offices, plus N. Y. exchanges and newsreel headquarters. Walkout took effect on Monday and was followed swiftly by griping of both sides for a victory. Distribs. organized to keep pix shipments rolling; drafted injunction-seeking papers in event proposed mediation should break down; and set up a theater-to-theater shipping arrangement for film as move against produc
tame in outlets of metropolit
town. U. S. initiated a strike probe; and Local 360 declared it would stand by its demands that distribs. cease supply of film to houses employing Empire State M. P. Operators Union members. The inter-union warfare hatched the strike.

TWENTIETH-Fox CONCLAVE: Company's annual sales convention swung into action at Congress Hotel in Chicago on Friday, on eve of which Herman Wobber, general

Opponents and Proponents to Testify Today Before Senate Committee

Washington Bureau of THE FILM DAILY

Washington—Opponents and proponents of the Needy Bill are scheduled to testify today before a subcommittee of the Senate Interstate Commerce Committee, with both Al
died and MPTOA presenting their views, it was announced.

United Artists will release the next two Samuel Goldwyn pictures, "The Real Glory" and "Angels Making Music," if and as when, Gold

Majors Plead Not Guilty In Chicago Contempt Case

Chicago — Attorneys for major companies and B & K filed in Feder
cal Court Saturday a general plea

Film Alliance of the U. S. plans to blanket both North and South America with offices for the dis
tribution of outstanding French and

Para. Sets $200,000 Adv. Budget on "Union Pacific"

Paramount will spend approximately $200,000 in a national news

day, and magazine campaign for Cecil B. De Mille's "Union Pacific," it was announced over the week-end by Robert M. Gillham, director

Record Budget Set for 52 Features; Three in Technicolor

By JOSEPH ESER
FILM DAILY Staff Correspondent

Chicago — With a record production budget set, 20th Century-Fox's 52 features for 1939-40 will present an unprecedented number of $2,-

WACHSBERG'BRANDT

Plan Distrub. Setup

NAION-WIDE DRIVE TO ORGANIZE IN PIX

"Dodge" Sensational

Dodge City, Kan. — In a brilliant, simultaneous opening in three theaters, the Warner Technicolor epic of early cow

days, "Dodge City," was launched Saturday night amid scenes of wild ex

iment as the gala crowds went wild with enthusiasm. And well they might, for the picture has smashed over as about the greatest of its type ever pro-

duced. Brilliantly directed and superbly acted, it contains probably the most exciting mob fight scene ever filmed. The Technicolor photography is breathtakingly beautiful. "Dodge City" looks like one of the greatest box office pic

tures of several years. It has everything that makes for tremendous popular ap-

—HARSWEG.
Industry Day to Aid Yeshiva College Refugees

To help refugee students at Yeshiva College, a dinner, under sponsorship of motion picture industries, was held last night at the Hotel Astor at which the speakers were James Roosevelt, vice-president of Samuel Goldwyn, Inc., and Melvin Aylesworth, publisher of the New York Times. Television League President Werner Niter, prominent film attorney and secretary of the New York Film Board. A. L. A. Kaplan, president of the American Federation of Television and Radio Artists, and Dr. Nelson P. Speck, president of C.C.N.Y.

DuMont Files $750,000

Stock Issue with SEC

Washington Bureau of THE FILM DAILY

Laboratories, of which Paramount owns all of the outstanding common stock. The registration statement covering $750,000 principal amount of 10-year convertible 5 per cent notes and 30,776 shares of Class A common stock was filed.

Zenith Holds First Live Talent Television Test

Chicago--Zenith Radio Corp. concluded its first live television test last week using the "Hoosier Doddbusters" with Don Kelley as emcee. Group is featured regularly over WLS. Favorable definition was reported by Zenith engineers and officials who checked the 14-minute program on home receivers. Zenith is planning its tele experiments quite recently.

Commander E. F. McDonald, Jr., president of Zenith, warned however against expectations of public acceptance of television at an early date. The "box office" problem he said has still to be considered. Economic end appeared usually difficult to handle right now.

Distribors Want Deposition Of Pollard In Trust Suit

Boston - Defendant distributors in the $100,000 anti-trust suit brought by Edmund G. Pollard of Rumford, Me., in Federal Court in Boston filed a motion here for leave to take the deposition of the plaintiff, George S. Ryan is handling the case for Pollard.

Zenith's "Wuthering Heights" Set for N. Y. Rivoli April 14

"Wuthering Heights," Samuel Goldwyn production of the Dumas Bronte classic, opens at the Rivoli Theater on April 14, it was announced at the week-end.

For Lunch, Dinner or Supper
LaHIFT'S TAVERN

The Industry's MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerling 4-4200

THE THEATRE

George Abbott Productions

"There have been a number of good girls and music shows in town of late, but this is by all odds the most brilliant and dirtiest, diest, most decorous and certain future fame that would bring the money put up for the season." -- George Jean Nathan, Newsweek.

PRIMROSE PATH

By Roy L. Buckner and Walter Hart with Helen Betty Mary Russell and Marion Towers


WHAT A LIFE

with EIRA STONE as Henry Aldrich

Paramount for 1939-40 by THEATRE MEN for THEATRE MEN
“Tops in musical film entertainment...one of their best...gay, romantic and dramatic by turns.”

—Kate Cameron, N. Y. Daily News

“Has tremendous charm and subtly invades the private life of any audience.”

—Bland Johanson, N. Y. Daily Mirror

“Entertainment values sure-fire...rich in dancing spectacle and humor.”

—Howard Barnes, N. Y. Herald-Tribune

“A beautifully told story, with sincere and vigorous performances.”

—Frank S. Nugent, N. Y. Times

“One of the best...thoroughly entertaining...gay, romantic and tuneful.”

—Rose Pelswick, N. Y. Journal and American

“Happy entertainment...a charming bit of romance told against the backgrounds and to the popular music of 25 years ago.”

—Eileen Creelman, N. Y. Sun

“Tender screen biography...enormously absorbing...charming and delightful love story.”

—William Boehnel, N. Y. World-Telegram

“Delightful and charming entertainment.”

—Archer Winsten, N. Y. Post

*...and dozens of other first...
to you*.....

Music Hall!

"BOX-OFFICE NATURAL"  — Film Daily
"TRIPLE-PLATED BOX-OFFICE"
— Motion Picture Daily
"SURE-FIRE FOR STRONG BOX-
OFFICE"
— Hollywood Reporter
"SHOULD REPAY HANSDOMELY"
— Hollywood Variety
"TOP SHOW FOR TOP MONEY"
— Jay Emanuel Publications

THE STORY OF
VERNON AND
IRENE CASTLE

STARRING GINGER
FRED
ASTAIRE ROGERS

runs throughout the nation!

with
EDNA MAE OLIVER
WALTER BRENNAN
LEW FIELDS • JANET BEECHER
• ETIENNE GIRARDOT
PANDRO S. BERMAN in charge of Production
Directed by H. C. Potter  Produced by George Haight
Screen Play by Richard Sherman
Adaptation by Oscar Hammerstein II and Dorothy Yost
START NEELY BILL
TESTIMONY TODAY

(Continued from Page 1)

eral counsel, Abram F. Myers, all of whom are expected to argue in favor of the anti-block-booking bill.

The MPTOA forces, who will oppose the measure, include Ed Kuykendall, president; Arthur Lockwood, Middletown, Conn.; Morton G. Walheimer, Richmond, Va.; Stanley Summer, Cambridge, Mass.; Frank Cusol, St. Joseph, Mo.; Oscar Lam, Rome, Ga.; Lyle Wilson, Roanoke Rapids, N. C., and H. R. Berry, Hartville, N. C.

Other advocates of the bill, according to semi-complete lists, are: Miss Isora Scott of the WCTU; F. B. Huir, Bronxville, N. Y.; Mrs. Percy Chestney, president of the Better Films Committee, Maceon, Ga.; Frederick M. Trushchock, professor of education, New York University; Howard M. Lesourd, dean of Boston University Graduate School; Mrs. John F. Inch, president of the national YWCA; and Alice V. Keliber, Commissioner of Human Relations, New York City.

Others who have filed applications to appear include Mrs. Mary T. Bannerman, legislative representa-
tive of the Motion Picture Research Council; Mrs. Samuel A. Ellsworth, Women’s Board of Motion Picture and Theater Review, and John A. Brennan, Washington attorney.

Top executives of the major distributors, including W. F. Rodgers, and Sidney R. Kent, also are slated to appear.

Leo Bleecker, representing the ITOA, and Jack Eames, of Littleton, N. H., also are expected to speak in opposition to the bill.

Length of Program Clauses
Out of French Film Bill

Paris (By Cable)—Clauses limiting the length of motion picture programs have been eliminated from the French film bill, it was revealed over the weekend, removing fear of U. S. disticts, that the French market might be seriously curtailed.

However, the bill still contains provision for regulating imports by decree subject to international agreement and dubbing tax.

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

APRIL 8
Sam Katz
Maurice Kane
George Jessel
Hedie Cole
Duncan Renaldo

UA SELLING GOLDWYN
PIX ON "IF" BASIS

(Continued from Page 1)

asserted on Friday, Roosevelt said that UA was selling these two pictures on those conditions and that otherwise the concern would be held responsible for their role.

"Angels Making Music" is the title of the Helfetz picture now in production. While "Pat the Real Glory" is slated as Gary Cooper’s next for Goldwyn.

Roosevelt was scheduled to sail for Europe on Saturday on the Normandie but has postponed his sailing to Friday on the Queen Mary. He plans to visit Paris, Brussels and London.

Roosevelt said that Goldwyn planned to withdraw from United Artists definitely, as that was the reason for the current suit against the company. He added that Goldwyn would "not be left at the post" as to future distribution, indicating that the producer already was paving the way for releasing deals if, and when, he parts company with UA.

Roosevelt is taking with him to Europe a print of "Wuthering Heights," which is scheduled to open in London on April 26. He said other "important business" would be taken up during his trip abroad.

TMAT Launches Drive
To Organize in Pix Field

(Continued from Page 1)

istant managers, student managers and press agents for film theaters has been started. Union is also organizing publicity staffs in home offices, it was learned.

A union exec, told THE FILM DAILY that a number of members have been signed in home offices of the film companies and that negotiations for contracts would be sought in the near future. The union has been recognized as the bargaining agent for the "front of the house" theater men in several states, and in a recent court battle in Massachusetts the union was recognized by the Labor Commission when a circuit attempted to prevent organization.

Union is launching its film drive after completely organizing the legit field.

WEDDING Bells

Gilbert W. Reddish, a Durkee Enter-
tprises official, was married to Miss Hind M. McPoland and they are in Bermuda for their honey-
moon. Returning April 10, they will reside at 5207 Walther Boulevard.

Honolulu (By Cable) — Robert Wilcox and Florence Rice, film play-
ers, are on a honeymoon, following their marriage here. Bride is the daughter of Grantland Rice, sports writer.
REVIEW OF NEW FILMS

“The Story of Alexander Graham Bell”

With Don Ameche, Loretta Young. Henry Fonda

20th-Fox 97 mins.

BRILLIANTLY CONCEIVED STORY IS RICH WITH HUMAN APPEAL; MARKED BY PRODUCTION VALUES: ONE OF THE YEAR’S BEST, AND A B. O. NATURAL.

Here is a picture that will make audiences cheer, laugh and cry as its brilliantly conceived story moves dramatically across the screen. Superbly produced by every standard, the exhibitors will cheer, too, as the picture is a surefire box office natural. Warmly human, the story tugs at your heartstrings in its depiction of the great humanitarian. The performances given by the whole cast are flawless, with Don Ameche achieving new status with his vivid portrayal of the struggling young. Henry Fonda is excellent as his assistant, and Gene Lockhart, Charles Coburn, Spring Byington and Sally Blane give splendid performances. Everybody in the cast deserves commendation for their roles.

Darryl Zanuck affords the film everything humanly possible in production values and direction. The telegraphic condensation of Irving Cummings is done with great skill and excellently performed. The picture cannot miss in being mentioned among the best films of the year which all will be ready in December. It appeals not only to a child as readily as it will to an adult, and its appeal will hold true for every type of audience. A输 to the point that it should not fail to be deeply moved by this brilliant presentation of an outstanding development in the scientific progress of the world. The story is simple, the acting is sincere and simplicity it becomes a great story. Ameche, a teacher of the deal, is working on a character that is interesting. M-G-M associate producer also desire their share of laurels.

CAST: Don Ameche, Loretta Young, Henry Fonda, Charles Coburn, Gene Lockhart, Spring Byington, Sally Blane, Polly Ann and Georgiana Young, Bobs Watson, Russell Hicks, Robert Stack, Jonathan Hale, Harry Davenport, Elizabeth Patterson, Charles Trowbridge, Jan Duggan, Claire Du Bois, Harry Tyler, Ralph Renfry, Zeffie Tilbury.

CREDITS: Associate producer, Kenneth Macgowan; Director, Irving Cummings; Screenplay, Lamar Trotti; Original Story, Robert Cowden; Photography, Leon Shamy; Editor, Walter Thompson.

DIRECTION: Splendid. PHOTOGRAPHY: Excellent.

Society Lawyer”

with Walter Pidgeon, Virginia Bruce

M-G-M 78 mins.

CLASfMurDER MYSTERY IN SO- CIAL SETTING FINELY ACTED BY PIDGEON AND VIRGINIA BRUCE.

Very smartly turned out murder mystery done without the usual meller touches. It is class murder mystery fare, expertly directed and consummately acted by an ace cast throughout. It is the old Metro system of production shining out in every department. Walter Pidgeon is a society lawyer who undertakes the case of a socialite accused of the murder of a show girl. The circumstantial evidence is all against him. Pidgeon and his police lieutenant friend are convinced that an underling is responsible for the murder. The Does it get the police to believe their theory, and finding him, the lawyer, all he can. He introduces him to his night club singer (Virginia Bruce). She proves to be the close friend of the murdered girl, and on learning this, Pidgeon brings her to his apartment, and installs her there where she will be safe from the underworld gang. The developments as the lawyer does some fancy sleuthing with the help of Carrillo and his henchmen keeps the interest right on edge, and furnishes another example where the law will be more effective than the underworld gang. The developments as the lawyer does some fancy sleuthing with the help of Carrillo and his henchmen keeps the interest right on edge, and furnishes another example where the law will be more effective than the underworld gang.


CREDITS: Producers, John W. Considine, Jr.; Director, Edward L. Marin; Author, Arthur Somers Roe; Screenplay, Frances Goodrich, Albert Hackett, Leonard Gordon and Margi Berti; Edward Laemmle, George Stall and Roger Edens; Song by Sam Coslow; Cameraman, George Folsey, A.C.; Editor, Howard O’Neil.

DIRECTION: Expert. PHOTOGRAPHY: Excellent.

$10,000 Said Weekly Bingo

“Take” in Irvington, N. J.

Irrvington, N. J. — After ministers had told the $1,000,000, a local chapter of the National Institute on a weekly basis that is being conducted by the State Attorney General’s office for a ruling.

NEW FRISCO COMPANY PLANS

Pix in English and Spanish

San Francisco — Peninsula Pictures, new motion picture company to produce six and possibly eight feature pictures a year, using San Francisco as a base of operations, is announced by Nate Kreutz. Company plans call for pix in both English and Spanish for U. S. and South American market.

First production will be “Moon Over Monterey,” to be made in both English and Spanish. Shooting will start in June.

Executives of new company are listed as Gordon Burdge and Ed Blas, San Francisco theatrical agency owners.

General Film to Finance “A’s,” Add Industrials


Howard will be star and co-producer with Walter Futter of an adaptation of H. De Vere Stacpoole’s “The Man Who Lost Himself.” Work on the picture will start around July 1 in England.

Fox will soon add an industrial department to his company’s enterprises and is planning to include radio in General Film’s activities.

New Harold Lloyd Corp.

Sacramento—Articles of incorporation were filed with Secretary of State Frank C. Jordan for Harold Lloyd Productions, Inc. below Hollywood. Lloyd’s associates in the $25,000 corporation are William R. Frazer and Robert C. Gorbine.
ODAY

THE 1939 FILM YEAR BOOK

is now being distributed to subscribers of

THE FILM DAILY
Candid Camera Focuses on 20th-Fox Chi. Convention

Sidney R. Kent greets General Manager of Distribution Herman Wobber at Chicago.

Sidney R. Kent, president of 20th Century-Fox and head man at the conclave.

Charles E. McCarthy, director of advertising and publicity and Arch Reece, advertising manager as they arrived from New York on the convention special.

Left—Herman Wobber (center) with William Sussman, Eastern Division manager (left) and William C. Gehring, Central Division manager.


From the West—William Kupper, Western Division sales manager and John Dillon, Los Angeles branch manager.

Herman Wobber congratulates Morton A. Levy, Prairie District manager who will undertake leadership of the 1939 annual S. R. Kent Drive.

Adsales Manager Lee Balsly has just congratulated Clyde W. Eckhardt, Chicago manager, whose office this season broke all records for adsales.

Right—Al Davis, Philadelphia; M. Grassgreen, Albany; Sam Gross, Philadelphia; Ben Dare, Albany; Edgar Moss, Philadelphia District manager; Paul Terry, Terrytoon producer; Harvey B. Day, Terrytoon business manager; Felix A. Jenkins, general counsel; Earl Wright, New Haven; Sam Germaine, New Haven; Ben Tolmas, Philadelphia.

Left—Foreign Department delegation—seated: Australia's C. V. Hake, Overseas Sales Director Walter J. Hutchinson; standing: British Sales Director R. Sutton Dawes, E. S. Fraser, Leslie F. Whelan, British Movietone Producer Sir Gordon Craig, Chile Manager Arthur Ruscica, Lee Brandfeld, L. Rosenfeld.
20th-Fox Planning Three in Technicolor for 1939-40

Lineup of 52 Emphasizes Originals; Lists Six Biographical Pix

(Continued from Page 1)

KENT PRAISES RODGERS FOR TRADE PACT WORK

Chicago—In commenting on the trade pact conference, President Sidney R. Kent told the 20th-Fox executives that the firm's president deserved high praise for his efforts to bring about trade reforms and pointed to the Motion Picture Relief Fund, which he had worked the hardest for the negotiations for the trade pact agreement.

KEVIN ANTI-ASCAP MEASURE BECOMES LAW LATE THIS WEEK

Topeka, Kan.—The Senator denunciative-Ascap bill was the only measure affecting theaters to be passed by the Kansas legislature which adjourned shortly before dawn Friday. House of Representative leaders originally had planned to allow this measure to die on the calendar, but in a last minute swap it was resurrected and rushed through to passage.

Since it becomes effective after its official publication, the bill will become a law probably late this week. The measure provides that copyright owners or groups of owners shall file with the Secretary of State a complete list of their copyrights and that these owners shall be taxed three per cent of their proceeds from the lease-in-rights in copyright-musical numbers within the state.

IMPERIAL CHANGES NAME

Imperial Distributing Corp. has registered a change of name at Albany, with concern becoming Cardinal Pictures, Inc.

Wage and Hours Measure Killed by House in N. H.

Concord, N. H.—The House of Representatives has killed a bill which prescribed minimum wage and maximum hour standards for this state.

“East Side of Heaven” Has Premiere in Miami Beach

Miami Beach—“East Side of Heaven,” Universal’s Crosby-Bondell picture world premiered here at the Lincoln Theater Friday night, climaxing out Miami Beach’s Winter season. This was fifth world premiere in this area this year.

Celebrities attending included Lawrence Schwab, Arthur Hammerstein, Dorothy Dalton, Philip Wyile, Milton McKay, George Ade, Damon Runyan, Volta and Noela Storm, Rudolph Friml, Mama Zaza, Ben Bernie, Betty Lawford, George Price, Ya-Chung Lee, Miss Florida (Rosaleen Denning), editor of Time, Harriet Hillard, Ozzie Nelson, Hope Hampton and Harold Ross, editor of the New Yorker.

name of author in parenthesis, are as follows:


Titled announced (authors in parenthesis), but with players unassigned:

“Maryland” (Sonya Levien), “Drums Along the Mohawk” (Walter Edmonds), “Dance with the Devil” (Willaim Rankin and Eleanor Glenn), “Frontier Marshal,” “Johnnie Apollo” (Samuel G. Engel, Hal Long and Roland Brown), “The Khyber Rifles” $29,000 Mon a Year (Frank Word), “Here I Am a Stranger” (Gordon Hillman), “Scott of Africa” (Lester Colon), and “Discipline,” “Steinmetz, the Great,” “I Was an Adventurer,” and “Red Cross Nurse,” “A Deal in

KANSAS ANTI-ASCAP MEASURE BECOMES LAW LATE THIS WEEK

Chicago—Twenty-first Century-Fox intensify its drive for new faces, President Louis B. Mayer, who was absent, told delegates to the annual convention here Friday. Audiences today, he continued, are clamoring for new personalities and the company intends to bring new players to the screen as it did during the last year.

The public is demanding pictures that are bigger in theme and production values,” Kent asserted, “We have set our budget accordingly and expanded production facilities to meet this demand.”

Darryl F. Zanuck, production head, addressed the convention from the Coast thanked the sales forces for their co-operation during the past year, reaffirmed them the company’s greatest product line-up for the new season. Zanuck briefed out some of their important productions and looked for a record breaking year.

Kent stressed the importance of the South American and Central American markets, outlining plans for the conventions the company holds in Rio and in Trinidad. He also pointed out that American pictures are serving as salesmen for all American products, creating demand for our products through showing them in pictures.

While our business has suffered from lack of revenue due to the drop in foreign exchanges, war scares, and lack of confidence and from minorities in this country, I firmly believe there is no force that can defeat a good motion picture that people want to see,” Kent said.

Kent added, “I am sure the fact that the company would sell all its product, features as well as shorts, on the merits of its quality.

Following, the Zanuck address, Herman Wouber, sales chief, pledged that the sales forces would leave no stone unturned to sell the pictures produced by the studio. Several leading Chicago indie exhibs. were guests at the Friday afternoon session.

Following division manager huddles on Saturday, the sales forces departed for their respective posts.

SOL FRANCIS SEEKING MONO. OMACHA FRANCHISE

Negotiations are on between Monogram and Sol Franc whereby the latter would take over the company’s franchise in Omaha. Franc is now held by L. O. “Bob” Ringler.

Both men were in New York last week meeting with Edward L. Golden, Monogram’s president, who reported late Friday that the franchise transfer had not been completed.

20TH—FOX IN DRIVE FOR NEW CHARACTERS

Along with the release of “Steinmetz,” new-May, the studio will go on with “Brigham Young,” “Lady Jane,” “Maryland,” and “Everything Happens at Night.”

Analysis of the product lineup follows:

Primary emphasis upon originals:

Five features based on novels and published stories: “The Rains Came,” “Lady Jane,” “Drums Along the Mohawk,” “Here I am a Stranger,” “Dance Hall.”


Breakdown further shows:


Six classics as biographical: “Stanley and Livingstone,” “Frontier Marshal,” “Steinmetz, the Great,” “Brigham Young,” “Belle Starr,” “Lillian Russell.”

Two will be re-makes: “The Mark of Zorro” (1920), and “Little Old New York” (1923).

Three will be in Technicolor: “The Jones Family,” “Charlie Chan and Mr. Moto.”

Decision to increase rather than decrease the production budget despite the threatening loss of European markets was reached after executive conclusion that it was the proper path to bigger bir in the U. S. market.

Development of the South American and other new markets was another area.

Titled With Stars Assigned:

Picters with stars assigned, with
CLIMAX TO STRIKE EXPECTED THIS WEEK

no new developments occurring as the strike went into its second week.

At Friday's meeting of the distrib., exchange heads were instructed to hire shippers and inspectors wherever needed to keep film shipments moving normally. An examination is expected to retaliate in some fashion if non-union help goes into the exchange buildings.

Action by the government late in the week brought renewed hope for a peaceful settlement. The New York office of the Department of Justice got an assurance from a conference with representatives and attorneys from the Century and Cocalis circuits, the Empire under the Locale. Judge Matthew Levy, attorney for Local 306, is expected to meet with the D of J men today to discuss the union's side of the strike.

Investigation by the D of J is along two lines, to determine whether or not there has been any violation of the anti-trust laws or whether the strike comes under the Norris-LaGuardia Act as a question of wages and hours. Under the Norris-LaGuardia Act there would have to be a trial before an injunction could be issued, it was said.

A recent court decision that a violation of the anti-trust laws is proven, it was said that the Department could take two steps; have indictments handed down for anti-trust law violations or ask for an injunction.

It is the contention of the distrib. that the strike is a conspiracy to restrain trade and the union contends that it is a question of wages, hours and working conditions being involved.

Counsel for the distrib., planned to enter their petition for an injunction Friday morning, but in view of the government's tardiness in going ahead until court action by the distrib. is absolutely necessary, they would let the government and the Mediation Board handle the matter.

Mediation Board spokesman reported that although no definite assurances had been had from Judge Levy that an armistice would be granted, it had been inferred that no further action would be taken by the government until it has had a chance to hold the board again. No subpoenas have been issued by Justice department office.

Week-end business in the theaters was said to have been undisturbed by the strike, with pickups and shipments of 120,000 film units through channels going off smoothly. Exchange heads reported no shortage of supplies. No complaints were received. Leslie Howard is signed by S-1 for "Intermezzo"

Leslie Howard has been signed to take the top male role in Selznick-International's "Intermezzo" and set the stage for a new epic. Howard announced yesterday through United Artists. Howard currently is playing in "Gone With the Wind." "Intermezzo" starts in May.

Wachsberger-Brandt Plan U. S.-So. Amer. Distrib. Setup

(Continued from Page 1)

English pictures, Nat Wachsberger, treasurer of the company, announced over the airwaves. Wachsberger arrived from Europe Thursday on the Normandie and will remain here for about a month, coordinating the details in the organization of the company in which he is a partner with Harry Brandt.

Net Sanders, distributor of foreign pictures, has been appointed manager of the New York office.

Wachsberger said that distribution deals already have been set in every key city in South America and that negotiations are under way for tie-ups with the top circuits in the largest cities in the U.S. The company plans to operate on this basis as that of the major American companies.

Twelve pictures are to comprise the first year's program. Wachsberger boasted that this is to be the biggest release program of the first four productions and prints of six others which will be screened for consideration. The first four include "The Defender," "The Mirror of Shadows" and "The King Goes Gay," all of which are French with various American contract terms. Wachsberger has acquired an English picture which has its American premiere in Boston on April 14 and is slated to open in New York at the Globe in early May.

Wachsberger is a prominent distributor in Paris and Brussels and operates 35 theaters in Belgium.

Wachsberger said that France and Belgium combined to produce pictures this year, adding that the producers of inferior product were rapidly disappearing. He said that modern studios were being built in Belgium where producers planned to co-operate with French companies in making high class pictures.

Para. Sets $20,000 Adv. Budget on "Union Pacific"

(Continued from Page 1)

of advertising and public relations. Most of this budget will be spent in newspapers. In addition to a $65,000 newspaper appropriation, including space in American Weekly and This Week, Paramount will spend $15,000 on a national magazine campaign, all of which is aimed to reach 50,000,000 readers. The United Pacific railroad will get behind the picture with a $50,000 magazine campaign to hit the stands during the next three months with full and half-page ads in Collier's, Look, Newsweek, New Yorker, Saturday Evening Post, Time, Liberty, Photoplay and Red Book and Saturday Evening Post.

In addition, tie-ups have been arranged with Hamilton Watch Co., Wonder Bread, Pennzoil, Pan-American Oil Co., Montgomery Ward, California Fruit Growers' Exchange and Lipton's tea.

The United Pacific traveling exhibit of an 1869 locomotive and cars of the same period and a 1930 locomotive will visit, at the opening of the next circuit, the city of Des Moines, Iowa; Cheyenne, North Platte, Denver, Omaha, Chicago, Detroit, Toledo, Cleveland, Erie, Buffalo, Rochester, Syracuse, Schenectady, Springfield, Worcester, Albany, Boston, New York, Philadelphia, Baltimore, Washington, Harrisburg, Altoona, Pittsburgh, Louisville, Chicago, Indianapolis, St. Louis and Kansas City.

Copyright Registration Bill Passes Vt. House

Montpelier, Vt. — House has passed a bill here requiring copyright registration of any musical compositions to be held rights in copyright for performing all such compositions. Measure is reported containing provision which makes it unlawful for any person to sell, license the use of, or in any manner whatsoever dispose of the performing rights to any musical composition or dramatico-musical composition which has been copyrighted under laws of U.S., or to collect any compensation for the exercise of the rights.

A copy of the list of compositions will be made available for 50 cents, thus bringing the State of Vermont an estimated revenue of $1,000.

Year of Vermont to print list of musical compositions to set for 50 cents each, per copy, with an increment of this sum going as profit to State coffers over and above printing costs which are capitalized as "a miracle of economy" by sources close to Asaph F. Woodbridge, education director. A list compiled of a list of song-titles which have been used for numbers composed by its membership. The list comprises some 25,000 titles.

RESERVE DECISION IN APPEAL OF BLUMENTHAL'S PARA. SUIT

Decision was reserved Friday by a five-judge court, Division on arguments by Louis Phillips, Paramount attorney, who sought to force Ben Blumenthal to file a new action in New York instead of in England.

Blumenthal charged that Para. held B's copyrights which he was to have represented the company in the selling of theaters in England. Suit was filed in England but Paramount, in a subsequent action, contended that the case should be tried in New York, inasmuch as Blumenthal was an English citizen and Paramount is a New York corporation. A lower court decision and explained the details of the drive. In addition to Elmer Rhodes, district manager, Ed Zobel and Hilt House of the New York office addressed the meeting.

ARCH BOWLES EXPLAINS DRIVE TO 125 FOX MIDWEST EXECS.

Kansas City — Arch B. Bowles, field marshal of National Theater's showmanship campaign appeared Friday, before 125 Fox Midwest executives and house managers attending the circuit's annual meeting and explained details of the drive. Bowles spoke of company's endeavors to keep on top. In addition to Elmer Rhodes, district manager, Ed Zobel and Hilt House of the New York office addressed the meeting.

Maine Senate Kills Bill Legalizing Sunday Shows

Portland—By a vote of 13 to 17 Friday, the Maine Senate defeated a proposal to legalize Sunday motion picture shows in the state, disagreeing with the House which on Thursday passed the bill, as amended, to impose a five-cent tax on each Sunday morning admission.
13-Word Decision Confirms RKO Reorganization Plan

NEELY BILL MEANS PIX CHAOS, SENATORS WARNED
JA to Vigorously Fight Any Goldwyn Withdrawal Move

MPPDA Counsel Assails Neely Bill

Key sentences from the statement on the Neely bill by Charles C. Pettijohn, MPPDA general counsel, made before the U. S. Senate Interstate Commerce subcommittee yesterday in Washington:

"The bill tears down and destroys. It does not build."

"I don't know of any business in the world so good to the 'little fellow.' And yet the properties of this bill would destroy the very distribution system that makes these benefits possible."

"There is no moral question in connection with this bill except that this bill would destroy the working of the Motion Picture Production Code."

"'Block-booking' is a trade expression. It means wholesale selling and nothing else."

"... this bill would make every exhibitor his own censor, and all co-operating groups would have at least 17,500 'fronts' for their activities and co-operation instead of one, namely, the motion picture code."

"I have heard of very few failures of theaters even during the depression."

"Now, two things must be preserved. We must maintain what we have left of our foreign"

FPCC UNDER ATTACK IN N. S. LEGISLATURE

United Artists' setup in the industry would make it impossible for the company to participate in the trade practice plan, Maurice Silverstone, UA general manager, explained yesterday in clarifying the reports that the company "had withdrawn" from the trade pact conferences. The company did not "withdraw" (Continued on Page 3)

Judge Bondy Finally Files Decision Confirming RKO Reorganization Plan

Anti-Giveaway Program Looming for Cleveland

Cleveland—Cleveland Motion Picture Exhibitors Association will receive a three-point program designed to eradicate exhib. ill here at a meeting April 14. Program results from a heated discussion of the give-away. (Continued on Page 11)

NATIONAL COUNCIL TO CONVENE TOMORROW

C. C. Pettijohn, Montgomery Hit Measure as Hearings Open at Capital By MILTON F. LUNCH

Washington—With Charles C. Pettijohn, MPPDA general counsel and Robert Montgomery representing the Screen Actors' Guild, as yesterday's star witnesses, hearing before the Senate Interstate Commerce Sub-committee on the Neely anti-block-booking and blind selling bill continues today. Both Pettijohn and Montgomery (Continued on Page 4)

D OF J'S HENDERSON HERE IN STRIKE MOVE

With week-end business at the theaters reported yesterday to have been unaffected by the projectionists strike, film shipments yesterday moved normally and no further action was reported (Continued on Page 3)

Judge Allows $191,865 Fees In Loew Stockholders Suit

Supreme Court Justice Louis A. Valente disclosed allowances yesterday of $191,865 for fees and disbursements (Continued on Page 4)

Okla. House Com. Favors Anti-Ascap Bill Passage

Oklahoma City—The House Judiciary Committee number one has recommended passage of the bill to re-
Ont. Admiss Tax Threatened As Gas Levy Soars

Ottawa—Revenue of $204,639 for the fiscal year ending Mar. 31 was reported for the Motion Picture Branch of the Ontario Treasury De- partment when the estimates were brought down in the Legislature, as compared with an expenditure of $34,409 for the 12 months.

Estimated receipts for the next fiscal year were placed at $185,000 and exceed the present estimate of $360,000. Revenue is largely made up of fees imposed by the Ontario Board of Moving Picture Censors and from the annual licenses for the 360 the- aters and film exchanges.

New taxation was restricted mostly to an increase from 6c to 8c on gasoline and no legislation was introduced for the restora- tion of the amusement tax from which the Board has been a beneficiary by sev- eral municipalities. The latter will benefit, however, by Provincial sub- sidies representing a portion of the increased gasoline levy.

Pix Classification Plan Unfair, Says Md. Censor

Baltimore—Mrs. Ruth D. Werts, chair- woman of the Maryland Censor Board, wrote Emanuel Gafnine, chairman of the Senate Judiciary Com- mittee advising that the Board's re- quest for a law to enable mem- bers to designate films for adults and those under 16 has been rescinded. Mrs. Wents said in part: "To pass the proposed law designating films for family programs or children under 16 would be an injustice to the legitimate industry and those who are trying to observe the production code.

It would simply be playing into the hands of racketeers who would like nothing better than the oppor- tunity to mark their programs for 'adults only,' 'men only' and 'wo- men only.'"

Harold Anderson Replaces Breen In RFS Birth

Because of the pressure of per- sonal affairs, in his home town, Buf- falo, Norman Breen, branch manager at Omaha, has resigned. Appointed to Branch Managerhip, to succeed him, is Harold Anderson, formerly assistant manager in Chi- cago. Stewart C. Martin, of Boston, has been transferred from Chicago to assist the Assistant Managership vacated by Harold Anderson.

William A. Warner, of Baltimore, was appointed Assistant Manager for Ross Federal in Phila- delphia to assist Kraker.

61,800 See "Bell" at Roxy

Attendance at the Roxy for first three days of "Alexander Graham Bell" was 61,877, assuring the pic- ture of at least one week's hold- over. The theater was waxing average Monday and ahead of picture opening on Friday during the day.

Clearance Cuts in Cincy Make Exhibits: "Very Happy"

Clearances in Cincinnati have been reduced, following conferences be- tween I. Lieben, RKO theaters op- erator, and C. M. Rice, district director of exhibitor relations for RKO.

First run clearance has been cut from 44 days to 30 days, while clear- ance between second and subsequent runs has been reduced from 57 days to 44 days. Clearance between sub- sequents have been realigned pro- portionately.

Richey, who returned over the week-end from Cincinnati, reported that exhibitors there were "very happy" over the new clearance setup.

FCC Tele Committee Will Visit New York and Philadelphia

Washington Bureau of THE FILM DAILY

Washington—FCC announced yester- day that a three-man television com- mittee is preparing to go to New York, Philadelphia, and possibly Schenectady to inspect television's latest technical developments. Com- mittee will make recommendations to the commission regarding future regulations. Members are Commis- sioners T. A. M. Craven, Norman S. Case, and Thad H. Brown.

Columbia Shuts Managers In Two Western Branches

Denver—Wayne C. Ball, who has been Columbia exchange manager here, is reported being shifted by company to management of its Los Angeles exchange.

Bob Hill, exchange manager in Salt Lake City, is slated to move to Denver to make his headquarters the manager of both the Denver and Salt Lake branches of Columbia.

Budd Rogers Appointed Greenblatt as Assistant

Budd Rogers, vice-president and general manager of Alliance Films Corp., has appointed Arthur Green- blatt as his assistant. Headquar- ters for the company will be in the RKO Building, Radio City.

Greenblatt was Eastern District Manager for Gaumont British until resigning this post to join Budd Rogers.

Hold Hearing Tomorrow on Censorship Changes

Columbus—Education Committee of the Ohio House tomorrow will con- sider a measure seeking to amend the present censorship law. JTO of Ohio at the hearing of the present amendment for providing the elimi- nation of newsreels from censorship.

Vaude for Keith, Boston

Boston—Close to three weeks of vaudeville have been booked into the Keith, starting April 6. The theater will show some second-run duels during that time.

COMING AND GOING

BARNEY BALABAN, NEIL AGNEW and STANTON GRIFFIS are scheduled to leave for the Coast shortly for conferences on Para- mount's new season products.

S. CHARLES EINFELD, MRS. EINFELD, RALPH MILK, RALPH BURGER, MITCHELL RAWSON and JOHN HANCOCK, all of Warner Bros., as newspaper, trade journal and magazine writers who attended the Georgia film gathering at Dodge City, Kan., arrive in New York this week for the Madison-Borden Vanderbilt.

JORIS IVENS and JOHN FERNO, co-produc- ers of "The 400,000,000," sailed Saturday for the Normandie for France and Holland.

DOROTHY LAMOUR completes her p.a.'s at the Paramount tonight and leaves for Hol-lywood tomorrow.

IRVING RAPPET left Hollywood Saturday for a New York vacation after completing digging direction on Warners' "Family Reunion."

LEO ROBIN and RALPH RAIGNER are on their way to the Coast to attend the party for the Pahi-Fletcher fun- length Technicolor cartoon, "Gulliver's Travels."

WESLEY RUGGLES will leave the Coast with- in a few weeks for a six weeks' vacation in Vich France.

T. J. BRANDON, sales chief for Carlton Films, is making another trip to the West seeing first-runs on "The 400,000,000."

LEON C. TURRO, left Dodge City Kam., Sunday for New York to make a p.a. opening of "Confessions of a Nazi Spy" at the Strand on Apr. 7.

GEORGE JESSEL will go to Chicago next month to act in a number of ceremonies and Dinner to raise funds for a monument to Hyman Goldstone, former theater proprietor.

JOSEPH BERNHARD, WB theater manager, is scheduled for studio and theater conferences in Hollywood this week.

LILLIAN HELLMAN plans the Coast over the week-end for "The New York"

THE THEATRE

George Abbott Productions

"There have been a number of good plays and musicals shows in town, but this is by far the most brill- iant in recent years," Mrs. Horace.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Wayne, Eddie Foy, Teddy SAVO MURRAY ALBERT HART

ALVIN, W. 324 St. Mats. Wed. & Sat.

"The lowest, rhoghest, toughest, ten- derest, dirtiest, most decent, and cer- tainly funniest play for your money in all of Europe this season."—George Jean Nathan, Newweek.

PRIMEPATH

by Bob R. buckner and Walter Hart with Helen Betty Mary Russell WESTLEY GARDEN MAGNUS HARRIS

BILMORE W. 47th St. Mats. Wed. & Sat.

"Renaissance"—Atkinson, Times.

WHAT A LIFE
OF J'S HENDERSON
HERE IN STRIKE MOVE

(Continued from Page 1)

on was taken by either the dis-
tributors, the unions, or the man-
agement. W. Henderson, Special As-
to-Attorney General in charge of the
New York anti-trust division, was
appointed as special counsel, how-
ever, to Toodle-doo. Judge Mathew M. Levy, attorney
for Local 806, met with Department
Justice men in the morning, but
then later in the day, he conferred with his staff and left
his office without making any state-
ment. Levy’s only comment was
no statement” after his meeting.

Further action by the Justice De-
martment is foreseen today, but
long ones could not be deter-
mined last night.

The Mediation Board met with a
committee representing the distri-
ts, and chills, in the afternoon, but noth-
ing of importance occurred. A
spokesman stated that it ex-
pected to have further meetings
in the near future and that the
week with all parties
concerned.

In several exchanges men
were hired to take over the
work in the back rooms
here shipping is handled, but others
exchanges continued their strike
and chills last night, but action by the unions
is expected.

Picketing continued in front of
several exchange buildings and there
is no immediate possibility of a
settlement of the strike in sight,
according to attorneys last night.

Pension for the strippers took no ac-
tion, stating that their position
could remain unchanged until some
final action had been taken by
the unions which would force them
to counter it with court procedure.

All newsreels yesterday asserted
that the strike would have no difficulty
issuing reels on time.

Clean up for Stuckup

New Haven, Conn.—Michael To-
astino, operator of the Whitehall
that Victory, was held up in the gar-
age at his home Sunday night and
in $400 in receipts, his gold watch
and his car.

UA NEVER IN PACT,
SAYS SILVERSTONE

(Continued from Page 1)

because it was “clearly understood
from the very inception of the nego-
ciations that United Artists will be
not be a part of the pact,” Silver-
stone said.

We have 11 producers, each be-
ing separate and individual entities
entirely independent each from the
other, some making as few as one picture
annually,” he stated. “It is
sufficient to say that United Artists is composed of 11 com-
panies we are acting only as distributor for each and each having jurisdic-
tional rights in the selling and pre-
sentation of its respective product.

“However, we would emphasize
that many of the points covered in
the proposed trade pact actually
have been in effect since the in-
ception of the company 20 years
ago, and today are still a part of
the producers’ sales policy.”

Silverstone returned early from
studio conferences. The company’s
new season schedule is about 98 p. c.
complete, he said, and the pre-
arrangement is expected to be re-
leased today, along with details of the
annual sales convention.

Silverstone was enthusiastic over
deals made with Sol Lesser, Ernest
Lubitsch and David Loew, and the
removal of the distribution pact
with David O. Selznick. The latter’s
contract calls for three pictures the
first year, two of which are “Inter-
mezzo” and “Rebecca.”

Sol Lesser will deliver one pic-
ture a year, while Lubitsch will
produce three pictures in two years,
each in the million-dollar class, Sil-
verstone said.

Douglas Fairbanks, Jr., continued
starring work yesterday on “The
California,” while Charles Chaplin
is scripting the script on “The
Dictators,” which will be completed
and delivered in the Fall.

UA’s list of producers now in-
cludes the following: Charles Chap-
lin, Samuel Goldwyn, Douglas Fair-
banks, David O. Selznick, Walter
Wanger, Alexander Korda, Edward
Small, David Loew, Ernst Lubitsch,
Sol Lesser and Hal Roach.

STORKS!

Coshocton, O.—“Twinsfants,” both
girls arrived last week in the house-
hold of Charles Spaetka, assistant
manager at Warner’s Sixth Street
Theater. The mother and duplicates
are reported doing nicely in Man-
heim, the former home of the Spae-
tkas, where the event occurred.

Moorhead, Minn.—Mel Scott,
manager of the Minnesota Amuse-
ment Co., Moorhead Theatre, here
in the father of a baby girl.

West Coast Bureau of THE FILM DAILY

Hollywood—A daughter born to
Chill Wills, RKO comedian, and
Mrs. Ellen Wills. She will receive the
eponymous name of Wills.
Neely Measure Means Chaos for Films, Senators Told

MPPDA and SAG Join in Attack as Hearings Start; Atkinson Defends

(Circulated from Page 1)
told the sub-committee members that passage of the Neely measure would greatly affect the industry. and Montgomery declared that the SAG believes "enactment of the Neely bill would bring about a chaotic condition in the motion picture business from which, in their opinion, there could be no recovery within a period of 12 months or 12 years."

Henry R. Atkinson of Boston, Mass., president of the Boston Chapter of the Motion Picture Research Council was the only witness to appear yesterday in favor of the bill. In an introductory statement, he declared the present system of distributing films is "like selling food or drugs without a label."

He said other members of the Research Council by Mrs. Mary Bannerman, Washington legislative representative, would appear within the next few days to present additional testimony.

Senator Toby Absent

The hearings began at 10:30 a.m. with Senator Ellison D. "Cotton Ed" Smith of California presiding. All members of the sub-committee, except Senator Toby of New Hampshire were present. Before a packed house, Montgomery told the sub-committee that the SAG and its attorneys had carefully studied the bill and came to the conclusion that if it should become law it would cut in half the production schedules of the motion picture industry. He declared this would directly affect the employment of some 282,000 persons who are employed in production, distribution and production divisions of the film industry.

Senator Neely asked Montgomery if the number of pictures produced in 1937 was only about half of those produced in 1927. Montgomery asserted that this was due to the fact that silent pictures prevailed in 1927, which made it easier to produce more films.

In a surprise move, Senator Neely asked that witnesses who intended to appear in favor of the bill cancel their testimony. He said he thought this would save time and money. "The matter had gone on for too long and we can afford to use our time better before the committee.

Curious About Mae

Washington, D.C., May 16—Today's Neely bill hearing was reenacted by the Senator's office. Senator Atkinson asked C. C. Pettjohn, "Why has Mae's popularity declined?"

The MPPDA general counsel replied, "Mae's popularity declined due to overcharging public opinion. "

The witness's question was met with ladies packing the hearing room.

MPPDA Counsel Assails Neely Bill

(Continued from Page 1)

market, together with the present returns from our first-run American theaters."

"Pictures cannot be sold one at a time if this business is to exist."

"We want every theater in the U.S. to stay in business. We are willing to continue to serve many small towns in far-away points at a loss. Those accounts produce new customers just as the large accounts in big cities."

"This bill is against the interest of the moviegoer. It would throttle an industry that has given the people in every American town a priceless visual education, the privilege of foreign travel, plus entertainment at the price of an ice-cream soda."

Judge Allows $191,865 Fees in Loew Stockholders Suit

(Continued from Page 1)

burses in the Loew's stockholders' suit.

To Emil K. Ellis, counsel for the stockholders, was awarded $44,025; Artie L. Degman, $11,875; Abram Polakoff, $11,250; Polakoff of Nemerov, $28,500; Harry Bijur, $17,079; Garey & Garey, $11,886; Milton I. Mulry, $6,000; Maurice Rose, $7,000; Bernard Reis & Co., $30,000.

Amounts are to be paid out of the overpayments made by J. Robert Rubin, Nicholas M. Scheen, Arthur M. Loew, Louis B. Mayer, and the Estate of Irving Thalberg.

and the Senate to vote on the bill. Pettjohn objected to this move, stating that the opponents of the bill had been refused a hearing when it was reported last year and in 1938, when hearings were held only one member of the committee was present. Pettjohn said he did not consider this a fair hearing.

Lengthy debate ensued and Chairman Smith admitted that in spite of his vote for the bill in 1938, he had never read the report of the hearings and said, "this is the first time I have had an opportunity to have the issues brought before me.

Barclay Cites Changes

Majority Leader Barclay pointed out that there have been changes in the membership of both the Committee and the Senate since the bill was passed in the upper House and stated that both sides should be heard again for this reason and to present new developments. In reply to a statement of Atkinson that it was up to the opponents to show some change since the Senate passed the bill, Barclay declared that the hearings were not a trial.

"All we are after is the facts," he said.

Following Pettjohn, Montgomery spoke on paragraph seven of the bill. Under this paragraph 12 months are given to the industry to readjust its entire structure, he said.

"I should like to point out that the methods of distribution, which are attacked by this bill, while admittedly not perfect, are the result of 30 years' experience and effort. The sponsors of this bill ask the Congress to destroy the entire business structure of one of the largest industries of the United States without offering any alternative plan equal to it. It has failed every time it has been tried," he declared.

It is the basic right of American communities to determine what kind of entertainment will be shown in neighborhood movies, Atkinson told the sub-committee. He declared the Neely bill "liberates local communities," our objective is "community freedom in the selection of film," he said.

Second Chain Tax Measure in Wisconsin Legislature

Madison, Wis.—The second chain theater measure has been introduced in the state legislature here in the name of the State Film industry. Under the predecessor, the occupational tax ranges from $5 to $100 per unit, depending upon the size of the circuit, but the new tax to be introduced would vary from 20 cents per seat instead of one cent. In the other bill.

Sam Peckner Dead

San Francisco-Sam Peckner, 56, manager of the Loew Warfield Theater here, died of a heart attack on the train en route to his home here from a business meeting in Southern California.

LOBBY CHARGE "LOOSE TALK"

"Sheer Nonsense," Pettjohn Tells Senate Group

Washington Bureau of THE FILM DAILY—Taking cognizance of charges that there exists a "large and powerful motion picture lobby in Washington," Charles C. Pettjohn, MPPDA general counsel, told making it a misdemeanor, if not a sub-committee considering the Neely bill yesterday:

"This committee has a right to know about that. Our representation here in Washington consists of Stuart New, who is assisted at times by Mr. James Fitzgerald, formerly secretary of the Washington Film Board of Trade. Now, add my humble self and you have our entire staff.

"I am willing, gentlemen, to make that statement over and over. I know there are plenty of applications from people who would save the picture business, in Washington and elsewhere. All this loose talk about a 'large and powerful motion picture lobby in Washington' is sheer nonsense.

"Any loose statements to the contrary, I have no propagandists or communications of any kind to any member of the Senate or to any member of this Committee. I would like to see a Federal law passed against that, for it is a felony, for anybody to request any Senator or Representative to be for any bill or any measure pending in the United States Congress if that person had not at least read the bill."

A F of A Council Nominees

At a meeting of the A F of A nominating committee yesterday at the Edison Hotel, eight candidates were selected to be voted on at the annual meeting as replacements on the Council. Rudy Vallely, Sally Rand, Jed Dooley and Walter J. Diggles were renominated, and Joseph Smith, Avis Andrews, Lou Tayl or and Adele Ayln were nominated for one-year terms as members of the Council.

S. S. Wetmore Dead at 81

Halifax, N. S.—Stewart S. Wet more, 81, dean of theater decorators in the maritime provinces, is dead.

35 Pix In Work

West Coast Rev. THE FILM DAILY- Hollywood—Thirty-five pictures are in production with Paramount heading the list, but followed by Warner's with six: 20th Century-Fox; five: Universal, four; Columbia, three; M-G-M, RKO and Republic, two each. Selznick, Calouo, Small and Darmour are making one each.
Warners' Motto

QUALITY IS NOT A PASSING FASHION

THE BIG HITS THIS YEAR!
(Isn't it a fact?)

THE BIG HITS NEXT YEAR!
(True! True!)

THE BIG HIT NOW!
(And how!)
The Most Sensational Outdoor Drama

DODG!

IN TECHNICOLOR

West of Chicago there was no law

... West of Dodge City, no God!
Ever Put On Celluloid Is Massed For

ACTION
-as only
Warner Bros.
deliver it!
Great Gosh!
Look At This Great Cast!

ERROL is in
OLIVIA DE HAV is in
ANN SH
A THOUSAND OTHERS including
BRUCE CABOT · FRANK M
JOHN LITEL · HENRY TRAVERS · VICTOR
Directed by MICHAEL CURTIZ

The boys have voted her America's 'Miss Oomph'
You'll know what they mean when you see Ann Sheridan 'send it' in this!

AND IT'S ALL IN
FLYNN!
ULLAND
ERIDAN

WILLIAM LUNDIGAN

HUGH • ALAN HALE

JORY • WILLIAM LUNDIGAN

(Robin Hood's director)

Technicolor!

It's GOT to Be a Sensation
— The Company That Made It Made These!

FOUR DAUGHTERS • THE SISTERS • BROTHER RAT
ANGELS WITH DIRTY FACES • DEVIL'S ISLAND
DAWN PATROL • THEY MADE ME A CRIMINAL
BLACKWELL'S ISLAND • I AM NOT AFRAID
DARK VICTORY • WINGS OF THE NAVY
YOU CAN'T GET AWAY WITH MURDER
THE OKLAHOMA KID • NAUGHTY BUT NICE
JUAREZ

CONFESSIONS OF A NAZI SPY
YES, MY DARLING DAUGHTER • FAMILY REUNION
THE KID FROM KOKOMO • HELL'S KITCHEN
THE DEVIL ON WHEELS • EACH DAWN I DIE
WHAT ARE YOU GOING TO DO ABOUT IT?

WARNERS are doing this!

(Because Warners is the company that believes in Fair Practice!)

The most spectacular ballyhoo since The '42nd Street' Special!

THE DODGE CITY ROUNDUP

Broadcast over 193 stations—half-hour programs on both the Blue and Red networks of NBC, and MBS! Attended by over 50 Hollywood Stars! Famous Hollywood commentators and columnists! Simultaneous premieres in every theatre in Dodge City covered by 185 newspaper reporters from major cities!
BONDY CONFIRMS RKO REORGANIZATION PLAN  
(Continued from Page 1)

The plan, now under consideration, was the subject of a confidential meeting held in New York yesterday, attended by officials of the company and representatives of the local unions. The plan, according to sources, is designed to provide for the continuation of the company's operations while it is being reorganized.

Managers Get $25-$40 for 80 Hours,  
And Operators $42.50 for 40 Hours  
(Continued from Page 1)

The National Labor Relations Board has approved the plan, which was submitted by the company to the board last week.

Anti-Giveaway Program  
Looking for Cleveland  
(Continued from Page 1)

The Cleveland branch of the Anti-Giveaway Committee is seeking new members to help carry out its anti-giveaway program. The committee is working to stop the distribution of free tickets to motion pictures.

O'Donnell to be Guest  
Speaker at Rep. Parley  
(Continued from Page 1)

O'Donnell is scheduled to speak at the Rep. Parley meeting this week. He will discuss the importance of the anti-giveaway program.

UA TO FIGHT GOLDWYN WITHDRAWAL MOVE  
(Continued from Page 1)

UA has filed a complaint against Goldwyn's withdrawal move, asking the court to prevent him from withdrawing his support for the anti-giveaway program.

The Anti-Giveaway Committee has expressed its gratitude to UA for its support.

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"Broadway Serenade" with Jeanette MacDonald, Lew Ayres, Ian Hunter, Frank Morgan

Metro

(114 Min.)

(Hollywood Preview)

Lavish eye-filling musical rates with the best and should put exhibits in clover.

Here is one of the most lavish, eye-filling musicals to come to the screen in many moons. Richard Z. Leonard functioned in the dual capacity of producer and director and turned in a worthwhile performance. In her initial role, persuaded Morgan to give Jeanette a chance in the show. This splits up Jeanette and her husband, Lew, as a team. While Jeanette soars to stardom, Lew, who is a composer, his work is left with Shean. Lew reads gossip columnists' stories regarding Jeanette and Hunter being in love. Lew quarrels with Jeanette, and the plot thickens when it is learnt that he is to sail to England to marry Hunter. Lew comes to her with the news that he has sold his score. Morgan is to be the producer and Morgan induces Jeanette to stay in the musical. Hunter withdraws in favor of Lew, and a happy reconciliation follows.


CREDITS: Director, Robert Z. Leonard; Director, same; Authors, Lew Lipton, Taintor Foote and Hans Kraly; Screenplay, Charles Lederer; Art Director, Cedric Gib- bons; Associate, Joseph Wright; Camera- man, Seymour Felix; Film montage effects, John Hoffman; Editor, Harold F. Kress. Musical Director, Herbert Stothart; Music and Lyrics, Takei Ono; Additional music, Edward Field. Bob Wright, Chest Forrest, Walter Donaldson; Vocal and Orchestral Collaboration, Leo Arnaud, Leon Raab; Dance Di- rector, Paul T. Marsh; Musical Presentation, Milton Romeo; Directing, Praiseworth. PHOTO- RAPHY, Direct.

"The Kid from Texas" with Dennis O'Keefe, Florence Rice, Anthony Allan

M-G-M

(70 Min.)

Hollywood Preview

Enjoyable comedy drama should prove highly entertaining to all audiences. A very enjoyable comedy drama is this story of the polo playing cowboy in society. As top grade program fare, it should prove highly entertaining to all audiences. An outdoor athletic fan, Dennis O'Keefe is a very likeable person. Under S. Sylvan Simon's direction O'Keefe turns in his best work to date, he is far more limber than he has been and more sure of himself, and he handles his comedy in splendid style. Jesse Ralph is very good, as is Jack Carson, Buddy Ebsen and Florence Rice. They all take part in the situations that furnish some good solid laughter, which is due in a large measure to the excellent direction of Simon. The picture shows a lot of directorial touches that put over the gags, it is fast, and everything possible is gotten from the material. The screenplay was written by Florence Ryer- son, Edgar Allan Woolf and Albert Mann- heimer, from a story by Milton Merlun and Byron Morgan. Edgar Selwyn, the producer, invested the production with character. The M-G-M class mountings. As for plot, O'Keefe, a cowhand, meets Florence Rice and her brother, Anthony Allan, while they are in Texas buying polo ponies. O'Keefe wants to return to California, but follows them back to Long Island. Too, he likes Florence a great deal. He is a cock-sure sort of fellow, but in a comical way. He gets himself disliked by a lot of people including Florence. However, Jesse Ralph, Florence's Aunt, thinks that the situation arises where even his horse he has made a heel of himself, with that, O'Keefe resides in a society of polo players, and a polo matches between cowboys and Indians. Florence discovers she really loves O'Keefe and also decides to ride in a match in which a girl with the show figures, and Florence finally gets together.


CREDITS: Producer, Dennis O'Keefe; Director, S. Sylvan Simon; Authors, Milton Merlun, Byron Morgan; Screenplay, Florence Ryerson, Edgar Allan Woolf, Albert Mann- heimer; Cameraman, Sidney Wagner, ASC; Art Director, Cedric Gibbons; Associate, Stan Rogers; Editor, Frederick Y. Smith. Musical Effects, By Herbert Stothart. Musical Score, Dr. William Axt; Song, "Right in the Middle of Texas," by Ormuth Ralph, Milton Merlun and Albert Mann- heimer.

DIRECTION, Able. PHOTOGRAPHY, Great.

Golden Boy is Found

Columbia yesterday found its Golden Boy. Signed for the film version of Clifford Odet's stage hit was William Holden, a find of "Rouben Mamoulian. It will be his first important following his brief stage experience with the Pasadena Community Playhouse.

IATSE District Conclave Set for Akron June 4-5

Akron, O. — Arrangements have been completed for a two-day IATSE convention at Portage hotel here June 4-5, with delegates arriving from the eighth district, comprising Ohio, Michigan, Indiana and Ken- tucky, will be here for the sessions, and when Akron there will be at least 150 visitors.

At least three international officers are expected to attend the convention.

Asher on His Own

Boston—Harry Asher is distributing the film versions of several plays he is following his resignation as GN eastern divisional manager.

South Australia Weighs Film Legislation—Hake

Possibility that South Australia will soon have legislation passed similar to the recently enacted film bill in New South Wales was fore- seen yesterday by Clay V. Hake, managing director in Australia for 20th-Fox, who arrived in New York over the week-end after breaking his trip from the Coast by attend- ing the company's convention in Chicago.

Hake said told The Film Daily that a movement for legislation in South Australia has gained considerable momentum recently, and in all prob- ability it would be passed in the near future. He also said that an amendment calling for licensing of theaters, with several other clauses possibly being added to it, was being put together, which would already have a statute covering the film in- dustry. Addition of South Australia law would give three of the six states of the Commonwealth of Australia film laws.

He said that the general economic conditions in South Aus- tralia were gloomy, but that company business last year was the best on record. He expects to have several worthwhile con- ferences with Walter J. Hutchinson, di- rector of foreign distribution for the company, before he starts his bi-monthly trip to Sydney.

Some 78 films, including the studio lineup, the company's British program, and other pictures pur- chased for the market, will be hand- ed by 20th-Fox in Australia dur- ing the coming season, less than last year, Hake said.

Weatherford, Bell to See France as Metro's Guests

Six winners in Metro's "Marie An- toinette" contest, including two thea- ter managers and four patrons whose names will be all-expenses- paid round trips to France, were an- nounced yesterday by Howard Dietz la- publicity director. More than 10,000 entries were submitted from throughout the U. S. and Canada.

 Sextet embraces Frank Weather- ford, Worth Theater, Ft. Worth, Texas, and Ray Bell, Loew's Thea- ter, Washington. Winning movie-goers, who submitted the best 300 word essays on "Why I Should Like to Visit the Country of Marie An- toinette," are Miss Mary M. Can- mel, Markway, Illinois; Miss Helen Virginia King, Denver; Miss Effie Burkhalter, Amarillo Tex., and Mrs. Helen Skold, Chicago.

The six winners will sail from New- York on the "Vasa" in July, but the official opening date has not been announce.

Five judges were Count Henri d'Ornano, director of the French Government Tourist Bureau; Edu- ard Bourdet, director of the Cinéma- tographique Français for the French Line; William Lewi- Department of Secondary Educa- tion for the French government; David Blu, of M-G-M's Interna- tional Department, and William J. Ferguson, Metro's exploitation head.
FPCC UNDER ATTACK
IN N. S. LEGISLATURE
(Continued from Page 1)
would give the Nova Scotia board of censors power to require film exhibitors to submit to it for inspection copies of films, and the terms on which they have been distributed.

The exchanges would also be required to maintain officers and agents in this provincial capital.

Patterson asserted that FPCC, in conjunction with the Nathanson distributing agency, had given a Sydney, Cape Breton Island, theater owner the right to "select his pictures and to fix the time for his pictures to be shown." Thus, he said, if a film were shown in Sydney, the same film could not be shown in another town "at the same time or for months afterwards."

"It seems to me," he declared, "that the people of this province, who patronize the different theaters are compelled indirectly to contribute to Famous Players Canadian Corporation, which describes Patterson's accusations as "ridiculous." N. L. Nathanson, president, who was en route from Toronto to New York, could not be reached for an interview.

Nasser Brothers Acquire 3 Harvco Colusa Houses

Colusa, Calif.—Nasser Brothers of San Francisco, have purchased three Colusa County houses formerly operated by the Harvco Amusement Co. Theodore Nasser, one of the seven brothers of the firm, has taken over the Colusa County territory.

$25,000 for Refugees

Minneapolis—Some time during the coming week, W. A. Steffes, Chief Barker of the Twin City Variety Club, will present O. J. Arnold, local head of the German Refugee drive, with a check for $25,000, the result of a two month "drive" by Twin City theater men.

Branch's Mother Buried

Detroit—Interment rites for Mrs. Charles Holcomb, mother of Ray Branch, president of Allied Theaters of Michigan were held Saturday at Fulton.

Movietone to Fly Clips Across Atlantic—Talley

(Continued from Page 1)

vice starts, it was learned yesterday. Theodore H. Talley, Movietone chief, has been working on the plans for some time, anticipating the plane service, it was said.

It is asserted that four to six days will be saved in getting important stories on the screen by use of the plane service, and it will be possible to put an important new event on the American screen within 36 hours after the actual filming in England or nearby.

Shipping schedules, methods of procedure, and other matters pertaining to such a service are being set by Talley, and he expects to inaugurate the service from the European end on his forthcoming trip to England and France the latter part of this month, providing the plane service has been started.

Movietone also plans an extension of its policy of special local coverage of events important to certain sections of the country. Policy was inaugurated last year on the Coast with special events, with stories made up and scored by sectionally well known radio men or newspaper men and released in the territory the same day.

This special service will be sectionally under the supervision of sectional supervisors; Emile Montemurro in Chicago, Al Waldron in Minneapolis, Louis M. Elliott in Cleveland, and Leroy Orr in Denver.

Movietone is making plans for the reopening of its Spanish office and also for overseas service, generally highways generally have been strengthened recently to be prepared for any eventuality, it was stated.

Non-Availability of Prints Attacked by New York Allied

Albany—Allegation of spasmodic non-availability of prints at schedule time for oldies on many occasions heightened the New York Allied monthly meeting at the Ten Eyck Hotel yesterday afternoon. New York, Patrons of 30 theaters were present. While no comments were available on legislation, it is believed that conferees ratified last month's action and that a report on the bills' respective standings was available. Upstate opposition to nationalized production, opposed to groupings of men in a booth bill has not waned, it was said.

Delegation will attend state convention in New York next month, according to Charles L. Mitchell, Conenary president, while Thomson Kelly represented State Allied.

Technicolor's 1938 Profit

At $1,334,243; Up $703,525

(Continued from Page 1)

for 1938 was $1,334,243, representing a gain of $703,525.

The annual report points out that shipments of Technicolor prints for foreign production increased in 1938, with a corresponding increase in foreign exchange earned. The firm's tax base has been increased to $2,030,449 for the calendar year 1938.

At the annual meeting of shareholders at the Variety Building, the directors reported that Technicolor has been operating with a profit of $703,525 for the year ending December 31, 1938. The profit was distributed among the shareholders as a dividend of $1.50 per share, or $1,334,243 in total.

20th-Fox Will Make Third of Shorts in Technicolor

Approximately one-third of the Movietone News short line for next season will be in Technicolor it was disclosed yesterday when it became known that in addition to the four "Fashion Forecasts" and 10 Tarrytoons that will be in color, it is also planned to screen four other shorts in Technicolor. It is possible that more than 10 Tarrytoons may be in Technicolor this season, it was said.

Reason for increased use of Technicolor by the organization is said to be due to excellent audience reactions that have been witnessed from the shorts they have already done in color.

Griffith Subsidiary Adds Three El Reno Theaters

Ohio City—Purchase of three theaters in El Reno, by Consolidated Theatres Inc., has been announced by officials of the parent Griffith Amusement Co. Here. Purchase of the Criterion (600 seats), a theater (400 seats) and Royal (400 seats) from F. E. Loomis and Orville Enloe is to become effective April 15. Deal involved all real estate connected with the Criteron and leases and equipment only on the other two theaters. A new city manager will be appointed at the time Griffiths take over, it has been announced.

Only remaining house in El Reno is the El Caro owned by E. R. Red Slocum, former Griffith district manager.

Extend Mo. Sales Levy

Jefferson City, Mo.—The House re-enacted the existing 2 per cent sales tax for another two years to expire on December 31, 1941.

Williams Takes Over Seven More Theaters

Okahoma City—Addition of seven new theaters to the Lee Williams Theatres, Inc. circuit started early in January, has been announced by Mr. Lee Williams, president. This brings to 10 the number of houses in the chain all acquired in three months.

Most purchases include the Best theater at Broken Bow, Oklahoma, from Charles Buffum who had operated the house for a number of years. The Tower and Arrow theaters at Broken Bow were also purchased from S. B. Callahan. The Williams organization has closed the Arrow for a complete remodeling. Gerry L. Doig has been named temporary manager of the three Williams theaters at Broken Bow.

Also purchased was the New theater at Nashville, Ark., from H. H. Baker of Emerson, Ark. Baker had been operating the house under a lease agreement with V. McGin- nis. Williams theaters secured a closed town by also purchasing the Liberty theaters at Nashville, Ark., from R. B. Hardy. The Gem will be closed for complete remodeling. Temporary manager for Nashville is O. P. Peache.

Seventh theater purchased by Williams was the Dixie at Ashdown, Ark., from H. L. Walker. This will be taken over May 3 with Bill Frazier, manager of the Dixie for several years, remaining.

The New Queen and Gem Theaters were opened at DeQueen, Ark., by Williams Feb. 23 after complete remodeling and the new Pine theater in Dierks, new under construction and set for opening April 15.

Williams heads the circuit companies will continue acquiring properties, particularly in closed situations, as long as good buys are available in Eastern Oklahoma and Western Arkan- saws.

For years Williams has operated K. Lee Williams Road Shows with offices in Oklahoma City and Dallas as well as the K. Lee Williams Film Exchange here in Oklahoma City.

D. S. Walker Dies Abroad

Montreal—Prominent on the theatrical field in Montreal for half a century, David Scott Walker, 79, who married Mrs. E. Tipling Sisman, Toronto, March 21, died there Saturday. For many years Mr. Walker was secre- tary-treasurer of the J. P. Sparrow Amusement Co.

Dinner Sets Next?

Chicago—Looks as though exhibitors here may end up giving full dinner sets with each dinner admission. Latest scoop shows the Embassy offering three plates, the Crawford—two cups, and the State—two cups and the Esquire—Circuit’s Davis presenting two dinner plates.
THE ROXY LOUD SPEAKER ROARS OUT THE GREAT NEWS!
(And, remember, this is Holy Week!)

"...STANDING ROOM ONLY... AND YOU'LL HAVE TO WAIT AN HOUR FOR THAT!... WE'RE DOING ONE OF THE BIGGEST WEEKS IN ROXY HISTORY!..."

THE STORY OF
ALEXANDER GRAHAM BELL

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE
Distributors to Sell Under Provisions of Trade Draft
PROPOSE EXHIB.-CIVIC GROUP PIX SELECTION PLAN
Expect Three Broadway Houses to Install Baird Tele

Theater Divorcement Bill in Pa. House
Harrisburg, Pa.—A bill has been introduced in the house which would ban motion
picture theaters owned or operated by producers or distributors.

UA SALES MEET WILL OPEN MAY 8 ON COAST
What is expected to be United Artists' biggest and most important
sales convention will be held in
Hollywood beginning May 8. The
entire field staff and the home of-
office executive personnel will attend.
Details of the company's 1939-40
program, which is expected to in-
clude a minimum of 28 pictures,
will be announced at the convention
by Maurice Silverstone, head of
world-wide operations of the firm.

Wilcox Sets Cavell Story for First Hollywood Film
Herbert Wilcox's first U.S. pix
to star Anna Neagle will be a story
based on the life of Edith Cavell,
British nurse who was executed dur-
ing World War I.

STRIKE DEVELOPMENTS WAIT ON U.S. ACTION
Investigation here of the projec-
tionists' strike by Berkley W. Hen-
derson, special assistant attorney
general in charge of the New York
anti-trust division, was closed yes-
terday and a report was forwarded
immediately to Washington with the
D of J office here expecting instruc-
tions from Washington today or to-
morrow as to whether or not it is to
interfere.

None was questioned yesterday by
(Continued on Page 4)

D of J Quizzes 70 Indies to Bolster Equity Action
Approximately 70 independent ex-
hibitors in New York State were
interviewed last week by Seymour
Kreiger, special attorney for the De-
(Continued on Page 4)

Allied's Attitude Not to Affect Dists.' Plan to Adopt Proposals
Regardless of Allied's contention
that the trade practice proposals
are incomplete, major distributors
will incorporate the provisions in
their contracts, it was indicated yester-
day. Allied, in an official state-
ment, declared that the proposals
"do not provide relief at all com-
mensurate with that asked by the
government in its suit" and that
they "do not pretend to abolish com-
pulsory block-booking, blind selling
and do not touch on the subject of
theater divorcement."
A check-up yesterday disclosed a
(Continued on Page 3)

Easily Done If That's What Neely Forces Want, Asserts Pettijohn
By MILTON F. LUNCH
Washington Bureau of THE FILM DAILY
Washington — Hearings on the
Neely Bill to prohibit block-booking
and blind-selling continued yester-
day before the Senate Interstate
Commerce sub-committee, with pro-
ponents of the bill holding the floor
throughout the session.
Highlight came when C. C. Pet-
tijohn, MPDA general counsel, in-
terrupted a witness who had asked
that local civic organizations be
given a greater choice in the selec-
tion of films for the community.
Pettijohn stated that was the
(Continued on Page 7)

NEW AMUSEMENT TAX BILL IN PENN. HOUSE
Harrisburg, Pa. — New amuse-
ment tax bill introduced in the
House by Rep. E. Kent Kane is in-
tended to raise money to relieve
financially distressed school districts
and hospitals.
A similar bill, introduced previ-
(Continued on Page 6)

Court Keeps Jurisdiction Over Assets of RKO Corp.
Settlement of the confirmation or-
der in RKO reorg. proceedings was
noticed yesterday to 24 principal
law firms representing interests in-
volved, and will be presented to the
clerk in Federal Court tomorrow at
10 a.m.
Text of order provides that Court
(Continued on Page 6)

Weisman Files Final Report As Fox Theaters' Receiver
Milton C. Weisman, Fox Theaters
trustee, yesterday filed final account-
ing in his request to be discharged
ALONG THE RAILO

WITH PHIL M. DALY

- - - SETS new photo coverage record...Roger Ferri...editor of Dynamo...20th Century-Fox house organ...turned out a 20-page telephoto special right after the simultaneous openings of "Alexander Graham Bell" at Washington and San Francisco World's Fairs...splashing photos of both openings several thousand miles apart being what you call SOME stunts...for he did it after Wednesday night openings, finishing early Thursday morning.

- - - BUT that's only part of Mister Ferri's feat...this full-size map was distributed to convention delegates in Chicago when the convention opened there Thursday morning...AND then this telephoto special was delivered on the 20th Century-Fox lot the same afternoon...if any pressagent can top this one, Ferri is ready to eat a copy of this 20-page Dynamo suspended by one ankle from a flagpole on the roof of the Roxy Theater, and remain hanging there until he has fully digested his meal.

- - - PLEASE be lenient with us...all you publicity mugs...and excuse us for not running your exclusive items that you have been piling in here since we went to that Dodge City jamboree of Warners...but we note that most of these items exclusive to us have appeared in the other papers...so...yes, porter, you can dump all that junk in the corner of the room...it's old stuff, now.

Strike Developments Wait on United States Action

(Continued from Page 1)

The justice Department office and the Mediation Board held no further conferences yesterday. The strike front was quiet. In some quarters yesterday, when it was reported that there was a possibility the government might quietly intervene in the strike to attempt a settlement, but no official confirmation could be had of any plans.

Principal effect of the strike to date has been a slight delay in selling at exchanges. Salesmen have been drafted to help out in shipping rooms, and exhibitors, in some cases have pointed out that they do not wish to make any commitments until the strike is settled. No further action by the union is anticipated until the official course of action in Washington has been indicated.

Dists. to Sell Under Trade Draft Provisions

(Continued from Page 1)

variety of opinions as to the merits of the plan, some believing that the draft was a "step in the right direction" while others were of the opinion that the plan was acceptable except for the vague interpretation of an arbitration system. However, many companies are understood to have definite plans to sell new product under the provisions of the plan.

ITOA, which was to have met today to take action on the proposals, has postponed the meeting one week to allow its attorneys to give further time to the study of the draft.

D of J Quizzes 70 Indies to Bolster Equity Action

(Continued from Page 1)

dpartment of Justice, who is seeking data for the Government's answer to the distributors' request for a bill of particulars in the equity suit against the majors.

Kreiger was accompanied by Thornton Kelly, executive secretary of New York Allied, on a tour of five cities. Twenty-two exhibitors were interviewed in New York City, 14 in Albany, 11 in Syracuse, nine in Rochester and 14 in Buffalo. Interviews were based on complaints filed with Allied by the exhibitors. Kreiger is now collecting similar information in Boston.
Film Daily says “We are ready to stake our reputation that Dark Victory ranks as one of the Really Great motion pictures. Dark Victory is one of the greatest emotional heart dramas ever produced and a sure Academy Award winner. The outstanding performance of the screen’s No. One Artist, Miss Davis”. Hollywood Reporter wrote, “Dark Victory is a boxoffice smash; rises head and shoulders over screen achievement. Will hold audiences breathless.” Box-office stated, “Dark Victory tops box- offices.” Motion Picture Herald as a “made-to-marquee-measure attraction.” Showmen’s Film Bulletin said, “It is one of the sure office bets!” Showmen’s Trade Review said “Bette Davis tops previous roles!” Jay Emanuel Publications said, “Dark Victory is a top grosser. If Warner Bros. had deliberately made a picture just to capitalize on winning the Academy Award, they would not have made a better vehicle.” Film “A Portrayal Never to Be Forgotten”

In support of Miss Davis are Geo. Brent, Humphrey Bogart, Geraldine Fitzgerald, Ronald Reagan, Henry Travers, Cora Witherspoon. Directed by Edmund Goulding. Screen Play by Casey Robinson. From the Play by George Emerson Brewer, Jr. and Bertram Bloch. Music by Max Steiner. A First National Picture

RELEASE BEGINS APRIL 20 AT RADIO CITY. WARNER BROS., PRODUCERS
Shots, Candid and Otherwise, as Warners Moved Burbank

Ann Sheridan and Charley Grindley at the civic luncheon at Dodge City.

Ann Sheridan, Olivia de Havilland and Errol Flynn in the "Coy Lady Storm," aboard the "Dodge City Special."

Standing—Gilbert Roland, Chief Santa Fe, Frank Garfield, Jack L. Warner, Rosemary Lane, Wayne Buck Jones, Lee Lyles, vice-president of the town of Seligman, Ariz., turn out early in the morning to greet the stars aboard the Special.

Errol Flynn and Ann Sheridan with the governors of three surrounding states—Ralph Carr, Colorado; John Miles, New Mexico, and Payne Ratner, Kansas.

Rosemary Lane and Errol Flynn relax for a moment on route to Dodge City on the Special.

Wayne Morris, Bubbles Schnasi, John Payne, Ann Shirley, Hoot Gibson and Olivia de Havilland just before leaving for Dodge City.

Press photographers have a field day on the Special shooting at Rosemary Lane, Priscilla Lane and Jean Parker with Humphrey Bogart getting in some amateur work at extreme right.

Maxie Rosebloo, Lyra Lys, Johnnie Burke, L. F. Priscilla Lane, Ann Sheridan, Claire Windsor, Hoot Schnasi, as they left it...
Kansas for Wild and Woolly "Dodge City" Premiere

Rosemary Lane, Priscilla Lane and Hoot Gibson singing in the "Gay Lady Cabaret" aboard

Anne Sheridan, Gloria Dickson and Buck Jones join the singing in the train cabaret.

Clockwise from top center—Ann Sheridan, Mrs. John Miles, Jean Parker, John Miles, Governor of New Mexico, Lya Lyu, Lee Lyles, vice-president of the Santa Fe, Rosemary Lane, J. E. Owens, Charley Einfled. Mrs. Einfeld, Allan Jones (hidden).

Part of the four-mile parade reviewed by the stars before the premiere at Dodge City.

Gloria Dickson, Jane Wyman, Allan Jones, Mother, Wayne Morris and his wife Bubbles for City Special.

Dodge City arrival—Jean Parker, Allan Jones, Errol Flynn, who has just accepted the key to the city, John Payne, Rosemary Lane, Gilbert Roland, Priscilla Lane, Big Boy Williams, and Jane Wyman.

A little music aboard the Special—Big Boy Williams, Gilbert Roland, Hoot Gibson, Gloria Dickson and Jane Wyman (standing).
BAIRD TELEVISION FOR 3 B'WAY HOUSES

(Continued from Page 1) he believed the use of television in film theaters as an added attraction would prove to be a help at the box-office, and the company is rapidly wiring all Gaumont British houses around London now. The Baird 15 by 12 foot screen will be used in the New York houses, with a possibility that some sort of a tie-up may also be arranged with the Fox.

Advices from London report that Isidore Ostern, G.B. proxy, is advocating the erection of a new television station near London in order to increase the telecasting facilities there. The Baird plants are reported to be working overtime shifts in order to fulfill their program, which calls for the wiring of all G.B. houses in the London area by the end of May. Their production of home receiving sets has also been stepped up to meet an increasing demand, it was said.

Telecasting in London of the recent Oxford-Cambriage boat race and two prize fights have stimulated interest in the sale of home sets there, with a tremendously increased sale resulting, it is said.

Macfarland Joins Baird Appointment of Jim Macfarland as publicity director for Baird Television and Gaumont British in this country was announced this week. He formerly was connected with United Artists as special press representative and has been with a major film company and several New York theaters as publicity director.

Weisman Files Final Report as Fox Theaters’ Receiver

(Continued from Page 1) as a receiver. He listed $119,415 as cash on hand, stock in five subsidiary companies, interest in Fanchon & Marco, $4,000,000 in bonds and mortgages on Philadelphia property, equipment and miscellaneous shares of stock.

Sunday Films Legalized in Maine

Augusta, Me.—By a 17-11 vote, the Maine Senate yesterday passed a bill to legalize Sunday pix. Measure had already passed the House. Senate’s action was a reversal of attitude.

Court Keeps Jurisdiction Over Assets of RKO Corp.

(Continued from Page 1) is satisfied that provisions of 77-B and Chandler Act have been complied with; that Court reserves jurisdiction over (a) all shares of RKO Corp., (b) all persons, firms or corporations to which said assets may be transferred prior to or as a part of ultimate consummation of the plan, (c) all persons interested in estate of RKO, for purpose of carrying out and giving effect to the plan’s provisions; and states that the new company will assume liability for and will pay in full and in due course all taxes due the C. S. after Jan. 27, 1933, and prior to confirmation date of the plan.

Solar Time Defense Clears Exhibit of Sunday Violation

(Continued from Page 1) at the Imperial Theater, which was cited to court because a show ran 16 minutes past Saturday midnight.

The charge was dismissed on the ground of difference between standard time and solar time, the judge holding with the defense that the difference is 21 minutes, Charlotte meridian, and therefore the show closed before midnight, solar time.

Chief of Police E. D. Fittman said that if sun time is the rule of law as to Saturday night shows, he could see no reason why it should not apply to Sunday midnight shows, and therefore hereafter the motion picture houses must not start their Sunday midnight shows at 12:01 an heretofore but not earlier than 12:24 a.m.

Projectionist Bill in Pa.

Harrisburg, Pa.—A bill has been introduced in the House by Rep. Boyd, Philadelphia, which would require inspectors of motion picture projection rooms to be competent projectionists of at least 10 years experience.

New Amusement Tax Bill in Pennsylvania House

(Continued from Page 1) by Rep. Edwin S. Winner, now before a House committee, would seek funds to meet relief needs. It provides that the state would institute a return of $7,000,000 a bimonthly, would impose a one-cent tax or fraction thereof spent for amusement.

“Little objection to my bill has been heard,” Rep. Winner told THE FILM DAILY, in commenting on his amusement tax measure. “It will probably be enacted if additional relief funds are needed. If not, it is likely that the bill will die in committee.”

Another bill which has been introduced by Winner, a measure which would provide for referendums on the Sunday movie question once every three years, is also in committee. The present law provides that referendums may be taken only once every five years.

A bill to outlaw Bank Nights has been introduced in the House by Rep. Russell E. Reese.

Billboards within 500 feet of a public highway would be taxed $200 annually for a single billboard, and $125.25 yearly for each billboard of a firm having more than 50 under the terms of a bill introduced in the House by Rep. Samuel W. Rosenfeld.

Bernstein, Rubin Add To Holdings in Loew's

(Continued from Page 1) holdings to 29,000 shares, J. Robert Rubin reported acquisition of the same amount and disposed of 2,200 shares on the same day, making the total gain 20,000, and his total common holdings to 34,175 shares. In a January, 1939, report Henry E. Winthrop reported his total holdings at 100 shares of common after acquiring that amount.

Warner Bros. report stated that Harry M. Warner disposed of 5,000 shares of $3.85 cumulative preferred and now holds 9,884 shares in that class. He holds 62,880 shares of common and $1,979,000 of optional 6 per cent convertible debentures, it was stated.

Boxall In Korda Post

Harold Boxall, formerly executive of M-G-M British, has been appointed general manager of Alexander Korda Productions, Ltd., United Artists announced yesterday.

Loew's Takes Olympia

Loew's has bought the Olympia Theatre, at 107th St. and Broadway, and will open it tomorrow on a double feature policy.

«REVIEWS»

“Dodge City”

with Errol Flynn, Olivia de Havilland

WARNERS

SMASHES OVER AS GREAT ACTION PICTURE DONE IN GORGEOUS TECHNICOLOUR WITH GRAND CAST.

A gusty, exciting story of the Old West, done with a lavish hand, in gorgeous Technicolor, the amazing action scenes, plus an old long pip sequence of a dance hall brawl that has never been equaled for sustained excitement and slam-bang destructiveness of everything in "The Roaring Thirties," is a film that has no equals. The direction of Michael Curtiz is brilliant. He has caught the spirit of the uncouth era in the little cattle town where there was no law and the tough element ran the town as they pleased. Into this wild-body comes Errol Flynn, a smoothie but packing dynamite under his polished veneer. And there is that purest and most desireable of all beautiful maidens, Olivia de Havilland, and that most luring and lustful of come-on gals leading the dance—half-sisters (Ann Sheridan) at the “Go Lady” saloon—standing up on here our lonesome hero, the blustering “Big Boy” Williams and the fightin’ Alan Hale, and the three top-gal or two beauties, and the like, all set in the wildest of all times. It is no slouch, either. With his henchman, Victor Jory, a gang of curmets at the head of every town, terrorized the West, the audience has a fine set-up for glamorous and exciting action. The entire cast is top-flight, and the production may be taking more than enough to be splashed across the screen. But the payoff is that dance hall brawl. It starts in the Texas boys who have come to the theater with a herd and begins singing “Dixie,” the flooring right after the Civil War. Then the local women singing “Marching Through Georgia.” And the fight is on. Everything in the saloon is wrecked at the finish, including most of the bravura music, and the film ends with the hero and heroine locked in a burning baggage car, but the hero gets the villain in the last-minute finish. Action is the hight with Class.


CREDITS: Producer, Robert Lord; Director, Michael Curtiz; Author, Robert Buckner; Screenplay, same; Cameron, Sam; Wiphony, (DIRECTION, Excellent, PHOTOGRAPHY, The Best.

Wilcox Sets Cavell Story for First Hollywood Film

(Continued from Page 1) ing the World War I. Plan to produce "The Story of Marie Lloyd," which has been set back until later in the year, inasmuch as Cary Grant could not be obtained for the male lead. Cavellpix is the first to be made by Wilcox under the new joint pro-distribution pact with RKO, and will differ markedly from "Dawn," earlier Cavell story, which Wilcox made in 1928.
Turren Taking "Nazi Spy" to Nazis?

Leon G. Turren, ex-G-man, arriving in New York yesterday, told interviewers he had a new assignment from Warner's. It's to take a print of "Confessions of a Nazi Spy" to Germany. Warner execs, said Turren, think the German people should see the pic and have selected him as "the logical man" to turn the trick.

SPG Will Concentrate
on Coast Organization

West Coast branches of THE FILM DAILY Screen Publicists Guild here has no immediate plans to attempt organization of the home office publicity men, it is stated. Guild officials say that no move along these lines will be made until current negotiations with producers for a contract are completed.

Bans "Wuthering Heights"

Montreal—North American premiere of "Wuthering Heights," which was to be given at the Orpheum Theater here Friday has been banned by the Quebec board of censors who condemn it as immoral because it portrays infidelity in marriage. The censors said they could not countenance the triangular situation.

"Midnight" Big in Memphis

Memphis— "Midnight" will finish its first week at the Malco Theater with a "take" 40 per cent better than house average.

"Trapee" Rights to Mecca

Mecca Film Laboratories, Inc., has acquired sole rights to "Rose of Tralee" for the U. S.

N. Y. ALLIED PLANNING
EQUIPMENT EXPOSITION

(Continued from Page 1)

picture Picture Exposition and is expected to be the first of its kind ever held.

Every manufacturer and distributor of equipment will be asked to be represented and indications are that full co-operation of the equipment firms will be obtained.

Exhibitors throughout the U. S. and Canada are to be contacted and invited so that they can combine a visit to the World's Fair with an observation of the latest developments in theater equipment.

New York Allied plans to make the convention the first at which all branches of the industry will be represented.

AMERICA - FIRST, LAST - ALWAYS!

"My son-in the years to come, never forget that you have stood in the presence of a great American, Andrew Jackson."

* MAN OF CONQUEST *

RICHARD DIX as Samuel Houston • Gail Patrick as Margaret Lea • Edward Ellis as Andrew Jackson
Joan Fontaine as Eliza Allen • A Republic Picture

Happy BIRTHDAY

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

April 4

Spencer Tracy
Estelle Bradley
Mike Simmons
Harry Rapson
DATED FOR EASTER FROM COAST TO COAST

Korda's Exploitation Special That Gives a Lightning Response To Stepped-Up Showmanship With Record-Cracking Crowds!

OPENING FOR THE BIG HOLIDAY PLAYING TIME AT—

Four Star, LOS ANGELES
indefinite run starting April 8th

Globe, NEW YORK CITY
long run engagement starting April 8th

Balaban & Katz Garrick, CHICAGO
starting April 7th

Loew's Plaza, WORCESTER
starting April 8th

Loew's Stillman, CLEVELAND
starting April 7th

Warner's Roger Sherman, NEW HAVEN
starting April 12th

CORINNE LUCHAIRE in
PRISON without BARS

HARTFORD CALLING...
Dan Finn of Warner Bros. on the wire to say that on hour after "Prison Without Bars" opened at the Strand, the theatre was filled, 200 were standing, lobby was jammed and sidewalk line measured a full block.(Hats off to John Hesse for his great showmanship in starting the Strand campaign 8 DAYS IN ADVANCE)

New season's highs established at the Great Lakes, Buffalo; Avon, Utica; Regent, Elmira; Ritz, Albany and RKO Albee, Providence

with

EDNA BEST • BARRY BARNES
MARY MORRIS • LORRAINE CLEWES • SALLY WISHER

Directed by BRIAN DESMOND HURST
Associate Producer IRVING ASHER
RELEASED THRU UNITED ARTISTS

P.S. Did you see that great 3-page publicity break in Life Magazine that pre-sold the picture in 1,900,000 homes?
Republic Sets All Titles for 50 on 1939-40 Lineup

NEELY BILL WOULD HELP INDUSTRY, ALLIED VIEW

Television Clause Added to RCA Recording Agreement

nables Licensees to Make Sound Records Especially for Telecasting

Way was cleared yesterday for producers who are RCA recording licensees to utilize their existing RCA Photophone sound-film recordings for television broadcasting purposes at no extra charge, and so to make motion picture sound cards especially for telecasts.

Neely was effective via ruling by Harry L. Sommerer, RCA Photophone head, to client pix producers as a supplement to current standard agreement. The same royalty

ONONO'S SALES PARLEY OPENS IN CHI. MAY 4

Distributors to Participate in N. Y. Allied's Expo.

Halifax, N. S.—Whether the Nova Scotia legislature has jurisdiction to enact a bill to license and regulate film exchanges was debated yesterday in committee.

Representing Famous Players Canadian Corp., Frank M. Covert claimed sections of the measure would be unworkable, because they would interfere with trade and commerce which is in the Dominion sphere. These sections would give Nova Scotia board of censors power to require film exchanges to distribute films to all theaters on equal terms.

Gordon Fogo, representing 20 independent exhibitors, charged that "the craze in the film industry to try the worst kind of discrimination," certain exhibitors could get films at early dates while others couldn't, because they are "unavailable.

Right of Nova Scotia Legislature to License Film Exchanges Debated

(Continued on Page 4)

Distributors as well as equipment firms will participate in the Motion Picture Exhibition which is to be held in the Hotel Astor, New York, May 24-26, it was announced yesterday by Allied Theaters of New York, sponsors of the event. The exhibition is to be held in conjunction with the New York state unit convention.

Booths with exhibits by supply dealers and manufacturers and motion picture distributors will be set up in the Grand Ballroom of the Astor, and the public will be invited to attend.

Committees for the convention and exhibition were announced yesterday, members being drawn from all

(Continued on Page 4)

Lewis, Burnett, D'Ennery and Sperry Stories for Rep. $750,000 Features

The Naked Truth

Bill posters were sent out carrying all over the Metropolitan area yesterday to put white paper diapers on thousands of three-sheet posters revealing a rear view of twin babas, captions on which read: "Lois Are Expecting Twins." The posters were part of Oscar A. Doole's teaser campaign on the line-up of twin-bills booked for the next eight weeks in Loew houses. The diapers were put on after Ault District Attorney William Rapalli denounced the posters as being indecent and ordered pantys on the nude babes. A Brooklyn Miss made the complaint.

Goetz and Gordon Leave for Coast on April 15

Harry Goetz and Max Gordon plan to leave for the Coast on April 15 to prepare for the production of "Abe Lincoln in Illinois" which they

(Continued on Page 6)

Cole Sees Reform Talk Door as "Open"

Washington Bureau of THE FILM DAILY

Washington—The way is still open for further negotiations on trade reforms, Col. H. A. Cole, Allied president, said yesterday. "Allied is always ready," he said, "to negotiate with responsible spokesmen for return in trade practices. If complete draft covering past negotiations is submitted, it, of course, will be referred to the Allied directors."

Cole Tells Senate Group Present Reform Draft is "Meaningless"

Washington—Passage of the Neely anti-block-booking and blind-selling bill will help rather than harm the picture industry, spokesmen of National Allied told the Senate Interstate Commerce Committee yesterday, Dr. E. H. Mussey, Col. H. A. Cole of Texas, president of Allied, and its first witness, told the sub-committee that the issues involved should be considered not only singly but in relation to other "monopolistic practices of the Big Eight." Citing the Government's attacks in its monopoly suit against block-booking and blind buying, he declared: "These are

MEX. LABOR DEMANDS WORRY U. S. MAJORS

New demands by labor in Mexico are reported to be of such a serious nature that American distributors are of the opinion that they must

(Continued on Page 6)

Expect D of J to Reveal Attitude on Strike Today

Instructions to the New York office of the Department of Justice as to where position the Department

(Continued on Page 4)

Faney Figures

Washington Bureau, THE FILM DAILY

Washington—Mrs. Robert T. Bushnell, representing the League of Women Voters, yesterday told the Senate Interstate Commerce sub-committee conducting Neely bill hearings that approximately 50,000,000 belong to organizations endorsing the anti-block-booking and blind selling measure.

According to the 1930 U. S. Census, total number of women in the U. S. was 60,637,667.

**FINANCIAL**

**NEW YORK STOCK MARKET**

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**NEW YORK CUB MARKET**

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**STOCK SHOTS**

- 729 SEVENTH AVE. N.Y.C. BRYANT 9-5500

**FIGHT III. WAGE-HOURS BILL**

Chicago—More than 60 retail organizations, including theater owners, will oppose the Illinois wage-hour bill now pending in the legislature.

**PERRY, ACTING MANAGER**

Richard Perry has been named acting manager of the New York Grand National branch, effective immediately. Perry has been with the company for some time as a salesman.
THE 10 BEST PICTURES OF 1939!

A Prediction by Leo of M-G-M

I saw "GOODBYE, MR. CHIPS".

I saw a picture which is assured of a top spot among this year’s Ten Best.

I saw Robert Donat’s performance as "Mr. Chips", destined to be a leading contender for this year’s Academy Award.

I saw a new star born to the box-offices of the world, Miss Greer Garson, whose beauty shines from the screen with tenderness and truth, stirring hearts that seek your theatre for emotional thrill.

I saw an entertainment that will take its place among the immortal works of the screen, a picture for humanity’s masses, to be beloved by people in every walk of life, to be played with sensational success now and to be revived in years to come.

I am proud of "GOODBYE, MR. CHIPS" for it is typical of the attractions which have made M-G-M a symbol to picture-goers of the finest in films.
DEBATE N. S. RIGHT TO LICENSE EXCHANGES

(Continued from Page 1)
to pay the tribute demanded," he charged. Fogo suggested an amendment relieving the theater from contracting for more films than it requires.

Ed Lynn, Sydney independent, complained that by the time a competitor took 250 of the 400 films made each year, his choice was limited. "This constitutes a direct effort to drive me out of business and set up a Famous Players monopoly in the Sydney area," he said.

Findings of the White Commission in 1931 that "a combine exists in the motion picture industry in Canada within the meaning of the Combines Investigation Act," were quoted by J. T. Macquarrie, Halifax independent.

Covert contended Famous Players Canadian Corp. was not a film distributor but a body of exhibitors and as such has no power to withhold films from exhibitors. Covert declared "the exchanges are independent and not interlocked. Every exchange is working for its own balance sheet."

Para. Execs. to Attend "Union Pacific" Premiere

Paramount's home office contingent to the studio product conferences will attend the premiere of "Union Pacific" in Omaha late this month before returning to New York.

Neil Agnew, sales manager, and Robert M. Gillham, advertising and publicity director, leave today, and they will be followed tomorrow by President Barney Balaban, Stanton Griffis, Edwin Weis, Russell Holman and Leon Netter, meeting Agnew and Gillham in Chicago.

Ace Killed Stunting

Madrid (By Cable)—Stunting for Nazi newsreel photographers, Flight Commander Joaquín García Morato, leading ace of Franco's army, was killed at Granada. He had survived 40 aerial combats in which he was victor.

Along the Rialto

WITH PHIL M. DALY

• • • BEHIND-THE-SCENES story of that Warners' "Dodge City" smasheroo ballyhoo ... in which we will attempt to convey some of the intimate and personal slants that made the trip memorable and incidentally make plain why this campaign from present returns bids fair to break the record for the amount of news stories, special articles and photographs splashed in newspapers and magazines throughout the U. S. A. on one publicity stunt . . .

• • • THEY BOUGHT good-will — this Warners outfit with the cleverest combo of stars and players' publicity staffs of home office and studio, and the newspaper writers, wire service representatives and trade press men all working together as we have never witnessed before . . .

• • • IT WAS Everybody's Party — whether you were a Warner player, publicity man, newspaper or trade press gent ... you found yourself imbued with the idea that you were personally responsible for making it a big success. Everybody worked when there was work to be done ... everybody played when playtime came ... and laughed, and sang, and had one helluva good time ... never saw anything like it, anywhere, anytime . . .

• • • THE SECRET? — simple ... Charlie Einfeld's gang from the studio and home office had done a JOB ... everything planned to the last detail ... and it went so smooth because C. E.'s boys were on their toes every minute of the day and night ... throughout the entire trip your collyunist didn't hear a squawk from anybody in the party . . .

• • • TALKING to M. L. Lyles — assistant to the president of the Santa Fe railroad ... who was frankly amazed at the efficiency with which every motion moved ... a gent whose middle name must be Efficiency in his responsible job ... he said: 'I've just sent a wire to Jack Warner, telling him of the magnificent work done by this man Einfeld. There is a born leader if there ever was one. He knows how to co-ordinate, to work fast, and to get results without appearing to hurry' ... we were so struck with that testimonial, that we asked Lyle to repeat it slowly, as we wrote it down . . . .

• • • AND SO ... looking back on it all ... it seems to us that here is the possible answer to the industry's search for some permanent method and procedure to keep the public constantly sold on the motion picture ... organize these Dodge City campaigns as an industry institution ... plan them to break in certain strategic spots throughout the nation ... at stated times ... ballyhooing one major producer's picture here ... another major producer's picture there ... with ALL the major producers kicking in with talent and publicity ... GOOD-WILL stuff without any selfish slants to it ... building for the entire industry and the good of all . . .

• • • IF YOU could have been there when that sweet old lady in Dodge City told us with tears in her eyes that she never had realized that "these picture people were just human folks you could love as well as admire" ... then you would understand what the Dodge City Ballyhoo means . . .

MONO'S SALES PARLEY OPENS IN CHI. MAY 4

(Continued from Page 1)
meetings earlier had been contemplated.

In addition to representatives of Monogram's 37 offices in the S. and Canada, execs of its foreign distribution outlets in London, Paris, Australia and several South American countries will be on hand.

George W. Weeks, general sales manager, will present the sales policy, and the 200 salesmen and executives will hear the outline of the company's plans for 32 features and 24 westerns, the largest schedule ever undertaken by the company.

Johnston and Scott B. Dunlap, vice-president in charge of production, have been developing the lineup for the past year, with the former operating from his local mid-quarter during the greater part of the time.

A remainder are now being completed whereby the Monogram special train will leave from New York for Chicago taking on board representatives of the Eastern branches at stated points. The southern and western personnel will likewise convey on Chicago in special trains.

Overseas contingents will include William Gell, managing director of Pathé Pictures Ltd. of London; Arthur Levey, Monogram's English representative; Norman Bede Rydge, chairman of the board of Great Union Theaters and of British Empire Films, distributors of Monogram product in Australia, New Zealand and Tasmania; and Ernest Wettstein, Paris representative.

Expect D of J to Reveal Attitude on Strike Toda

(Continued from Page 1)
will take in the projectionists' strike if any official action is to materialize, are expected here today. Alon the strike front yesterday there was no unusual activity.

Speculation as to some form of a compromise settlement was rife yesterday. The manifest lack of activity by the unions gave rise to the belief that negotiations of some nature were in progress, but no official confirmation was forthcoming.

The Mediation Board expects it to hold two sessions today with the parties concerned in the strike; no meetings were held yesterday.

Jimmy Savage Recovering

Chicago—"Jimmy" Savage, B & publicity man, is at the Michael Reese Hospital, recovering from an appendicitis operation.

Farley Okays Beards

Omaha—Official sanction for Omaha postoffice employes to grow beards in observance of the world premiere of "Union Pacific" here April 28 has been received from Postmaster General James A. Farley.
Neely Bill "Helpful," Allied Leaders Tell Senators

Present Reform Draft Held "Meaningless" by Col. H. A. Cole

(Continued From Page 1)

"...a few and one cannot be cured without the other is also..."

Section 4 of the bill, which covers the elimination of what is termed "block-booking," he said, and without it the bill would be useless. The legislation will not be a farce without this section, he declared. Referring to the conditions of exhibitors who were forced to accept the minimum admission prices or commit "quick sell," he added, in spite of the fact that 22 theaters in the area were forced to sell out to the majors in the intervening three years of the life of the bill. Allied held hope in 1936 for a rider cancellation clause, Cole said, but this was not forthcoming. When it became known that the government was proceeding on anti-trust activities there was a sudden halt for self-regulation," he continued.

The present trade reform draft, "meaningless," Cole charged. Contracts would be as indefinite and ambiguous as before. The proposal does not in any way remedy the evils to which we have been reeling," it does not take care of the evils of block-booking, he added.

"In behalf of the organization I want to say that this bill should be sent to the Senate and passed at once for House action," he concluded.

Smith Asks Explanation

Senator "Cotton Ed" Smith, chairman of the sub-committee, asked why an exhibitor couldn't know those pictures they want to and what others alone.

"I'm not going to propagandize my way or another," Smith said, but I want to know what I'm doing," he said he did not understand the issues.

"Is the exhibitor compelled to keep pictures he doesn't want," Smith queried. In unison Pettit and distributor representatives nodded "No!"

Pettitjohn replied: "The exhibitors now have a 10 per cent cancellation clause and are offered 20 per cent. "We wouldn't want to be on the other side," Smith said, "but let's get the facts and if there is an evil, let's correct it."

Nathan Yaminis, former Allied president told the sub-committee that if he thought the bill would not cure the industry he would not instead of speak for it. Yaminis told the sub-committee he was a member of MPTOA until its convention in Toronto "when it was sold body and soul, to the producers."

Yaminis Defends Bill

"This measure is for the best interests of the exhibitor and the industry," Yaminis said. After discussing the alleged bad financial conditions of the industry under these practices, he said, "the motion picture industry can operate, and operate successfully if block-booking and blind-selling are ended."

Yaminis asserted United Artists had operated very profitably for years without employing block-booking. "Abolition of block-booking and blind-selling was actually beneficial the industry," he declared.

Describing the present cancellation policy, Yaminis said: "There is no incentive to make quality pictures under the present set-up."

After Yaminis asserted that pictures are moved up from lower brackets in anticipation of cancellation, Neely said, "then even the 10 per cent cancellation doesn't give him a real 10 per cent protection."

At first part of morning session, representatives of women's civic organizations continued their support of the bill on moral grounds. These included, Mrs. Robert T. Bushnell, League of Women Voters; Mary T. Bannerman, representing the Motion Picture Research Council and the National Congress of Parents and Teachers, and Miss Margaret T. Lynch, assistant executive secretary, National Council of Catholic Women.

Senator Downey and Rep. Kramer of California were spectators yesterday.

Allied witnesses continued their testimony in support of the Neely bill as hearing resumed in the afternoon. Hays office opponents are expected to present their case today.

Samuelson Attacks Big Eight

Sidney E. Samuelson of Newton, N. J., and president of Allied in 1934-35, occupied the floor most of the morning. He opposed the Big Eight for certain practices. Among these he named the practice of not using block-booking in their own theaters. Block-booking is aimed at the independents, he said, and numerous companies went out of business when block-booking came in.

This bill would deprive a certain small number of power and people who have power like to keep it," he said. "The effect would be more companies employing more actors, distributing more pictures" if the bill becomes law. He cited Columbia's action in taking "You Can't Take It With You" out of the 1937-38 line-up, and inserting it in the 1938-39 schedule as an example of holding back good pictures. "The bill is more necessary today than three years ago," he said.

The 20 per cent cancellation clause, he asserted, would not begin to take care of the number of pictures that should be eliminated, he asserted. "The committee and the Senate would approve it in time for House action."

Martin G. Smith, president of IPO, offered the opinion of his organization was "heartily in favor of the bill."

Dr. Potter Opposes Bill

Last witness of the day was Dr. Russell Potter of Columbia University, appearing for the National Board of Review who said his organization is interested in the freedom of the screen and opposed to the bill. Upon questioning by Senator Neely he said he was personally opposed to block-booking and blind-selling but did not feel the bill would accomplish its purpose.

He was at constant odds with Neely who demanded to know if Dr. Potter was against the bill in behalf of the Hays organization. The witness replied that his organization had no connection with MPPDA.

Distributors to Participate in N. Y. Allied Exposition

(Continued from Page 1)

branches E. Thornton Kelly is executive secretary and general chairman. Special groups include:

Don Mersereau, FILM DAILY, public relations; Red, Kay, Boxoffice, publicity; Sam Shain, Motion Picture Daily, theaters, and Marvin Kirsch, Radio Daily, radio.

H. M. Richey, director of exhibitor relations for RKO, is chairman of the reception committee whose members include Dr. Daniel Rebic; Al Herman, Universal; Milton Kussell, Paramount; Ed McEvoy, 20th; Ed Schnitter, Warner Bros.; Charles Stern, United Artists; William Sussman, 20th-Fox; George W. Weels, MGM, and Lou Wellington, Columbia.

New York zone committee includes: Radio Daily, Ralph C. Jardine; The New York Mirror, Mitchell Conery; Ravenhall; R. M. Reriman, Syracuse, and Al Francis, Buffalo.

Giglio Leases Irving Place

The Irving Place Theater, 15th St. and Irving Place, has been leased by Clemente Giglio as a first-run house for Italian films made in Ethiopia.
REPUBLIC SETS TITLES
FOR ALL 50 ON LINEUP

(Continued from Page 1)

on March 13, Republic is dropping “B” pix next season and will materially increase the number of higher-budgeted titles, the Westerns and serial program, however, parallels that currently in effect.

Outstanding titles, to be made with a $750,000 minimum budgets, will be “$6 Million Dollars,” by Sinclair Lewis; “The Dark Command,” by W. R. Burnett; “Two Orphans,” by R. D’Emery, and “Wazons Westward,” by Armstrong Sperry. These pix, the convention will be told, will form the “De Luxe Productions” grouping.

“Two Orphans” will be one of three re-makers on the Republic line-up. It was made in 1915. Others are: “Call of the North,” by Jack London, filmed in 1921, and “Tillie the Toller,” from the Russ Westover cartoon strip, first made in 1927.

Titles and authors of the six “Anniversary Specials” are: “Lady from New Orleans,” by J. P. Hcin; “Waltz of the Toreadors,” by W. Russ Westover; “Storm Over Ohio,” by A. P. Abdullah; “Guilty of Treason,” by Peter B. Kyne; “Gangs of Chicago” (no writer assigned); “The Crooked Road,” by Nat Ferber.

In the “Jubilee Productions” group will be:


Gene Autry’s eight will run strongly to pop song titles and phrases. Set for Autry are: “When the Moon Comes Over the Mountain,” “Village Barn Dance,” “Just a Song at Twilight,” “Old Faithful,” “Ride, Tenderfoot, Ride,” “Round-up Time in Reno,” “Down by the Old Mill Stream” and “Carolina Moon.”

The Three Mesquiteers will be presented in “Cowboys from Texas,” “Sons of the Saddle,” “San Tan Fe,” “Oklahoma Outlaws,” “Rocky Mountain Rangers,” “Pioneers of the West,” “Covers Wagon Days” and “Arizona Skies.”

Four serials planned are split between “Super-serials,” “The Lone Texas Ranger” and “Drums of Pu Manchu,” and “Streamline Serials,” “King of the Royal Mounted” and “Jimmy Valentine Strikes Again.”

Land to Conduct Hearing on Own Bill
Springfield—Designation of Rep. Lund, bill’s sponsor, as chairman of a House Judiciary sub-committee, has paved the way for early hearing on the pending Illinois anti-tool-bocking and blind selling measure. Bill was introduced in the House on Jan. 31.

Pan-American Good-Will
Seen Helping U. S. Biz

 Pronounced feeling of goodwill on the part of Pan-American nations will be for the benefit and general U. S.-made merchandise is assurance that products of this country will continue to find an expanding market, it was declared yesterday by Miles A. Goldrick, Erpi’s general foreign manager, upon his return to New York yesterday from a 20,000 mile air tour through 26 countries of South and Central America, plus the Caribbean.

Of primary importance at this time, he added, is the proper cultivation of this market.

Business conditions in South America, he found, are generally unsettled, but film trade is faring comparatively well. In Mexico, over the past two years, the theater business in has been undergoing unusual growth. Local estimates there place the increase as high as 70 per cent, accounted for by the growing use of films recorded in the native language which have proved highly popular in the rural sections.

Purpose of Goldrick’s extended trip was to arrange for distribution of a complete line of American-made booth equipment to all major film centers.

U. S. Supreme Court Will Resume Sitting Apr. 17

Washington Bureau of THE FILM DAILY

Washington—U. S. Supreme Court will not consider a case involving the right of the 3-Pathe deal, and asserts that immediate examination is urgent since Pathe is going ahead under the recently approved plan and is transferring thereunder its assets.

MEX. LABOR DEMANDS
WORRY U. S. MAJORS

(Continued from Page 1)

put up a unified front in fighting the demands or else withdraw entirely from the country.

Heads of major companies foreign departments are preparing to meet next week to determine a course of action. It is reported that information regarding the new demands have been received by the home offices and, while details are lacking, the proposals are described as "drastric."

Efforts will be made to hold all the distributors in line on a single policy as to the stand they will take in combating the reported demands.

Trade Reform Draft Praised by Prexy of Neb.-Iowa MPTO

(Continued from Page 1)

President of the MPTO of Nebraska and Iowa, who expressed his approval of the proposals to THE FILM DAILY. He predicted some modifications after the pact has had a chance to be used, however. A general meeting of members in this territory to discuss the code is being considered.

Goetz and Gordon Leave for Coast on April 15

(Continued from Page 1)

will make for RKO release. Aside from Raymond Massey, who will portray Lincoln, no other members of the cast have been selected. Production is scheduled to get under way in July.

Modest Altschuler Suing for $250,000 Song Salm

Suit was filed yesterday in Supreme Court by Modest Altschuler against RKO Radio Pictures, Walt Disney Enterprises, Walt Disney Productions, Irving Berlin, Inc., and Frank Currich.

Plaintiff asks $250,000 damages, plus injunction and accounting of profits, claiming he is composer of “Russian Soldier’s Song,” which he alleges was plagiarized by the Frank Currich composition, “White While You Work.” In the picture picture “Snow White and the Seven Dwarfs.”

Answers on file carry defendants’ denials of charges, and their claims that Altschuler’s song is uncopyrighted.

STORks!

Memphis, Tenn.—It’s a boy for Lew Andrews, aide to M. A. Lightman, and Mrs. Andrews. New son will be tagged James Hardy.

WEDDING BELLS

Engagement of Joan Votis, associate editor of the Savannah papers, to be announced formally Easter Sunday.

Miami—Hampton W. Howard, p.a., for the Fleischer Studios, Inc., and Elmer and Ada Votis, artist employed by the studio, were married here by Rev. Ralph Johnston, chief clerk at the county judge’s office.
REVIEW OF NEW FILMS

"In Old Montana"
with Fred Scott
spectum 59 Mins.

BANG-UP WESTERN OF PIONEERS WITH FRED SCOTT DELIVERING RONG IN ACTION AND SINGING.

Fred Scott action story has the earmarks of the old west, and carries a lot of man interest angles along with the thrills. Fights and fast riding that round it all up as a very acceptable offering for the Western fans. As an army lieutenant, Scott sent by his superior to try and straighten out a feud that is brewing between the flimen and the sheep herders. He wins the disfavor of a medicine law and Harry Harvey, his sergeant, plays a role of the old Doc, the medicine man. Scott's father is one of the cattle ranchers and he meets Jean Carmen, whose brother is a sheep man. The developments show that the partner of the girl's father is stirring up all the trouble in order that gang is working for can buy in the cattle cheap. There are some good twists the story, resulting in some fast riding and fighting, and involving the shooting of the leader of the outlaws for which Scott is aimed. He escapes from the sheriff, and shooting the bad man in a cabin, forces confession from him as the posses rides in and gets the lowdown on the trouble at him. Fred Scott does some good singing, and otherwise handles himself in a very acceptable manner, being a better hand at selling than making most of the western stars, and as good an actor of them in the fighting and riding sequences.


CREDITS: Producer, C. C. Burr; Director, Raymond Johnson; Authors, Jackson Parks, Homer Gordon, Raymond Johnson; Cinematographer, Marcel P. Picard, Harry Goodlton; Charles Henkel.

DIRECTION, Good. PHOTOGRAPHY, excellent.

Vould Lift Federal Ban on Fight Pix Shipment

Washington Bureau of THE FILM DAILY
Washington — Senate has been urged by Senator Warren K. Barr (R., N. J.) to repeal law prohibiting interstate shipment of prizefight films.

He claims that while the measure was justified at time of enactment 1912, conditions today warrant revocation of the law.

Kimmel Order Signed

Order was signed yesterday by Judge Aaron J. Levy in Bronx County Supreme Court directing Abraham I. Kimmel, president, and the Empire State Motion Pictures Operators Union to restore the job Joseph Kimmel as operator in a Bronx theater in the case of Kimmel versus the union. Unless the order is complied with immediately, the defendants face contempt proceedings and a fine.

FOREIGN

"Concentration Camp"
with O. Jakov, S. Mezhinsky
Aminko 66 Mins.

EXPOSE OF NAZI PRISON CAMPS FALLS BELOW STANDARD OF RECENT RUSS FILMS.

Designed to take a propagandistic crack at the Nazi government, this new film is sensational in some aspects, but as a whole it is not up to the standard of recent Soviet films. It lacks any epic qualities and it does not have the tremendous dramatic intensity which was so skillfully injected into "Professor Mamlock." The work of O. Jakov and S. Mezhinsky is good and the rest of the cast is adequate. Story deals with attempts of Nazi guards to break the spirit of Communist prisoners in concentration camps. Film ends with large scale workers' strike looming, making escape of Jakov and the possibility of a good Soviets happy.


CREDITS: Produced by Mosfilm; Director, A. Madagascar; Presented at the Waldorf Theater with Russian dialogue and English titles.

DIRECTION, Adequate. PHOTOGRAPHY, O. K.

"Du Gamlu, du Fria"
(Thou Old, Thou Free)
with Sigurd Wallen, Karin Ekeland, Karl-Arne Holmsten
Scandinavian Talking Pictures 87 Mins.

HUMOROUS AND NOSTALGIC STORY WILL ENTERTAIN THE SWEDISH AUDIENCES.

Unfortunately there are no English titles to supplement this new Swedish film and it will serve only for audiences speaking the language. It is humorous and thoroughly enjoyable screenfare. The story concerns the battle of a prospering Swedish native to his own country after many years in America. The acclamation of himself and his daughter afford a wealth of situations which have been cleverly handled. Sigurd Wallen plays the role of the returning native and his daughter is portrayed by the attractive Karin Ekeland. Karl-Arne Holmsten and Hilda Bergstrom also give fine performances.


CREDITS: Europa Films Production; Director, Gunnar Olsson; Presented at the 48th St. Theater with Swedish dialogue and no English titles.

DIRECTION, Good. PHOTOGRAPHY, Fine.

Levene In "Golden Boy"

Same Levene has been assigned to play a role in Columbia's "Golden Boy." It was learned yesterday.

Truly a Great Book!

This is the book everyone is talking about!

THE 1939 Film Year Book is now being distributed to Film — Daily subscribers the world over. This important volume contains more information about the motion picture industry than any other volume ever published.

THE 21st EDITION
This is the 21st edition of the Recognized Standard Reference Book of the Motion Picture Industry, a compendium of valuable data for producer, distributor and exhibitor.

The 1939 Film Year Book
published by
THE FILM DAILY
1501 BROADWAY, N. Y. C.
"HAVE BOOKED THIS PICTURE FOR WORLD PREMIER—CERTAIN OF A SMASH BOX-OFFICE ATTRACTION" STATE THEATRE, HARTFORD, Beginning April 12th

MVP MARCH 31 1939 TWS 3 MIN HARTFORD CONN.

W. RAY JOHNSTON MONOGRAM STUDIOS 4516 SUNSET BLVD. HOLLYWOOD CAL

I HAVE JUST SCREENED JACKIE COOPER AND MARTIN SPELLMAN IN "STREETS OF NEW YORK". WE HAVE THIS PICTURE UNDER A STRAIGHT BUY CONTRACT BUT AFTER SCREENING IT I AM GREATLY PLEASED TO CHANGE THE CONTRACT OF MY OWN VOLITION TO A PERCENTAGE DEAL. THIS IS DONE TO GIVE YOUR COMPANY ENCOURAGEMENT AND SUPPORT FOR WHAT I AM CERTAIN WILL BE A SMASH BOXOFFICE ATTRACTION. I HAVE BOOKED THIS PICTURE FOR ITS WORLD PREMIER AT OUR STATE THEATRE HARTFORD, CONN. ON APRIL 12TH AND HOPE TO COMPENSATE YOU PROPERLY FOR THE FINE EFFORT YOUR UP-AND-COMING COMPANY HAS PRODUCED.

KINDEST REGARDS.

MARTIN D. HARRIS STATE THEATRE

YOUR "BOY OF THE STREETS" STAR

JACKIE COOPER

THE NEW JUVENILE SENSATION

MARTIN SPELLMAN

WITH

MARJORIE REYNOLDS

DICK PURCELL

"STREETS OF NEW YORK"

Directed by WILLIAM NIGH • Screenplay and Original Story by ROBERT D. ANDREWS

A MONOGRAM PICTURE
Strike Action is Illegal, D of J Warns Execs. of 306

KENT CALLS FOR "COMPLETE STUDY" OF INDUSTRY

Minneapolis Theater Divorcement Measure Seen Doomed

One Appeared Either for or Against Bill at Hearing

St. Paul—With neither proponents nor opponents putting in appearances, hearing on the pending theater divorcement measure in the Minnesota Legislature here yesterday was a dud.

It was announced by the committee chairman that the bill would be reported out without recommendation.

With the present session due to adjourn within 10 days, the divorcement issue to all appearances is dead.

Northwest: Allied, heretofore a vociferous advocate of divorcement, has given the bill the go-by.

20th-Fox will Air Derby to Plug Pix

Twentieth Century-Fox set a precedent for pix exploitation yesterday when it purchased exclusive rights to the broadcast of the 1939 Kentucky Derby over a 90-station NBC network. Deal was closed through the Kayton-Spiro Co., New York.

0% Provision in Draft Meaningless, Mo. View

St. Louis—While admitting that the trade practice proposals offered one measure of relief, exhibitors are of the opinion that the new 90 per cent exclusion clause is meaningless. It was pointed out follow:

Call Off Projectionists' Strike, Tip of Justice Department to Local 306

D of J Begins Examination of Muller in Equity Action

Examination of Harry J. Muller, treasurer and comptroller of UA, by Robert L. Wright, special assistant to the U. S. Attorney General, in connection with equity action (Continued on Page 7)

Strike of Local 306 projectionists' union was dealt what may prove to be a death blow yesterday when Berkley Henderson, Special Assistant to the U. S. Attorney General, told union officials that the action against film distributors in this territory is illegal, not only in his opinion, but in that of the D of J, and (Continued on Page 7)

U. S. Interests Protest French Slap at Warners

Paris (By Cable)—U. S. film representatives yesterday protested here the two months' ban placed on Warner films by the French Government as latter's rebuke to the (Continued on Page 6)

Double Features Making Gains in Australian Field

Chicago—Describing his trip to the U. S. as strictly a holiday, Mr. Bernard Freeman, managing director in Australia and New Zealand for Loew's, left for New York last (Continued on Page 7)

Samuel Goldwyn, through his attorney, Max D. Steuer, yesterday voluntarily withdrew his suit against United Artists, but according to reliable reports, the suit will be relitigated in Delaware.

Dismissal of the action was pursuant to Rule 41A, Subdivision 1 of the new rules of Federal procedure (Continued on Page 7)

GOLDWYN withdraws UA SUIT; MAY REFILE

Brig In All the Facts Before Legislating, Senate Com. Told

Washington—Bitterly condenmning the provisions of the pending Neely bill, Sidney R. Kent, president of 20th-Century-Fox, yesterday told the Senate Interstate Commerce subcommittee considering the measure that "before legislation of this or any other type is adopted a thorough and complete study should be made by some agency that will bring in the facts from all parts of the industry and not just one."

"We are certainly not opposing (Continued on Page 6)

British GN May Acquire Outside American Product

Grand National Pictures, Ltd., may acquire several American independently produced pictures for distribution in England. Jeffrey Bernhard and Maurice Wilson, co-managers (Continued on Page 7)

Underwriting Agreement for RKO Asked of Atlas

Nathan Rosenberg, of Kimmel & Rosenberg, counsel for H. Cassell & Co., yesterday submitted a counter-
FINANCIAL

NEW YORK STOCK MARKET: Net

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Leopold Funeral Held

Leopold, 63, theatrical attorney who died suddenly following an illness of two months.

SAFETY LLOYS

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave.

New York, N. Y.

Bryan 9-5600

On the Set

with PHIL. M. DALY

• A SIMPLE IT'S go a... but what a whole of a break it got!... that Oscar Doobally of the two naked kids... a grand neighborhood stunt... which has all the mothers talking around this metropolitan area.

• THE PROBLEM was to get over the importance of the second half of the dual programs... so Doob thought upon the Baby Twins... calling the billing "twin-hit shows"... also planting the idea that April-May is Loew's World's Fair of Twin-Hit Shows.

• CAMPAIGN started with teaser trailers three weeks in advance... "Loew's Is Expecting Twins" was the slogan... empty twin-bassinets labelled "Reserved for Loew's Twins" were in all lobbies... teaser bill-posting ran into thousands of one-sheets and three-sheets... the poster, showing naked baby twins with their bare backs to the camera created a furor and grabbed newspaper space when a Brooklyn woman claimed that the posters were "indecent"... and the district attorney ordered diapers put on the kids.

• SCOUTS for the second Jesse L. Lasky "Gateway to Hollywood" talent search will be Herbert Rawlison for the Eastern territory, and Jack Mulhall in the Midwest. In addition to holding special early morning preview on "Midnight" at the New York Paramount for the taxi drivers, each of the city's 4,000 drivers distributed special cards to all patrons, plugging the Paramount picture.

Lottery Charges Against

Momart Theater, Brooklyn

A lottery charge has been filed against the Momart Theater, Brooklyn, despite the Grand Jury's refusal to issue a similar charge. The Momart management is to be held for trial in Special Sessions, beginning before the Brooklyn Magistrate Court which found sufficient grounds for trial.

A date for the trial will be set on April 11. Harry Kosch, attorney for Allied of New York, has been retained as counsel for the Momart.

Leopold Warner to Huddle

Meeting is scheduled to be held tomorrow morning between the Theatrical Trades Council representatives and Grover Whalen, World's Fair preparer, in an effort to iron out the pending contracts which have not been signed. Unions included in the Council are: projectionists, cameramen, teamsters, American Federation of Actors, studio mechanics, stagehands and musicians.

Stewart-Warner in Tele Field

Stewart-Warner Corp. will enter the television field this spring with the receiving sets for which it claims a distinctive high fidelity sound channel in addition to the sight apparatus.

The Theatre

George Abbott Productions

"These have been a number of good girl and music shows in town of late, but this is the most brilliant of the lot."—Walters, Har.-Ford.

George Abbott—Izards and Hart

The Boys from Syracuse

with Jimmy Wynn, Eddie Tully, Savo Murray, Albert Hart

Alvin, W. 525 St. Mats. Wed. & Sat.

Columbus 5-4114

"The loudest, roughest, toughest, tenderest, dirtiest, most decent, and certainly finest play for your money put on sale this season."—George Jean Nathan, Newsweek.

PRIMROSE PATH

With Bobb's L. Backner and Walter Hart

with Ben Cheeseman, Russell Westley, Garson Hardie

Biltmore, W. 47th St. Mat. Wed. & Sat.

Circle 6-9553

"A rare in the summer, but not in the winter..."

WHAT A LIFE

with Ezra Stone as Henry Aldrich


Circle 6-9640

COMING AND GOING

Sidney K. Kent, Herman Wosber and Walter J. Hutchinson call for Europe April 19 on the Washington to attend two European conventions.

Walt Disney arrives here tomorrow.

James Roosevelt sails on the Queen Mary.

E. J. Smith, general sales manager of Imperial Pictures, has left to visit a sanatorium office.

Sir Gordon Craig, general manager of British Stage News, is in Ottawa.

Ellen Drew arrives from the Coast Monday.

Pauline Lord sails for Australia April 26.

Joe Penner arrives today from the Coast.

L. Y. L. arrives here from the Coast the end of the month.

J. E. Shields and Maurice J. Wilson are stepping at the Pierre.

Lester Hutchison Funeral

Rites Held at McKees Rock

Pittsburgh—Funeral services for Lester Hutchison, for 14 years associated with Shaw Theatrical Enterprises in the northwest, will be held in McKees Rock, Bradford, Pa., Jamestown, N. Y., and New Philadelphia and Dover, Ohio, were held in St. Francis Church, McKees Rock Wednesday. Interment will take place in New York, N. Y. Hutchison, who died in Mercy Hospital here, is survived by his wife.

SWG May Join Labor Body

West Coast Bureau of the Film Daily

By H. W. ed Screen Writers Guild's recently appointed labor committees is considering the matter of affiliating with a national labor organization. In event that such affiliation is made the Guild would still retain complete autonomy.

WB to List Debentures

Permission has been obtained by Warner Bros. Pictures, Inc., to list on Stock Exchange $25,534,000 worth of cent debentures due 1948. Previous authorization to list $4,754 shares of common needed for conversion of old six per cent convertible debentures is to be canceled. New debenture issue may be offered in exchange for old debentures.

WANTED

Sales representatives for important theatre accessory. Must be good man, and well acquainted with good earnings. Must handle this with side line.

Box 1104 THE FILM DAILY

1301 8th W. N. Y. C.
You have many patrons who are loyal to your theater, who return again and again rather than go elsewhere. This steadfast patronage may be due to convenient location, to the programs you select, or even to personal friendship but, whatever the motive, these patrons deserve recognition.

ARE YOU REPAYING THIS LOYALTY WITH THE QUALITY OF PROJECTION IT MERITS?

If you are still using old style, low intensity projection, these steady customers have a right to object. And some day they will. Simplified High Intensity projection gives so much more — easier vision; more accurate color reproduction; a more satisfactory level of general illumination. Theater patrons know this. For thousands of theaters have already installed it.

The cost is surprisingly low.

Ask your dealer's salesman for the booklet, "YES, BUT WHAT WILL IT COST?"
SMTE TO CONSIDER

TELE DEVELOPMENTS

West Coast Bureau of THE FILM DAILY

Hollywood — Television will be climactic topic of discussion at five-day SMTE convention which gets under way at the Roosevelt Hotel here on April 17.

Concluding session on evening of April 21, from 8 p.m. to 10:30 p.m., will be featured by submission of report of the Television Committee by Dr. A. N. Goldsmith, chairman. Also scheduled are addresses by H. R. Lubeck, of the local Don Lee Broadcasting Co., “An Introduction to Television Production”; “Application of Motion Picture Film to Television,” by E. W. Engstrom and G. L. Beers, RCA Mfg. Co., of Camden; “Continuous Type Film Scanner for Television,” by P. T. Goldmark of CBS; “Television Studio Technique,” by A. W. Protzman of NBC; “Television Lighting,” by William C. Feely, NBC, and a talk by A. B. DuMont, of Allen B. DuMont Laboratories.

E. A. Williford, SMTE president, will open the convention on the morning of April 17 with a speech of welcome.

Conclave will embrace virtually every important phase of scientific advancements in the realm of films, equipment for their projection and production; together with appliances used in exhibition outlets and studios.

More than 52 scientific papers will be read at the convention by experts in various fields of filmland.

Soundfilms Expands Studios

Soundfilm Enterprises, Inc., has enlarged and modernized its studios at 723 Seventh Ave., installing four dubbing heads for re-recording in addition to the newest type turntables for 78 and 33 and 1/3 R.P.M. Projection equipment is RCA High Fidelity. I. E. Lopert is president of Soundfilm.

Magic Doors

Ottawa — The Centre Theatre here has an added attraction in the form of “Magic Doors” which have been installed in the theater entrance. Utilizing the electric-eye, the lobby doors automatically open the approach or a patron. Don Stapleton is the first exhibitor in Canada to install the device.

Melvin J. Fox Remodels

Burlington, N. J., House

Philadelphia — Melvin J. Fox, theater owner, is completely remodeling his Birch Theater, Burlington, N. J., to include new marquee, sound, booth equipment and lighting fixtures. David Supowitz, local architect, is in charge of operations. House is currently under lease to Warner.

Intention was expressed by Fox to also remodel in the near future his other New Jersey houses, majority of which are leased to Warners and Atlantic Theaters.

Wolff Takes Over

Chicago — Edward H. Wolff discloses that he has taken over the motion picture replacement parts business of the Precision Machine Co., of Milwaukee, as of March 15. Wolff’s local headquarters for sale of theater equipment and parts is located here at 1018 South Wabash Ave.

B & H Offers Filmaster

Chicago — Bell & Howell has replaced three former 16mm. projector models with one machine, the Filmaster, entirely gear driven. It has no bolts, or chains, inside or out. The gears are encased in rigid, aluminum alloy die castings, said to be exceptionally silent.

Sees Biz on Up-trend

Detroit — Wayne Brenchort, of Brenchort Light Projection Co., returned from an Eastern trip, reports a general pick-up in business.

World Map on Ceiling

Of New Coast Theater

West Coast Bureau of THE FILM DAILY

Hollywood — The new Cinema Theater, now under construction at 1128 No. Western Ave., near Santa Monica, for a May 1 opening, will boast some unusual features. The house is designed for Louis Berkoff, former owner of the Esquire Theater, by S. Charles Lee, who used a nautical motif. The Cinema will be an “arty” theater featuring first-run foreign films.

The building, of brick and concrete, will seat 800, with 130 loge chairs. There will be parking facilities for 200 cars.

One of the unusual features will be an informal lounge where cigarettes and coffee will be served. There will also be a reading room just off the foyer.

The interior is finished along modern Continental lines and the ceiling will be covered with a huge map of the world. Berkoff plans to use the new neon lighting with the white fluorescent tubing.

The marquee, triangular in shape, will be unique in that it will feature a 40 ft. x 60 ft. picture of the star of the current attraction.

Chakers to Spend $40,000

Springfield, O. — The Chakers Companies will spend $40,000 this spring for new theater signs and theater air conditioning systems. Phil Chaker, president of Chakers Theaters, Inc., announced at the recent annual meeting here. Apparently half of the improvement appropriation will be spent on five Springfield theaters controlled by the corporation. The work will start in the near future.

Two O. C. Firms Move

Oklahoma City—The Allied Film Exchange and Summer Theater Supply firms have moved to 702½ West Grand in quarters formerly occupied by the Monogram Film Exchange which has moved to 704 West Grand.

NEW TH

The Weds

By JOH

T IS obvious that the men of America should and must go through a renaissance; features of design and ornament those who are film theater or possessed of a subconscious interest in a very vast majority of all who seek and better enjoy, their entertainment.

I cannot advocate too strongly through the “wedding” of the two classical genius has given itself to be capable of awakening the desire. Such a “wedding” will be important. It will be both a novel and aids with sad and at the exhibitor who builds, not

In the following, you will have in mind in presenting we recommend as expected today and tomorrow:

(1) Color, homelike setting in halls.
(2) Special design, color, etc.
(3) A leaning toward being incorporated by architects in design.
(4) Leasing toward on a lease, conversely, free and easy to elderly patrons whose advantage.
(5) A parking lot, where possible in the disc parking facilities today cost patrons whom, needs for or neglected.
(6) The feature of a fluorescent carpet being in its incipience, but easy installation; Vfira-ray lamps; carpet; luminous pile, a finish of the option.
(7) Downlights — a modern, advanced engineering and interior where punch-lighting.
(8) Fluorescent lamps developed by modern engineering description because of fast advance.
(9) Air-conditioning as a mystery and combined with understanding at costs invit

(Exron’s Note: John Eyerman, acoustics, decoration and scaling its)
New Cincinnati Theater
To Be Operated by RKO

Cincinnati — A new film house, seating 1,500, and to be known as the Grand Theater, will shortly be erected here to replace this city's historic Grand Opera House.

Project has just been announced by Harry L. Linch and Attorney John H. More, acting for U. S. Senator Robert A. Taft, executor of the Taft estate. The theater has been leased by RKO Midwest.

The theater entrance will be at the north end of the building, which will occupy a site at the corner of Vine St. and Opera Place. Plans for the amusement division of the edifice, which will have several stores, are being prepared by John Eberson, prominent film theater architect.

OTSC Adds Territory

Oklahoma City — The Oklahoma Theater Supply Co. has taken on the entire state of Kansas and part of Missouri as new territory for United States Air Conditioning equipment in addition to its present Oklahoma and Arkansas territory.

Stanley Expands Dept.

Chicago — The Stanley Theater Supply Co. has added more space to its manufacturing department at 1233 and 1235 Wabash Ave. Stanley Levine, general manager, reports the company will act as distributor for National Carbon Co. line for this territory.

New Jewett City House

Jewett City, Conn.—The Torans Amusement Co. will receive bids for construction on its plans for a new 750-seat modern theater here, to be opened some time in August.

Featherweight Earphones

Fort Smith, Ark.—Featherweight earphones, which will enable persons hard of hearing to understand sound films, have been installed at the Bob Burns Theater.

GE Orders Up 33%

GE orders in first quarter this year totaled $66,832,953, a 33 per cent increase over corresponding period in 1938 when orders hit $49,516,400.

Theater Air Conditioning
Installations Show Drop

Chicago — Air Conditioning Research Bureau estimates theater installations represented 3.28 per cent for 1939, 24 per cent for 1938, and 3.28 per cent for 1937.

Four Star Simplex Parts
To Be Stocked by Altec

L. W. Conrow, Altec prexy, has announced completion of an arrangement with National Theater Supply whereby Altec will act as its agent in stocking and distributing replacement parts for all types of Four Star Simplex sound systems. Parts will thus be available from Altec stock points and warehouse during all theater operating hours.

FRIENDS
• FURNISHINGS
• CARPETING
• RECORDING

STUDIO
YORK CORP. PRESENTS
NEW FREON SYSTEMS

Chicago — York Ice Machinery Corp. is offering a new line of Freon 12-cylinder type, single acting, direct-connected, motor-drive air conditioning systems. The new equipment is said to be outstanding for its lightweight and remarkable freedom from vibration and is very compactly built. The compressors are of a new and unique design. A one-piece casting forms the crankcase and houses the removable nickel-iron cylinder sleeves, which are assembled in three pairs. The connecting rods are of die-forged steel, drilled for oil distribution. York Partial by pass capacity control for manual operation is standard equipment, with automatic operation optional.

To Distribute Frigidaire

Oklahoma City — George Sumner of the Summer Theater Supply Co. has announced acquisition of the state rights for Frigidaire theater water coolers.

"YES MY DARLING DAUGHTER"

There's never any censor trouble with Alexander Smith Carpet...theatre patrons like everything about it...its beauty of color and design, its feel of luxury underfoot...which is why you find it in most of the country's successful theatres.

ALEXANDER SMITH CARPET
Kent asks full study of industry before legislating

Trade Practice Program Best Protective Medium, Says W. F. Rodgers
(Continued from Page 1)

the making of a most thorough study if the method of block-booking and blind-selling is not to be protected against useful-ful, declared Kent, earnestly.

"If they have, the problem will be taken up on that basis.

With Mr. Rodgers’ Metro’s general sales manager, who followed Kent, told the sub-committee that the interests of the public and the exhibiting stability for the past year putting an increasing financial burden on every company making money, whether a major producer or an independent producer. For illustration, the company I represent was doing a market which is a quarter’s worth of business annually in Spain. It was completely wiped out by the war. A few weeks ago we were forced out of Italy by a state monopoly that proposed to buy our pictures at practically nothing and keep the profit for itself. We had been building a lucrative business in China many years of effort which has now been destroyed, largely by the Japanese invasion. Our prosperous business in Japan has wasted away to practically nothing.

"In England, the company that I represent will spend $2,500,000 this year to meet the requirements of the Quota Act. That is the price that one company alone will pay for the privilege of doing business for one year.

"In every country of the world there are import restrictions or taxes or contingents assessed against us. Of the eight companies are out of Germany and the Central European market which used to be ours, all is now practically nil through German domination.

Minority Backs Neely Bill...Kent
(Continued from Page 1)

been put out of business by block-booking and blind-buying.

"Since when has the right to buy as you want and what you want, become more sacred under our Constitution than the right to choose your own customer and decide whether you will keep your products in competition or not?"

Rodgers declared.

"I wonder what the answer is to the thousands of individual bookings taken in this country to which the public have objected, that were not sold by any distributor in this room, and did not reach the screen by way of block-booking.

"Block-booking and blind-buying are as much the children of the exhibitor as they are of the producer or distributor.

"For anyone to stand up here and argue that any producer in this group does not put the best ingredients possible into his merchandise is to make a statement not only not founded but fact made simply for the purpose of poisonous prejudices.

"When these producers are forced to make only sure-shot business, the market will not be back by a word of theirs.

I have had enough experiences in selling pictures like ‘Peter Pan,’ ‘Kiss for Cinderella,’ and ‘Cavalcade’ to know that they would never have reached the screen in most instances, if it has not been for the blind record of this company.

The sub-paragraph B of Section 4 could only be put in this act for the purpose of indicating that through these synopses the public bodies expected to be local boards of censors for this country.

The most that any producer or distributor could do in the utmost good faith to meet the requirements of this bill would be to attach to the lease of the picture a copy of the final shooting script. . . .

It is a most amazing thing indeed that a bill to regulate and change the very fundamentals of the method of producing motion pictures should be passed without the help of any but a very small minority of producers . . .

Theater divorce is not an issue that can be negotiated with any independent exhibitor unit. It is a matter between ourselves.

As the (Government equity) suit is probably going to trial this fall, it will, before finished, furnish the answer to most of our industry problems once and for all.

I wish to state this bill will increase the cost of film for the exhibitor and for the public very definitely. There can be no other way out.

Outlines Foreign Problems

Asserting “it is entirely proper that some heed be given to the foreign problem now facing this industry,” Kent sketched the critical situation abroad this wise:

Foreign exchange has been falling for the past year putting an increasing financial burden on every company making money, whether a major producer or an independent producer. For illustration, the company I represent was doing a market which is a quarter’s worth of business annually in Spain. It was completely wiped out by the war. A few weeks ago we were forced out of Italy by a state monopoly that proposed to buy our pictures at practically nothing and keep the profit for itself. We had been building a lucrative business in China many years of effort which has now been destroyed, largely by the Japanese invasion. Our prosperous business in Japan has wasted away to practically nothing.

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Only two weeks ago the company I represent was wiped out of Czechoslovakia, where we were doing a business of $250,000 per month. $8,000,000 Exchange Loss

"To illustrate the seriousness of the drop in foreign exchange, I will state that in the month of January of this year on the foreign business done by 20th Century-Fox, if done one year ago, would have produced $125,000 per week in additional revenue. In other words, in addition to the territories we are out of entirely, the loss to this company alone in foreign exchange as against a year ago is over $6,000,000, and the others in proportion.

"I cite these figures and conditions not as a defense, but only to indicate that this industry has all it can cope with economically and that any legislation that proposes further economic damage or burden should be studied with a care far and beyond anything that has been given to this piece of legislation.

Kent told the sub-committee that a majority of independent exhibitors are against the bill. He declared that under such conditions 4,000 exhibitors and the rest are against such a measure. Attacking section 4 of the bill calling for a 10-cent fee, Kent said under such conditions “half of our stories would be plagiarized.” The only alternative would be to finish the pictures before the synopsis was made, he said.

"The exhibitors want to hold block-booking in one hand and pick out the best pictures with the other,” Kent charged. He urged the Congress to abolish block-booking and blind-selling fairly, if they must abolish it, by calling for selling pictures singly, after completion.

Allied’s Strength Questioned

Rodgers declared that while Allied counted 4,000 members at hearings, directors of the organization have told him there are about 2,200 members.

Pointing out that Allied is the only exhibitor organization supporting the bill, he declared, “there are approximately 10,000 theaters in the country which do not want the Neely bill as they know it will destroy the very foundation upon which this industry is built.

"Startling to see that some of Allied membership wanted a trade program instead of the Neely bill, Rodgers declared. "It is the interest of the exhibitor, not the exhibitors’ investment would be best protected by a trade practice program and not legislation." Rodgers declared.

"We have tried to straighten out our own affairs.”

Asked by Senator Neely if he lied all industry such as railways and other utilities should not be regulated by the Government, Rodgers said he did not know if they tried to straighten out their own affairs. Senator “Cotton Ed” Smith interjected that the vital point, the utilities were public necessities and thus required Government regulation while movies are not.

The groups supporting the bill moral grounds are being given great weight by the Government. Rodgers said anyone who proposed a bill like the “Romeo and Juliet,” which cost $500,000 and which received 50 cancellations contrasted with the $1,000,000 received on the right of public performance cancellations. “Anti-block-book don’t care about that,” he said. Big C exhibited 100 cancellations, he said, contrasted to thousands cancellations of artistic and other pictures.

"The exhibitors will find it impossible to confer with civic groups every picture they run, Rodgers stated, with some theaters changing four and five times a week, bill will not accomplish its purport for moral improvement of picture industry.

"Rodgers’ testimony was interrupted to allow Florence Fullerton of the Press pix. To testify in opposition to the bill. She said women’s organizations have been “taken in” by the block-booking and blind-selling slogans. She declared the bill is “a stick of dynamite under the industry” that nobody wants.

The hearing resumes Monday with Rodgers again bearing. He will be followed by Harry C. Oakes, president, National Radio Committee and expected to through Tuesday.

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20TH-FOX WILL AIR DENBY TO PLUG PICTURE
(Continued from Page 1)

York, representing the film "Rose of Winslow Town" broadcast by 20th-Fox, said his film which has 725,000 listeners to his radio.

In view of the fact that it was 20th-Fox which recently withdrew its picture and the air, he referred to exhibit, contention that film stars’ radio appearances were hurting box office, the advent of the commercial television and commercialism stirred lively discussion last ni in both film and radio circles.

Every effort will be made, according to Neely, to get back the "Rose of Winslow Town," the film that was withdrawn, if possible.

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BILLY WILDER WRITES

(Continued from Page 1)

which gives the plaintiffs permission, over the filing of answers, to file
a case for dismissal without a court
in one of the pending cases.

The suit was started in the New
York Supreme Court and was moved
Federal Court on petition by the
defendants on March 16. No answer
was filed, and, under the rule, the
plaintiffs voluntarily dismiss the
suit. Goldwyn seeks to have his
exclusive contract with UA re-
tated.

Sturges' office yesterday
that a clarification of the
suit and a new announcement
be made today. UA attor-
neys said there had been no settle-
ment of the suit.

British GN May Acquire
Outside American Product
(Continued from Page 1)

The British company, stated yesterday
in its suit, is to be served on the Queen-
ry. They also will seek two Ameri-
players for top roles in "The
Down," the latest novel which the British GN
company has purchased for June
uction, which is budgeted at $6,000.

Cohen and Wilson explained
at their company has no connec-
the American organiza-
tion has no financial interest in it.

Cohen said that if its acquire-
does not contemplate any invest-
ment in the company. The purpose
their visit, they said, was to de-
determine what they could expect from
American company and to in-
igate the permanency of the agree-
ment.

The British GN organization has
ambitious production program
way, with two producing com-
panies now making pictures and an-
er in negotiation. Three pie-
ces have been completed and
others are either in produc-
or in preparation.

S. CEA Would Establish
Indie Brit. Tele Service

London (By Cable) — Action by
ECA in joining with the CEA
petition the Postmaster General
build a television which would be independent of
BBC is as the BBC's most significant development
the English television field.

Control of all broadcasting facili-
ties is vested in the hands of
BBC, but it is the belief of Eng-
sh television companies that an
independent station is necessary to
entertain the programs to the best
vant.

D OF J ADVISES 306
TO CALL OFF STRIKE

(Continued from Page 1)

expressed the view that the strike
should be called off.

It was pointed out by D of J
sources that should be union call on
its film theater operators, Local 306
might be liable for huge damages,
and even criminal in jury.

Further, the D of J contends that
the union's position in this instance is
untenable inasmuch as, through the strike, it could very well cause
disturbances, to break their contracts
their theater-customers. In
such an event the theaters would
have cause for redress against the
isters, who, in turn, would be
breaking the contracts under un-
authorized duress on the part of the
union.

A further course of action that
may bring speedy settlement of the
strike was taken by Empire State
Motion Picture Operators union. At
a membership meeting, a resolution
was passed that negotiations with
Local 306 for amalgamation be
stituted and a committee appointed
to carry out the negotiations.

Underwriting Agreement for
RKO Asked of Atlas

order in Federal Court declaring that
the RKO reorg. plan should not be
settle by the Court until the
Asso. Group, proponents, submit an
underwriting agreement — and do
within 30 days after settlement or-
der is signed by Federal Judge Wil-
rum Bondy — with respect to the
proposed issuance of the stock by the
new RKO company.

B of N P Will Move

Bureau of New Plays is giving up
Rockefeller Center office and taking
space this month in Guild Theater
Bldg., 245 West 52nd St., where
bureau's director, Theresa Holburn,
heads headquarters as a Theater
Guovernor.

Bill Not Constructive—Rodgers

(Continued from Page 1)

"Trade practice program and not legislation would best protect interest of public and ex-
hibitors."

"Civic groups supporting the Needy bill on moral grounds are being misguided."

"Majority of theater owners are not for the Needy bill."

"Through conferences we have tried to straighten out our own affairs."

D OF J BEGINS EXAMINATION
OF MULLER IN EQUITY ACTION

(Continued from Page 1)

against filmland was held yesterday
afternoon in Federal Court Bldg.,
and devoted to queries re company's
history and setup; booking methods,
which were declared by Muller
to consist of mostly contracts on
individuals and not for year's sup-
ply; and franchise contracts, which
he said numbered only three at
present in Herman Cohen, San
Francisco, J. J. Parker, Portland,
and Wometco, Miami.

Edward C. Raftey objected to
touts from production because
complaint does not allege UA to be
producer.

Examination of Muller will be
continued today at 10:30 a.m.,
and subsequently Raftrey will be
examined.

In addition to UA counsel, those
of Paramount, Loew's, Columbia
and 20th-Fox attended examination.

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(Continued from Page 1)

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U. S. INTERESTS PROTEST
FRENCH SLAP AT WARNERS

(Continued from Page 1)

company for having released the
feature, "Devil's Island," which, it
was charged, dealt unsympathetically
w treatment accorded by ad-
ministrators of the penal colony.

Should the French authorities
remain adamant to protests over the
action, Warners will not be able
to gain any further dubbing permits
for its product here until the lat-
ner part of the present dubbing per-
mit "semester" which concludes on
June 30.

Representatives of U. S. compa-
ies here believe that French offici-
cials should not enforce the san-
cation against Warners inasmuch as
"Devil's Island" has been withdrawn from exhibition.

The ban, it is understood, does
not affect WB features which have
already been dubbed and released
during present semester which
commenced Jan. 1, 1939.

Anyway, Albanian Situation
No Headache to U. S. Firms

(Continued from Page 1)

the Albanian situation. Checkup
shows Albania has total of 18 pic-
houses, with grand total of 4,800
seats—1,250 less than Radio City
Music Hall. Annual aggregate
gross of the three pic palaces in
Tiran, Albania's capital, is about
$50,000. Should Italy "march,"
Eastman and DuPont may suffer
staggering loss of their share of the
$700 worth of raw stock business in
Albania annually.

JOE HIXON DEAD

Lima, O. — Joe Hixon, 80, for
years identified with theaters here,
and oldest Ohio member of the
IATSE, died here from injuries suf-
ered in an automobile accident.

J. S. HAUGHEY DEAD

Portland, Ore. — J. S. Haughey,
charter member and officer of the
Portland Operators' Union, died
after a prolonged illness.

DEARBORN CENSORSHIP MEANS NO FILMS?

Detroit—Threat of municipal censorship in nearby Dearborn has influenced one
district to advise that if the drastic restrictive ordinance is adopted, it will be unable
to deliver films to Dearborn theaters.
WIDE ACCLAIM FOR ALL THREE

SETTING new standards of quality and performance, Eastman’s latest negative films have met with instant approval. Each makes its special contribution... fast, fine-grained Plus-X, for general studio work... high-speed Super-XX, for all difficult exposures... ultra-fine-grained Background-X, for backgrounds and all-round exterior work. All three offer the high reliability and photographic quality typical of Eastman sensitized materials.

Eastman Kodak Company, Rochester, N. Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Strike Ends—Two-weeks-old projectionists’ strike in N. Y. area was settled Saturday night at long parley of Local 306 and majors’ representatives who agreed on salient points of a new pact. Another confab today is set to fill details. Some 500 members of Local 306, of 51-B film exchange workers, return to jobs this a.m.

**THE DAILY**

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The Daily Newspaper Of Motion Pictures Now Twenty Years Old

**NEW YORK, MONDAY, APRIL 10, 1939**

**TEN CENTS**

**Speidell Reports Uptrend in Eastern Prod. Financing DISTS. WILLING TO CONTINUE PACT CONFABS Pix Cases on Agenda for Murphy-Prosecutors Parley**

**ATTORNEY GENERAL TO MEET WITH FEDERAL ATTORNEYS ON APRIL 17**

Washington Bureau of THE DAILY—Attorney General and Murphy will meet here with his attorneys on April 17, it was announced at the week-end. It is understood that pending film suit may possibly the 10 film case investigations mentioned before a House committee recently by Thurman Arnold will be discussed. A Justice department official told THE DAILY that while Murphy has a new neral anti-trust policy in mind, details are not ready for release as to.

**KLA. BUYING POOL GROUP MEETS APR. 17**

Oklahoma City—A meeting of the pooling committee drafting plan for organization of a buying pool of exhibitors in Oklahoma is being scheduled for this city. On April 17, it was learned the week-end by THE DAILY.

It was also learned that a number of the House committee’s investigations mentioned before a House committee recently by Thurman Arnold will be discussed. A Justice department official told THE DAILY that while Murphy has a new national anti-trust policy in mind, details are not ready for release as to.

Goldwyn’s Suit Strategy Aims for an Early Trial

Action of Samuel Goldwyn in unoin withdrawing his breach of contract suit against UA in Federal Court here and decision to refile a similar complaint is due to theducer’s insistence upon an early June 20, Max D. Steuer, Goldwyn counsel, said on Saturday.

Suit was brought in New York (Continued on Page 8)

**Yates and Grainger Back for New York Sales Meet**

Philadelphia — Attorneys for S. Kelman served subpoenas filing against Leopold Stokowski, Walt Disney, Walt Disney, Ltd., (Continued on Page 8)

**N. Y. BANKS MORE WILLING TO FINANCE EASTERN PRODUCTION; 3 UNITS READY**

Several New York banks are beginning to realize that financing of independent production in the East is a worthwhile investment, Frank K. Speidell, president of Eastern Service Studios, told THE DAILY Friday. Speidell said that three units, each to produce three pictures, have been organized to produce at Eastern Service.

One unit, Herod Films, will begin its first of three pictures in mid-April. The picture is "Bricks With A lid." (Continued on Page 8)

**W. F. Rodgers Says Next Move on Trade Pact Proposals Is Up to Exhibitors**

The next move on the trade proposals is up to the exhibitors, but the distributors are willing to continue negotiations, W. F. Rodgers, M-G-M general sales and a key man in the conferences, stated Friday, upon his return from the Neely Bill hearings in Washington.

Reaction to the last draft indicates that many of the points meet the approval of most of the exhibitors (Continued on Page 8)

**RESUME NEELY BILL TESTIMONIES TODAY**

Washington Bureau of THE DAILY—Washington—Neely Bill hearings before the Senate Interstate Commerce Subcommittee are to be resumed today with W. F. Rodgers, M-G-M general sales manager, completing his testimony which he started Thursday.

Rodgers probably will be followed (Continued on Page 8)

**RAFFERY REFUSES TO GIVE D OF J UA FINANCE DATA**

Robert L. Wright, special assistant to the U. S. Attorney General, continued Friday his examination of Harry J. Muller and Edward C. Rafferty, treasurer and secretary, respectively, of UA, in connection with the D of J action against the majors.

Rafferty, claiming there was no need for further testimony (Continued on Page 8)

**JAMES ROOSEVELT SELLS MAY SEE KORDA IN LONDON**

James Roosevelt, vice-president of Samuel Goldwyn, Inc., joyously declined to comment on any phase of Goldwyn’s suit against United Artists Friday as he sailed for Europe on the Queen Mary. When (Continued on Page 8)
26 STARS
15 NAME DIRECTORS

PARAMOUNT FOR 1939-40
For Theatre Men by Theatre Men
OKLA. BUYING POOL GROUP MEETS APR. 17

(Captured from Page 1)

ber of educational and PTA leaders, and legislators have indicated their desire to help if a program calling for better pictures in smaller towns will be sponsored by the bodies. Exchange execs, reveal a quiet buying strike has been begun by exhibs. involved in the proposed set-up.

Columbia Acquires Zacaris
Mex. Pix for Distribution

Columbia has acquired distribution rights to the Mexican production, "Los Endorados de Papa," outside of Mexico and the U. S., it was announced Sunday week-end by J. A. McConville, foreign manager. Pix was produced by Miguel Zacaris. Columbia will release three Spanish talks in Latin America within the next 60 days.

French Squawks Halting
"Devil's Island" in Que.

Montreal — In wake of protest lodged by Noel Henri, French Consul-General, against the showing in the Province of Quebec of the Warner feature, "Devil's Island," the attraction was withdrawn from exhibition in a local theater.

Quebec censor board refused to either affirm or deny that the protest was the cause of withdrawal.

Action by the French Consul followed closely on the announcement that Warner films are under a two months' ban in France as consequence of authorities refusing to issue dubbing permits to the company because "Devil's Island" allegedly contains sequences which are uncomplimentary to those in charge of the penal colony.

W&b Leases In Hornell
Warner Bros. have leased the Steuben and Strand Theaters in Hornell and begin to operate them next Saturday.

Metropolitan Playhouses
Reports Loss of $50,900

Report of Metropolitan Playhouse Inc., and its wholly owned subsidiaries, for the year ended Jan. 31, 1939, shows a consolidated net loss of $50,900, after various deductions, including depreciation, amortization, interest and Federal income taxes.

Rent income for the year was put at $3,581,070.16; rent expense, $2,797,789.35; and administrative expenses at $124,017.43.

Current assets total $511,178.60, including cash on hand and in banks in amount of $313,727.83.

Class A stock authorized and outstanding shares without par value were, as of Jan. 31, 1939, evaluated in the report at $812,000 for the 282,444 shares.

Investments in capital stocks of affiliated companies were listed as $281,053.85.

New Appeal on "Ecstasy"
Albany — A revised version of "Ecstasy" is once again on appeal before the State Department of Education, following its rejection by Irwin Esmond, director of the state censorship. Henry Pearlman is the attorney on the new appeal.

Lincoln Theaters Business
Up 10% Over 1938 Figure

Lincoln, Neb.—According to Bob Huffman, city manager of the Lincoln Theaters Corp. here, business and the company is in about 10 per cent better position for the first three months of 1939 as compared to the same period in 1938.

Shortage of product is holding the opposition Nebraska Theaters, Inc., back, but they’re riding at about the same level as a year ago. Bob Livingston, the town’s sole independent operator, is about 5 per cent ahead.

Price tendency is shaky, but the average over town is better.

Hear Fox, Detroit Will
Go Straight Pix June 1

Detroit — Reports of policy changes affecting the Fox were current here at the week-end with June 1 said the date for a switch to straight film policy.

Other reports had the Fox management leasing the Madison, formerly headquarters of the opposition United Detroit Circuit, for a picture house. David M. Idal, managing director of the Fox, denied any "immediate" foundation for either rumor.

6 OR 7 COLOR PIX
FOR 20TH CENT—FO

(Continued from Page 1)

and the sixth will be made by the company's English production unit.

Addition to the production program of Maurice Maeterlinck's "Blind Leading the Blind," Technicolor, which will star Shirley Temple, has been made last week. Picture will be the fourth to be based on a stage play and the remake on the schedule.

Other Technicolor pix on the program are: "Drums Along the M. Hawku," "Mark of Zorro," "Marland," "Belle Star" and "Lady Jane" also a Shirley Temple, with possibility that the latter may be made in black and white. "Hangman House," which will be made in England completes the list of pix color.

Lineup for the 29th-Fox English unit, which calls for 10 to 12 pictures other than "Hangman House," includes "Sally of the Shi" and two untitled pix starring Gracie Fields in one and Annabella in a second, "Frenchie," "H. hands Beware," "So This Is London," "Handley Cross," "Old-

N. Home," "The Dancers" and the pix based on the "Inspector Ho le" stories. A minimum of four of these films will be released here.

"Bell" Plays to 110,815
Fans in First N. Y. We

Now in its second week at 43rd Street with a possibility they go a third week, "Alexand Graham Bell," new 20th-Fox production, hit an attendance figure 110,815 during its first week.

National Theaters Drive Starts;
Offers 157 Priz

With 165 prizes totaling 25% to be distributed to the winners, National Theaters "Syrup Skou Showmanship Campaign" got under full headway last week when A. M. Bowles, Northern California vision manager and Campaign director, visited headquarters of NT six divisions to hedge with tract leaders and theater managers.

RKO Shifts In Columbus

Columbus, O. — Four change local RKO setup are announced. C. Harry Schreiber, city manager, Lawrence D. Caplana was made assistant to the Grand, and G. joined Fox Midwest in K. C. Pal- mander, former manager of 3,000 Pal." A new theater was given a boost in the Grand assistant John R. Fry moved to treasurer duties, and his post was taken by Walter Shott, Jr.
Robert Z. Leonard
Director - Producer

"Broadway Serenade"

Metro-Goldwyn-Mayer
**REVIEWS OF THE NEW FILMS**

**"Man of Conquest"**

with Richard Dix, Gail Patrick, Edward Ellis

Republic 105 Mins.

**SPLENDID HISTORICAL EPIC HITS NEW PATRIOTIC NOTE AND PACKED WITH ENTERTAINMENT.**

A very sincere and painstaking production that does not glorimize the career of the great Sam Houston who did so much toward bringing the state of Texas into the union. That is that it fails, for it is so painstaking that the first half follows meticulously his earlier career and the exciting and stirring events of his exploits in Texas come in the latter half and make what has gone before seem weak in comparison. It would have been easy to highlight the main events of Houston's life before he threw in his lot with Texas, and snap the production up considerably. But because it is daring, it is a threat to the film industry, its absolute fidelity to the period, the skillful manner in which the atmosphere of the historic era is recreated, it is to be highly commended as the type of production that dignifies American history instead of cheapening it as some other productions have done. It is easily one of the finest things that the Republic studios have turned out. The story of Sam Houston before and during his career as governor of Tennessee, his estrangement from his first wife, his friendship with General Jackson under whom he fought, and who later becomes President, his championship of the rights of the Cherokee Indians with whom he lives for a time, are all interestingly presented, and it is equal to what appears for the first time on the screen. Then he decides to cast his lot with the pioneers in Texas. He opposes Stephen Austin, who is convinced that Texas must be recorded. When Santa Ana starts his plundering and killing as his army marches across Texas, Dix wins the battle with Houston as head of the army, his handful of troops ride to relieve the garrison at the Alamo. Too late, they retreat before the advancing Mexicans, and finally Houston makes his strategic attack at San Jacinto, routs the Mexican forces, and Texas is free. The romantic interest with the woman who becomes his second wife is neatly handled. The story is tender and well done with class. Here is a production with a real genuine story of patriotism that reaches a height no other production has yet attained in recording American history. Coming at this time, it should meet with the support of all civic and patriotic organizations everywhere. Richard Dix does about the best work of his career as Sam Houston. He is restrained and dignified throughout. Edward Ellis as Andrew Jackson is superb, giving a really great portrayal. Gail Patrick as his second wife imparts a sweet and charming delineation. Selling angles: the timely patriotic theme; the famous battle at Alamo; the heroic story of a great American.


**"Streets of New York"**

with Jackie Cooper and Martin Spellman

Monogram 73 Mins.

(HOLLYWOOD PREVIEW)

**SWELL MONOGRAM PRODUCTION SHOULD CLICK WITH BOTH YOUNG AND OLD.**

This production is one of the finest that Monogram has made to date. Jackie Cooper gives a grand performance as the orphaned news-boy with high ideals and ambitions, as does, the little wild, Martin Spellman, a new comer, who plays the role of Gimp, the crippled kid who is taken care of by Jack and who high light his job of direction, balancing the humor and heart throb scenes in fine fashion. William T. Lackey rates many Neumann, ASC, as producer. The picture will be enjoyed by both the young and old. The story is an interesting one which deals with a youngster and his experiences in the lower East Side, and contains a gangster plot. Jackie has a news-stand and helpers. He studies law at night and while at school his boys are arrested for shooting in an alley with Spike (David Durand), who is trying to get Jackie's corner and newstand. Pop (George Cleveland) calls Jackie out of school and they go to the court. The Judge and Jackie strike up a friendship and he and the boy are invited to the home of the judge for a Christmas dinner. Meanwhile, Tap (Dick Purcell), Jackie's brother, kills a cop and hides in Jackie's room without his knowledge. Jackie orders him out and a fight takes place in which Gimp is shot. The cops capture Tap and send him to the chair. There is action with a ruff and tumble fight for possession of the news corner. Several of the scenes are very pathetic and the dialogue is natural. Bob Andrews wrote the original and screenplay. Harry Neumann did a nice job of photography. Among those who do good supporting jobs are Sidney Miller, George Cleveland, David Durand, Robert Emmett O'Connor, George Irving, Dick Purcell and Margaret Reynolds.

**CAST:** Jackie Cooper, Martin Spellman, Sidney Miller, Buddy Pepper, Bobby Stone, David Durand, William Tucker, Robert Tucker, Kent Rogers, George Cleveland, Robert Emmett Keane, Robert Emmett O'Connor, George Irving, Dick Purcell, Marjorie Reynolds, William Gould.

**CREDITS:** Scott R. Dunlap in Charge of Production; Associate Producer, William T. Lackey; Director, William Nigh; Author, Robert D. Andrews; Screenplay, same; Photographer, Harry Neumann; ASC; Art Director, E. R. Hickson; Editor, Russell Schoengarth; Musical Director, Edward Kay; Production Manager, Charles J. Bigelow; Sound, Karl Zint.

**DIRECTION:** Good. PHOTOGRAPHY, Good.

Kathleen Lockhart, Ferris Taylor, Leon Ames.

**CREDITS:** Producer, Sol C. Siegel; Director, George Nichols, Jr.; Authors, Harold Shumate, Wells Root; Screenplay, Wells Root, E. E. Paramore, Jr., Jan Fortune; Cameraman, Joseph H. August; Editor, Martin Seldeen.

**DIRECTION:** Very Good. PHOTOGRAPHY, Excellent.

**"East Side of Heaven"**

with Bing Crosby, Joan Blondell, Mischa Auer

Universal 90 Mins.

(SURE-FIRE HIT SCORES SOLIDLY IN EVERY DEPARTMENT AND ISヘING TOWARDS BEING A BIG CROSS.)

Here is a sure-fire hit, with Bing Crosby being aided by a splendid cast, including a ten-month-old baby boy, Sandy, who is certain to win over audience. Joan Blondell is decorative and appealing as the love interest opposite Bing, while Mischa Auer has a field day as a star gazer and Bing's roommate. Jerome Cowan, Irene Hervey, C. Aubrey Smith and Robert Kent are among the important principals. David Butler has supplied warm sympathetic direction and in collaboration with Herbert Polies, who also acted as associate producer, wrote an ideal vehicle for Bing and Joan. William Conselman contributed the screenplay containing bright dialogue and some fresh situations. Among the songs that Bing sings are "Hang Your Heart On a Hickory Limb," "Sing a Song of Sunbeams" and "That Slag Old Gentleman" by Johnny Burke and James V. Monaco. Art director, Jack Otterson has designed some interesting sets. Bing, a singing messenger boy for Postal Union and Joan a hotel switchboard girl, have to postpone their marriage when Bing gets fired for going to the home of wealthy C. Aubrey Smith and angering him by singing a belligerent ditty. The star in this film is Bing Crosby. It is his film and he gets a job as a driving troubadour for a taxi company. Smith is determined to get the custody of his grandchild, son of Kent and Irene Hervey who has separated. Irene appeals to Bing, an old friend, and leaves the baby with him. At some complications Bing is able to get Jerry and Kent and wins Smith's's heart that he will not interfere with their fine pines. Smith also gives Bing a job singing on the radio which means he and Joan can get married immediately.

**CAST:** Bing Crosby, Joan Blondell, Mischa Auer, Irene Hervey, C. Aubrey Smith, Robert Kent, Jerome Cowan, "Sandy," Jan Jones, Rose Valyda, Helen Warner, Jan Powell, The Music Maids, Matty Malma and His Orchestra.

**CREDITS:** Associate Producer, Herbe Polesie; Director, David Butler; Author, David Butler and Herbert Polies; Screenplay, William Conselman; Cameramen, George Robinson, ASC; Art Director, Jack Otterson; Associate, Richard H. Ride Editor, Irene Mona; Musical Directors, Charles Previn; Orchestration, Frank Skinner and John Slot Scott; "Hang Your Heart On a Hickory Limb" staged by V. Raset; Songs and Lyrics by Johnny Butt and James V. Monaco.

**DIRECTION:** Splendid. PHOTOGRAPHY, Grade A.
Who has 'em—
Who's in 'em—
and
How Good are they—
The forthcoming
SHORT SUBJECT ISSUE
of
THE NEWSPIBER
OF FILM DOM
DAILY
Will give you all the answers
DISTS. WILLING TO RESUME CONFBARS

(Continued from Page 1)

while clarification or revision of other sections is favored. The mechanical handling of arbitration is one point that probably would receive another study, Rodgers said. While some of the provisions of the draft will be retained in new contracts, clauses dealing with arbitration must by necessity be omitted until there is a universal agreement.

Rodgers said he looked upon the draft as a "starting place" from which both sides of the industry should already be arriving for the eventual goal of understanding. If there are sections that will need revision, the distributors are willing to confer for that purpose.

In regard to the Neely Bill, Rodgers said that independent exhibitors who are advocating the passage of a bill, are staking on dangerous ground inasmuch as the small theater owner needs to be assured of a flow of product apart from the larger operators. In his opinion, enactment of the bill would spell ruin to a large number of small-town exhibitors.

Yates and Grainger Back for New York Sales Meet

(Continued from Page 1)

Anted Republic's initial regional sales concave.


Two Houses Bowing In

Cleveland — Two new theaters bowed in on Easter Sunday. In Loveland, the Pearl, built by Miss Nazera Zielgob opened and in the Greater Cleveland area, it's the Shore Theater that threw open its doors for the first time.

Exchange Manager Sells Story to Mono.

Pittsburgh — Mark Goldman, manager of the local Monogram exchange, can now include scenario writing among his other accomplishments, having just sold a story entitled "Happy Girl" to his company. Dorothy Reid (Mrs. Wallace Reid), Monogram producer, is preparing the screen adaptation and the picture is scheduled to begin in the very near future.

Half of Paramount's Top Pictures in Work by June

(Continued from Page 1)

ules were concerned in many years.

Paramount's sales convention, or conventions, will be held in May, Rodgers said. There will be either one big national concave or two regional. The program will consist of 56 pictures, the same number as were announced for the current season.

Balaban was accompanied by his Edwin Warren and Mrs. W. H. Martin Griffin and Leon Netter. They joined Neil Agnew in Chicago. Robert Gilham, advertising head, flew to the Coast from Chicago Friday afternoon.

Raftery Refuses to Give D of J UA Finance Data

(Continued from Page 1)

such issue before the Court, refused to answer the query as to whether, on anti-trust suits brought by exhibitors and others, the defendants and major joining hands in settling such actions. Further, he declined to give certain financial information about Balaban said. There will be either one big national concave or two regional. The program will consist of 56 pictures, the same number as were announced for the current season.

Balaban was accompanied by his Edwin Warren and Mrs. W. H. Martin Griffin and Leon Netter. They joined Neil Agnew in Chicago. Robert Gilham, advertising head, flew to the Coast from Chicago Friday afternoon.

Half of Paramount's Top Pictures in Work by June

Upward Trend in Financing Eastern Production Noted

(Continued from Page 1)

Two other units, both independently financed, are completing their production arrangements. Steuer negotiations are under way for major release, Spiedell said.

And that every seeking Eastern banking interests frowned on any attempt to obtain financing for Eastern production, Spiedell pointed out. The title has turned, however, and the banks appear to be going in for it, he said.

Between 400 and 500 pictures are produced annually in Hollywood, Spiedell continued. "We can prove that at least 14 of the annual output can be produced more efficiently and logically in the East, and with the highest quality."

Goldwyn's Suit Strategy Aims for an Early Trial

(Continued from Page 1)

Goldwyn's position, his attorney said, that unless Pickford and Douglas Fairbanks and Alexander Korda had breached their understanding with him.

Deal Details Finalized, Wilcox Off for London

(Continued from Page 1)

unfinished parts of the deal which prevailed at the time of his arrival here March 30 had been completed and that everything was in readiness to start production on his first Hollywood picture to star Anna Neagle.

Wilcox plans to return to the U.S. with Miss Neagle and a cameraman later this month, sailing on the Aquitania in about two weeks. Meanwhile, a technical crew is scheduled to sail from England on the next trip of the Queen Mary.

Rogers Week Starts April 20

The Will Rogers National Theater Week drive will start on April 20 and not on April 27, as was erroneously printed in last Thursday's issue of THE FILM DAILY. Prints of the campaign short, "For Auld Lang Syne," may be obtained from National Screen Service or ordered placed with branch managers or salesmen.

James Roosevelt Sails: May See Korda in London

(Continued from Page 1)

asked if Goldwyn planned to re-fi the suit. Vogel's reply volume of dis missal, Roosevelt said, "You'll have to ask Mr. Goldwyn's attorney about that.

The President's son insisted that he was going aboard strictly business for the company and that the opening of "Waving Heights" in England. He said he hoped to see Alexander Korda in London but would not confirm reports that the British producer and Goldwyn on any "definite business" with the English producer.

In Paris before he returns on the Normandie, sailing from England on April 26.
$25,000,000 RKO Budget—Washington—RKO Radio is planning to make 48 pix next season involving an expenditure of from 20 to 25 millions, Proxy George J. Schaefer told the Senate Interstate Commerce

Schaefer Calls It "Vicious"; Unnecessary, Declares W. F. Rodgers
Washington—Serious as the handicap imposed on the U. S. film industry by foreign quota laws, political censorship and the blocking of funds may be, the Neely bill "with its impractical and restrictive provisions is funneled into more vicious and offers a far greater threat to the prosperity of the industry than all of these foreign restrictions."

So George J. Schaefer, RKO Radio (Continued on Page 8)

Schaefers, Rodgers Rap Neely Bill

Key sentences from the Neely bill hearing testimony given in Washington yesterday by George J. Schaefer, RKO Radio proxy, and William F. Rodgers, M-G-M sales head:

Schaefer: "It would stand to reason that having determined in advance that he was going to make 50 pictures at an expenditure of some $35,000,000, the producers should have the right to trade at any length with a deal through branch offices and require that dealer in open competition to buy an agreed number of pictures."

Rodgers: "The trade reform program will bring about the same results, but without the drastic effects of the Neely Bill."

"Some parts of the trade reform program meet with the approval of Allied."

"The trade reform program solves the moral issue raised here."

"England definitely has black-bookin in spite of statements to the contrary."

"Under terms of the Neely bill we will have to stop experimenting and there will be no more Judge Hardy series or 'Christmas Carols.' Both were experiments."

(Continued on Page 6)

Columbia to Hold Three Regional Sales Meetings

Columbia will hold its annual sales convention in three sessions this season, it was announced yesterday by A. Montague, general sales manager.

The meetings have been set for

(Continued on Page 6)

"Juarez" to be a $2 Pix Here During Fair; $100,000 Ad Campaign Set

Program Limitation Bill in Lincoln Hit by Ruling

Lincoln—Ordinance proposed here limiting movie programs to 135 minutes received an adverse ruling from the state Attorney General who claimed it affected neither moral tone nor health provisions under

(Continued on Page 6)

The Daily Newspaper Of Motion Pictures Now Twenty Years Old

New York, Tuesday, April 11, 1939

TEN CENTS

Exhibitor-customers of RKO Radio Pictures are being invited to take the seventh floor of the RKO building, their headquarters, and visit their view to the New York World's Fair. Approximately 10,000 letters of invitation were sent yesterday by N. C. P. Depinet, business manager, to exhibitors in the U. S., Canada and foreign countries.

Decorators and furnishers are

(Continued on Page 6)

Schaefer says para is to aim at Latin and Eng. Markets

West Coast Bureau of THE FILM DAILY Hollywood—Paramount will devote itself to a policy of producing pictures with a special appeal for the Latin American and all English speaking peoples in order to over

(Continued on Page 6)

Atlas Move to Dismiss Cassell Appeal Is Denied

Application of H. C. Rickaby, representing Atlas Corp., asking for the dismissal of an appeal filed by Na-
**Uniform Admission Sale**

**Bill Before Penn. House**

Harrisburg, Pa.—No motion picture house, theater or other place of amusement would be permitted to charge a larger admission fee on a Saturday, Sunday or holiday than is charged by such a place during the week under provisions of a bill which has been offered in the House.

"Mikado" Tentatively Set for May 16 at the Astor

The "Mikado" has been set tentatively to open at the Astor Theater, Broadway, on May 16. It is understood that under the terms of the agreement, Universal has the right to place the picture in another house if the Astor is not available by that date. "Pygmalion" is now in its 18th week at the Astor.

**Amusement Tax Threat Seen in Pennsylvania**

Harrisburg, Pa.—Enactment of amusement tax legislation is believed likely as a result of the court decision invalidating the foreign state franchise tax.

**Erickson Due Tomorrow**

Clarence Erickson, treasurer and business manager of Warner Productions, is due from the Coast tomorrow to discuss distribution of the new season's product with United Artists sales executives.

**THE THEATRE**

**George Abbott Productions**

"There have been a number of good girls and music shows in town lately, but this is the most brilliant of the lot."—Watts, Har-Trib.

George Abbott—Rodgers and Hart

**The Boys from Syracuse**

With Jimmy Wynn, Eddie Teddy, and Buddy Marsden Albert Hart

ALVIN, W. 52d St. Mat. Wed. Sat. Columbus 5-4114

"The lowest, roughest, toughest, dirtiest, dirtiest, most honest play for your money put out this season."—George Jean Nathan, Newsweek.

**PRIMROSE PATH**

By Rob L. Bachman and Walter Hart with Helen Betty Mary Russell WESTLEY GARDNE MASON BARKER OUT. West 46th St. Mat. Wed. and Sat. BR 5-9046

"Rears of Pleasure"—Adrack, Times.

**WHAT A LIFE**

With EDRA STONE as Henry Aldrich

MANSFIELD W. 47th St. Mat. Wed. and Sat.

Circle 6-0640

---

**Safeguard Lloyds Security**

**FILM STORAGE CORP.**

Storage by Rent or Vault

729 Seventh Ave., New York City.

BRay 9-5600

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**Along the Dailo**

With PHIL M. DALY

- - - ALL SET for that grand and glorious annual dance and show of the Press Photographers Association...at the Hotel Astor Friday night...it's the biggest of the series...100 celebs of screen, stage and radio have promised to be there...there will be music by three orgs....the 3500 guests expected will include Mayor LaGuardia....

- - - A RECORD for personal appearances may have been set by Errol Flynn at that Dodge City festa...he was up at 6:30 to avoid publicity so he could take a canter on his new horse brought from the Coast on the special train, and he ran into a bunch of local candid camera hounds and had to pose instead of canter...at 10 o'clock the official arrival was held, and he made three speeches at various spots...then to luncheon with the Kansas governor as honored guest before 500 people...then riding his horse in the parade for an hour...and from there to the rodeo grounds for the Western Fair where he gave an exhibition ride, and acted as best man at a local wedding....an hour later he was on the national broadcast.

- - - THEN to the chuckwagon dinner where he made a speech...in the evening, personal appearances at the three theaters showing "Dodge City"...so, at midnight, tired and hungry, he pleaded with his Warner publicity guard: "Let's go to some quiet place and grab a snack"...so the two took a walk down a side street to a hamburger joint...it was peopled with four cowboys and their two gals....a big colored mammy was behind the counter...Flynn sank in a chair at a corner table, and sighed: "At last, alone, peace, quiet."...and the colored mammy yelled: "Lowed bless mah soul. ladies and geman, ah has the proud honah to present that great actor. Mistah Errol Flynn!"...the cowboys jumped up and yelled for a speech....and the publicity man carried the limp form of Master Flynn out on his back. (Editor's Note: Add this to the 135,000 columns of newspaper space officially estimated by the Remmel Clipping Service that appears on the "Dodge City" affair at the Kansas town.)

COMING AND GOING

FRANKLYN WARNER, head of Fine Arts Picture, arrived yesterday from the Coast.

CLARENCE ERIKSON, business manager and treasurer of Warner-Wangner Productions, is due from Hollywood tomorrow.

SALLY FISHER, Allied of New Jersey secretary, has gone to Philadelphia to act in a similar capacity for the new Allied unit there.

JOHN JOSEPH, advertising and publicity director of Universal, returned to the Coast last night.

MICHAEL HOGAN, writer for Herbert Wilcox, and MERLEIL HOLLAND, production assistant to Wilcox, have left from the Coast.

RALPH ROLPH is due back today or tomorrow from the second "Gateway to Hollywood" talent quest.

MARY MORRISSEY, secretary to John Hay Whitney, has returned to the home office after some time at the S-1 studios.

SAM SAX leaves Chicago tomorrow for the Coast.

SAM KATZMAN, president of Victory Pictures, has returned to the Coast, and starts work next week on "Trigger Finger," a Tim McCoy western.

JOSEPH BERNHARDT, general manager of Warner theatres, returned yesterday from the Coast after a week of conferences.

BEN KALMENSON, Western and Southern sales manager for Warners, returned to the home office yesterday after a two-week trip through the West.

WALTER BRANSON, captain of the RKO George Schaefer sales drive, and HARRY MICHALSON, short subjects manager, arrive in New York today after a swing around the country. They will visit Albany and New Haven before they reach here on Friday.

HARRY F. SHAW, Low Pali division manager at New Haven, and MRS. SHAW, have returned there after a cruise.

R. E. HOFFMAN, Warner theater exec., has returned to New Haven after a cruise.

LEO SHAPIRO, of the Guild Theater, RAY PETRIN, RKO manager, LEO KENNEDY, Madison and Symphony theaters, LOU MORGAN, Pictures Premium Co., and MRS. PHILIP SLSAS, Fishman circuit, all of New Haven, are in Miami.

JOHN GARFIELD, Warner star, leaves for the Coast today after a vacation here.

WILL FYFFE arrives here Friday on the Aquitania.
EVERYWHERE!

DODGE CITY

BEATING EVERYTHING!

WARNERS AGAIN

...AND AGAIN!
“YEAH!

true-to-life drama of
this boy who becomes
this man...

and of these brave women who dare
I've got three strikes on me...
But I ain't through fightin' yet

"Dump me in stir... till I'm punchy with it. Slap me down. Make a heel out of me. Cheat me of the things other gents get... the arms of the woman you love about you... the smile of a kid that says you're aces to him... Kick me around till I'm nothin' but a lump of dirt... yeah... but try and lick me... try and keep me from being a right guy in my own heart... you can't do it while I still got two pins to walk on and a pair of dukes to swing..."
**GOOD EASTER WEEK BIZ ON BROADWAY**

(Continued from Page 1)

Music Hall with “The Castles” and the Globe with “Prison Without Bars” did excellent business. The Roxy with “Alexander Graham Bell” was above average. The Capitol, playing “The Teddy Serenade,” reported good business and other stores housed with a few exceptions reported good business. Easter Week holiday gave further impetus to biz yesterday.

“Codge City” Opens to Top Business in 27 U. S. Cities

Matching its fast opening at the New York Strand over the weekend, Warner’s “Codge City” premiered in 27 spots over the country to grosses topping the high-mark figures of the “Universal” series of “Red Hood,” “Angels With Dirty Faces,” and “Four Daughters,” the home-office reported. At the Hollywood and New Yorker in Los Angeles the film did the best week-end business in three years.

**RKO to Be Hosts to Exhib.**

Visiting N. Y. World’s Fair

(Continued from Page 1)

busy arranging lounge rooms for the use of exhibitors and their wives. Here the visiting showmen will find information clerks and secretaries available to be of any possible service. A ladies’ powder room and other facilities will make the suite adaptable as a central meeting place. Visiting picture stars and RKO executives will be on hand to greet the exhibitors. Other features include a bulletin service on industry activities and the distribution of several current film trade books to the Floor, etc. H. M. Richey, director of exhibitor relations, is in charge of the preparations and will headquartered in the so-called “club rooms.”

**Anti-Censorship Meeting**

At Hotel Astor on Apr. 20

(Continued from Page 1)

New York Film Board of Trade, will preside.

Speakers so far scheduled are Harry Brandt, president of the ITOA; Monty Kahn, editor of Boxoffice; Edward Golden, vice-president of Monogram Pictures; Langdon W. Post, a director of the American Civil Liberties Union; Arthur Mayer, managing director of the Rialto Theater; and Rita Hochberg, director of visual education of the New York State Board of Education.

Names of additional speakers will be announced later, according to the Film Division of the Theater Arts Committee, which is arranging the meeting.

**Code Solves the Problem—Rodgers**

Exhibitor groups, with the exception of Allied States Assn., are in favor of a trade reform program.”

* * *

“If the exhibitors want the English law we can give to them but there are not three companies that could stand the increased cost.”

McCausland Joins “U” Unit;

Leaving Irving Trust Co.

(Continued from Page 1)

been appointed to an executive post with the recently-formed Famous Productions which is to release through Universal.

McCausland was appointed by Harry Edington, head of Famous, who announced from Hollywood yesterday that McCausland’s duties will center on the Western operations of the company. He leaves for Universal City in about two weeks.

McCausland has been with Irving Trust since 1929.

**Program Limitation Bill**

in Lincoln Hit by Ruling

(Continued from Page 1)

which the city council is empowered to act. Miles said mere limiting program would not cause people to leave the theater and they might stay out, creating same effect as any bills. This does not matter but will hold up proceedings for time being. Five theaters favored, three opposed the ordinance.

**Columbia to Hold Three Regional Sales Meetings**

(Continued from Page 1)

Atlantic City, May 8, 9, 10 and 11; Chicago, May 14, 15 and 16; and Los Angeles, May 20, 21 and 22.

Mr. Cohn, all home office executives will be present at the Atlantic City meeting. All three sessions will be presided over by Montague.

Evanston Slaps License Fee on Film Carriers

Chicago—Film carriers will now have to take out city licenses to deliver films in the North Side suburbs. The Evanston council last week passed a law taxing all truckers who enter that city from Chicago for commercial purposes. If other towns follow the Evanston lead, the carriers will have to advance their tariffs, it is said.

**Ukrainian Producer Here**

Vasile Avramenko, Ukrainian producer, has arrived here from his Canada headquarters to arrange production of a new musical here titled “Culture of Ukraine” which will start during the first week in May. Michael L. Gann has been signed to supervise the entire production. Avramenko returns to Canada tomorrow.

**Industry Supporting Rubin**

Greater New York Drive

meeting of industry execs. at his office yesterday to discuss the formulation of plans for the drive. Among those attending the meeting were Nat. Deppin, Collin Brown, Harry Brandt, Harold Rodner, Arthur Israel, Norris Wilcox, Don Messeare, Sam Shaw, Ben Moss, and William Orr.

Rubin said that last year the industry contributed $65,000 to the Fund and that this year its quota would be $100,000. The GNYF, he said, has a goal of $10,000,000 and is comparable to the Community Chest in Hollywood. Drive closes on May 30.

A meeting has been called for April 19 at the Hotel Astor and those attending will form a general committee headed by Rubin, with sub-committees on production, distribution, exhibition and allied crafts will be formulated.

**Atlas Moves to Dismiss Cassel Appeal is Denied**

(Continued from Page 1)

than L. Rosenberg, representing Cassel & Co., was denied yesterday by the Circuit Court of Appeals, and Rosenberg was given to May 15 to file record on appeal. John Stoddard, representing the Stirn interests of Milwaukee in the RKO reorg. hearings, yesterday sought to have Edwin L. Weiss, counsel for the latter, filed in the case, that he does not represent Atlas on the RKO and Paramount boards.

Signing of the settlement order was expected momentarily last night.

Laurel, Hardy Reunited

for Morros Production

West Coast Bureau of THE FILM DAILY

Hollywood—First picture in which Laurel and Hardy will be starred following re-uniting of this team will be a remake of "The Aviators," French comedy success to be produced by Boris Morros Productions which, during the year, will make eight French pictures as well as handle for distribution in this country 14 foreign made films.

"Aviators" will go into production July 1. Morros is negotiating for distribution and deal is expected to be closed before end of this week. Laurel has settled his $700,000 suit against Roach, and Morros was able to obtain Hardy from Roach, therefore bringing team together again. Following this picture they will return to Roach to continue as a team.

**FAIR TO MAKE N. Y. PREVIEW MARKE**

(Continued from Page 1)

the latter’s conviction that, with a opening of the New York World Fair, New York will become virtually a world preview market.

Further angle is Sears belief that “times are what you make them and that, with the situation abore uncertain, it behooves the D. I. to strengthen the further intensification of the American field.

"Prestige accruing from the presentation of “Juarez” at $2 service in the Hollywood for the duration of the Fair will be of inestimable value to exhibitors everywhere commented Einfeld yesterday. "Essentially, it’s direct selling of this picture to the millions who will come to view the "Fair." Warners are setting a gala opening for “Juarez.” Einfeld, who remains here for it, now expect to leave for the Coast April 25.

See 306 and Empire Merger

As Brought a Step Neare

(Continued from Page 1)

worked out, following the end of the two-weeks, at the Mediatic Board, a spokesman stated, would move to discuss the situation with the studio executives as the 306 major pact is signed.

Membership meeting of 306 will be held this week to ratify terms of the contract, with general approval expected. New pack calls for two weeks vacation with pay, a 3-hour week, time and a half for overtime and a top scale of $87.50 per week for the projectionist, an increase up to 19 per cent over present rates. The pact is to be in effect from May 1 to Sept. 1, 1937, and runs to Sept 1, 1940.

Balaban Says Para. to Aim

At Latin and Eng. Market

(Continued from Page 1)

come the possible market shrinkage in Central Europe, Barney Balaban president, stated yesterday upon his arrival here for product conferences.

"With such plans in view," he said, "Paramount will not reduce its studio activities and will make at least the same number of pictures for the new season as were produced during the current season."

Para. Servicing 14,500 Accounts, Agnew Reveal

(Continued from Page 1)

Chicago—Para. is now servicing approximately 14,500 accounts, Neil F. Agnew, company’s sales chief, revealed during his stopover here on route to the Coast for product confabs.

Agnew stated that Para.’s biz is the Western territory is showing improvement, while that in the Eastern territory has slowed up.
“JUAREZ AND MAXIMILIAN”

Motivated by the desire to bring about a closer relationship between the English and Spanish speaking nations of the Western Hemisphere, Miguel Contreras Torres, Mexico’s foremost motion picture producer-director, presents to American audiences his original romantic drama, “JUAREZ AND MAXIMILIAN,” as the first of a series of epics he will produce in the English and Spanish languages depicting the colorful and important historic events of Mother Spain and the Latin American countries.

Convinced of the tremendous educational influence of the motion picture, Mr. Torres has always been guided by the appreciation of the theatre going public for authenticity and historical accuracy as well as dramatic excellence. With the desire for realism and authenticity paramount in his mind, Mr. Torres enlisted the aid of the Mexican Government to assist him in his presentation of the factual dramatic epic on the screen. Only with this cooperation was it possible to film the magnificent splendor of the palaces and gardens, cathedrals and battlefields, as well as the private apartments and actual throne and crown jewels of Emperor Maximilian and the Empress Carlotta.

Realizing that the authentic picturization of the drama which led to the rebirth of the Mexican Republic would do much to strengthen the spiritual understanding and cement the friendship between the United States and other English speaking countries and the Latin Spanish world, the Mexican Government lent willing assistance at every turn, but in no wise did they subsidize the production. In “JUAREZ AND MAXIMILIAN,” a cinematic contribution to art and the exposition of actual events rather than a straight commercial endeavor, is clearly evidenced in every scene of the picture.

Bringing to Hollywood his fund of experience as a producer and director of films depicting historic events and biographical subjects of the Spanish speaking nations, Mr. Torres believes that a new era in the production of motion picture entertainment will be inaugurated with the presentation of his first offering, “JUAREZ AND MAXIMILIAN,” to the American motion picture industry.

In announcing completion of “JUAREZ AND MAXIMILIAN,” Miguel C. Torres wishes to pay tribute to the cast, writers, cameramen and each of the technicians who cooperated in making this picture the beautifully authentic production it is.

Mr. Torres knew that only in Hollywood, center of the world film industry, could be found the modern production equipment and methods which would satisfactorily bring his story to the screen, and to all those who contributed to its production he offers his sincere thanks.

MEDEA NOVARA
AS EMPRESS CARLOTTA

CAST:
MEDEA NOVARA -- LIONEL ATWILL -- CONRAD NAGEL

MIGUEL C. TORRES PRODUCTIONS
Calls Neely Bill More Vicious Than Foreign Threat

Schaefer Assails Measure; Rodgers See It as Unnecessary

(Continued from Page 1)

"The proposed law has nothing to do with prohibiting the exhibiting of any film of any character whatsoever. . . . In fact, this law does not prevent the showing of entirely immoral pictures.

"There is nothing in the proposed bill which obligates the exhibitor to consult his local community, and bearing in mind that the exhibitor can only lease and book such pictures as are actually produced, can it be assumed that he would put aside commercial considerations in the interest of public morals?"

"Through the existence of competing motion picture theaters in the community and through the medium of newspaper reviews and selections by various magazines, such as the Parent's Magazine, I believe that the public is at all times fully aware in the selection of motion picture films."

". . . certain individual disapprovals or frustrations under the competitive system do not invalidate the economic or social justification for that system."

"In recent years, the distributors of motion picture films have granted the exhibitor a 10 per cent cancellation clause, but will continue to submit evidence that the exhibitor took advantage of that cancellation privilege and cancelled pictures of questionable moral content."

"That it (the industry) has sought and will continue to seek improvement is best evidenced by the co-operative action of the producers and trade practice conferences that have been taking place year after year and again this year."

"The bill prohibits us from selling our product to the best of our ability, and I believe that the constitutional rights, and humasments the American system of free enterprise."

In the final analysis, the increased cost of this bill will be borne by the public, and a serious blow dealt to our industry."

"Motion pictures are not made strictly to specifications such as drugs, or as bricks and mortar. They are creations which are an intangible blend of careful thinking, imagination, artistic sense, and the qualities generally referred to as showmanship."

"I say to you very frankly that even after a picture is fully completed, edited and approved by the Motion Picture Production Code, it would be impossible for a distributor to operate under this Act, no matter how earnest he may be in his efforts to do so, without greater danger of severe penalties."

"I affirm that it is unanswerable and against the public interest to undermine this industry, with unnecessarily heavy additional burdens and penalties such as are contemplated in this Act."

Addressing C. C. Pettijohn, MPDA general counsel, White said: "If one would not submit facts and figures as to what type of picture is being cancelled under the present distribution system, and what, if any, difference, the bill will have on cancellation of so-called "immoral" pictures. Pettijohn assured White witnesses will submit the desired evidence.

Discussing the Neely bill's threat to the industry's economic structure, Schaefer said: "To require a producer to complete a picture before it can be offered for sale will place a tremendously heavy burden upon him through the necessity of increasing his inventories. Under the present method of selling, a company such as RKO must carry picture inventories of $10,000,000 to $12,000,000. If it were required to complete all its productions before offering them for sale or lease it would necessitate an increase of many millions of additional working capital in order to continue to operate. It is necessary to finance such inventories from a steady flow of income, and no producer could undertake the proposed bill to sell his product in advance. To do so would make him liable to penalties and criminal proceedings. As a matter of self-protection, you therefore have to wait until the picture is finished so as to be able to create it and secure a thorough and accurate description. This would retard his flow of income, thereby making it necessary to increase working capital in order to carry the greatly increased inventories, whereas many of the companies have difficulty paying dividends on their present capitalization."

Would Cut Into Income

Net income would not be increased because the market for the product remains the same. But would decrease because of the additional selling costs arising from synopsis requirements and selling on individual pictures rather than in groups. And for this decreased income substantially greater working capital would be required. This would apply to every company and tend to endanger the economic soundness of all the producing companies. This is particularly true because there is a much larger element of risk involved in this business than in many others."

"You must remember that from $15,000 to $20,000,000 in a picture before you have any, but for whether such a picture make a profit or create a loss. Even with the best story material, producers, directors and stars, you have no assurance when it is finally completed that it will meet with general public approval from the standpoint of its entertainment value. Some of the most important and costly pictures which have high entertainment values have been the most disappointing in entertainment value and commercial results."

Predicts Code Adoption

Rodgers, asserting that the trade reform program will accomplish substantially the same results as the Neely bill without destroying the industry structure, predicted that the code will be adopted by most exhibitors but did not say if it would be further revised to suit Allied."

"There is no question but that this code will be adopted by those who want it. Others who do not accept will also benefit from it," he said.

Rodgers discussed the various clauses in the trade reform draft that he believed answered most of the objections of exhibitor groups. He explained the proposed arbitration boards in relation to cancellation of films deemed locally objectionable, and said: "We believe this clause protects civic groups."

Pointing out that the distributors have agreed to forgo score changes, Rodgers declared this had brought in about $600,000 to M-G-M per year."

"As to what extent the trade practice program had been offered to exhibitors, Rodgers said it had been offered to every organized exhibitor group and had been in all the trade papers for exhibitors, not a member of any associated group as required by the terms of the program. MPTOA has made its approval and other exhibitor groups such as Southern California Exhibitors, TOC of New York, MPTO; Iowa, and Nebraska exhibitor groups have indicated their approval, with the exception of one minor change Rodgers declared.

Continuing his examples of other pictures that did not have public support, Rodgers said "Christine, Care" received 1,292 cancellations contrasted with a few gangster pictures. Rodgers' point was that exhibitors are not interested in any pictures as evidenced by the fact that they did not cancel so-called offensive pictures.

"There is no provision in the Net bill that will stop the exhibitor from passing up "Christmas Carols", he declared.

Refutes UA Contention

Rodgers refuted assertions that UA operated profitably without the code, stating that many houses had to buy all UA pictures get any. Rodgers also denied that England operates without blue book.

Hearings continue this morning Schaefer asked the committee to give him more time to submit evidence other than in his prepared statement. It is expected he will continue today.

Rocky Mt. Exhibs. See Draft As Starting Point to Peace

Denver—A committee of men representing Theater Owners and Managers of the Rocky Mountain Region, Inc., went on record favoring the proposed trade practice code as a starting point towards amicable relations within the industry.

Although believing that the proposals do not coincide entirely with their views, the committee members are of the opinion that the draft contains much favorable material and that "with the present star matters of differences can be worked out in congress, which we think is preferable to any sort of govenment action."

Committee was appointed by President Charles Gilmour.

Six-Hour Matinee

Pittsfield, Mass.—Related arrival of a print of "Hell's Angel," set to deal with Jimmy Cagney and Alice White, resulted in the Union Square Theater here showing features of the Aubrey Western, "Holiday," "Swing That Chere," and film serial "Tales of Dr. Sea." "Swing That Chere" was rushed in to fill the gap. The feature film gave the house a record six-hour matinee.

37 Pix In Work

West Coast Bar, THE FILM DAILY
Hollywood—Thirty-seven series pictures are with 50th Century-Fox and Paramount shooting each; War-ner's is at Universal; four each: M-G-M, Columbia and Republic, three each: At the Paramount, Associated, Goldwyn, Small and Darmount are making each one.
RKO Reorganization Settlement Order Signed by Court

"DON'T HAMPER PIX WITH UNWISE LAW"—SCHAEFER

Goldwyn Says UA Internal Management is Suit Issue

Action Re-filed in Delaware; Counsel Outlines Producer's Position

Litigation instituted by Sam Goldwyn and Samuel Goldwyn, Inc., on the tail of the Goldwyn corporation and Goldwyn to the present internal management because of the bandoing of the idealistic policies to carry out which UA was formed, according to a formal statement released yesterday by Max D. Steuer, Goldwyn counsel. Statement came simultaneously with the announcement by Steuer (Continued on Page 3)

AMUSEMENT TAX MOVE MADE IN PA. SENATE

Harrisburg, Pa.—Resolution which holds "advise" the Senate that is "the will of the Senate that an amusement tax be added to the tax program" has been introduced in the Senate by Sen. J. Albert Reed. Resolution suggests "a reasonable tax to be fixed by the Legislature to be imposed and for amusements (Continued on Page 12)

Rep. Eastern Regional
Brings 50 to Sessions


Pix Industry's Heavy Tax Payments
"Great Public Service"—Sen. Smith

Washington Bureau of THE FILM DAILY

Washington, D.C.—Senator "Cotton Ed" Smith, chairman of interstate commerce sub-committee studying the Neely bill, yesterday reversed the usual cries of anguish that go along with reference to the high salaries of movie stars and executives. When Senator Neely declared that recently published lists showed that one movie company, UA is director received more than the combined salaries of the 96 Senators, "Cotton Ed" observed, "I think I'll join the industry."

C. C. Petrija, MPDPA general counsel, stated that salaries was not an issue but pointed out that 50 per cent of the high salaries go for State and Federal taxes to which "Cotton Ed" answered, "I think the movie industry does a great public service through the taxes."

In a serious mood, Chairman Smith stated that he had learned much of production and distribution and the industry's problems and stated he hoped to pass that information to other Senators when the bill comes up on the Senate floor.

ARNOLD WANTS FUNDS FOR MONOPOLY DRIVE

Washington Bureau of THE FILM DAILY

Washington—Appropriation of $1,550,000 to enable the D of J anti-trust division headed by Thurman Arnold, Assistant Attorney General, to speed up its anti-monopoly drive will be asked of the House Appropriations Committees (Continued on Page 10)

Erpi Re-elects Stevenson
And All Officers at Meet

T. K. Stevenson, president, and all officers and directors of Erpi, were re-elected yesterday at the annual meeting. (Continued on Page 12)

COPYRIGHT REVISION
PROGRAM SHAPING UP

Meeting will be held the latter part of this month to hear reports by all sub-committees of the committee representing national associations which are studying copyright legislation with a view to results. (Continued on Page 4)

Paramount to Make 60 Pix for 1939-40, Balaban States

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount will make approximately 60 pictures for the 1939-40 season, Barney Balaban, prexy, stated here. Budget has not been announced.

RKO Settlement Order Signed, Paving Way for Formation of New Company

Injunction Asked in Scrap
Over Cleveland Protection

Cleveland—Alleging existing contracts provide protection over existing and future theaters in the zone, Paul Gusmanovic, head, of East Shore Theater Co., operating the LaSalle, yesterday, asked injunction against 20th-Fox, Metro, United Artists. (Continued on Page 3)

Senate Committee Hears RKO Radio Prexy, SAG, SWG

Spokesman

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY
Washington — The film industry does not maintain it should be exempt from certain necessary regulation, but should not be singled out for burdensome legislation, George J. Schaefer, RKO Radio prexy, told the Senate Interstate Commerce sub-committee conducting Neely bill hearings here yesterday.

Schaefer re-appeared yesterday at his own request to answer charges made earlier by proponents of the anti-block-booking and blind-selling measure. He was followed by Ralph (Continued on Page 15)

DISTRIBUTORS AVOID EXHIB. DRAFT ACTION

The distributors plan no further action on the trade practice proposals until the various exhibitor units have given their official approval or disapproval of the code. In most cases, the draft has been acted upon semi-officially by boards. (Continued on Page 4)

AFM Executive Board Will Meet in New York Friday

With no definite proposals formulated by either the American Federation of Musicians or the producers for the re-employment of musicians in theaters reported as yet, possibility that the AFM may set (Continued on Page 4)

Alaska Slaps Ascap

Anti-Ascap bill similar to the Washington statute has been passed in Alaska, it was learned yesterday in New York. Supreme Court decision in suit testing the constitutionality of the Washington and Idaho laws is expected Monday when court re-convenes.

File Copy

Do Not Remove
Rowland Urges Features to Suit Latin Temperament

Solution of the American producers’ Latin-American production problem in Spanish language picture production for the Latin temperament in Spain, Mexico or the Argentine, in the opinion of William Rowland, production head of Filmica International, now making features in Spanish for RKO Radio distribution.

Rowland, here to hold conferences with RKO Radio home office executives, on expansion of Spanish production, feels that American companies must subsidize booming local production in Latin-American countries or face a future of no films.

“After an extensive survey, it is my conviction that lack of understanding of the Latin temperament has been one American handicap commented Rowland. “We have been sending pictures telling what are essentially success stories of Latin American countries. The Latin temperament, however, is attuned to the love and jealousy formula. This explains why American productions are finding increased favor in Latin America.”

Rowland, who has completed two Spanish language pic for RKO Radio, brought a print of the second, “Perfidia,” with him from Mexico City.

N. Y. Child Admission Bill Is Returned to Committee

Albany — Assemblyman William Butler’s bill to remove legal conditions of the admissions of children under 16 to theaters was recommitted to the Senate yesterday after passing the Assembly two week ago without opposition. Measure had exhibitor backing as well as that of the Children’s Aid Society.

MPTO of Virginia Meets in Roanoke on June 12

Richmond, Va.—Mid-Summer convention of the MPTO of Virginia will be held in Roanoke at the Roanoke Hotel on Monday, June 12, it was announced after a meeting of the board of directors held here. Emlor Heins, of Roanoke, was appointed convention chairman and will select his own committee.

Would Tax Picture Tele Rights on Sports Events

Albany—Sen. Phelps Phelps has introduced a bill to amend the athletic sports law to provide a five percent gross tax on motion picture, broadcast and television rights, fights, wrestling, etc. Money is payable to Department of State. Bill parallels Crews-Condron proposal.

Edward Hyman Joins P & P

Edward Hyman, formerly with the Cossalis Circuit, has joined P & P Western & Playhouse Operating Co. as assistant to Joseph M. Seider, president.

Industry Execs Will Trek West for SMPE Conclave


FINANCIAL

NEW YORK STOCK MARKET

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THE THEATRE

George Abbott Productions

“[There have been a number of good girls and much shown in town, but this is the best the world has had to offer in the rest of the U.S.]—[Fleischer, Her.Thr.

George Abbott—Rodgers and Hart

The Boys from Syracuse

Virginia—[with Jimmy Wynn, Eddie Taddeo]

Savo MURRAY ALBERT HART

ALVIN, W. 82d St. Mts. Wed. & Sat.

COLUMBUS 3-4114

“[The least, roughest, toughest, ten- derest, dirtiest, most decent, and cer- tainly director of stage for 20th-Fox, will put on sold season].—George from News, New York.

PRIMROSE PATH

By Roy L. Becker and Walter Hart with Helen Betty Mary Russell

CASTLE CARSON MARDIE BARDIE

CORT, W. 52d St. Mts. Wed. and Sat.

BRITISH 9-0046

“[Roar of Pleasure]—Atkinson, Times.

WHAT A LIFE

With EVA STONE as Harry Aldrich

MANSFIELD W. 47th St., Mts. Wed.

Wednesday, April 12, 1939

COMING AND GOING

JOSEPH M. SCHENCK, 20th-Fox board chair- man, expects to leave the Coast this week end for New York.

W. RAY JOHNSTON, Monogram pro dy, en route to New York from Hollywood.

LOU POLLACK, Eastern ad. and pub. chief for Universal, leaves for Cincin- nati tonight.

FRANK C. GILBERT, Allied chief engi- neer, left New York for the Coast by air- mobile to attend the SMPE convention.

BERNARD FREEMAN, Metra manager in Los Angeles, has arrived here.

ARTHUR WILLIS, chief casting director for RKO, left New York for the Coast by aut- mobile for the SMPE convention.

LYA LRRY arrives here Monday from the Coast.

ANNA MAY WONG arrives from the Coast tomorrow.

SIR GORDON CRAIG, general manager of British Movietone News, and R. S. SUSSMAN, London bureau chief, are in Britain, sail Saturday on the Aquitania.

ROBERT MONTGOMERY is on route to Ny- lowood from Washington where he attended newly held bill hearing.

Penn. Senate Democrats Block Sale of Census

Harriburg, Pa.—Appointment of Mrs. Edna R. Carroll, vice-chairman of the Philadelphia city Republican committee, as a member of the Pennsylvania Board of Motion Picture Censors, has not been con- firmed by the Senate.

Carroll’s appointment, along with several other major nominations by Gov. Arthur H. James, was rejected by Senate Democrats, persisting in testing “wholesale removal” of boards for political reasons.” The three-member censor board was recently dismissed by James.
Four News of Day Crews to Cover Royalty's Visit

Plans were set yesterday by E. B. Hatrick, vice-president and general manager of News of the Day, and M. D. Rickman, editor, for intensive operations by reel's camera crews in the coverage of the Kentucky Derby; arrival of the U. S. fleet in the Hudson; opening of the New York World's Fair; and the visit of King George VI and Queen Elizabeth to Canada and the U. S.

Charles Mathieu, News of the Day's managing editor, is now in Canada to arrange for four crews to accompany the British rulers' party. Crews assigned to the rulers visit on this continent are Jack Whippie, cameraman, Irving Corson, sound; Theodore Rickman, cameraman, James McKeon, sound; while cameramen Royd Green and John Beckworth will confer with soundmen Kenneth Upton and Chick Peden, respectively.

Week's Drive Sets New Warner Ad Sales Mark

New all-time high in sales of advertising accessories was set during the recent Warner ad sales week which ran from April 2-8, company's home office reported yesterday. Sales for the week were 35 per cent over the old record set in the 1938 ad sales week. This year's ad sales drive saw the sale of first-class paper and all other accessories as the company sells during a normal week's business.

All of the company's 39 branch offices in the United States and Canada were over quota, with 15 exchanges doubling and two tripling their quotas.

Hollander Vice Balsly

Resignation of Lee Balsly, adsales manager for 20th-Fox, effective immediately, was made known yesterday. Ed Hollander, his assistant, has been appointed to the post.

Balsly will enter the theater business with the R. R. Allison Circuit in Cresson, Pa.

Foreign Managers Meet

Meeting of majors' foreign managers was held yesterday for the purpose of a general discussion of worldwide affairs. Laury V. Hair, 20th-Fox managing director in Australia, Ralph Clark, Warner's Australian chief, and Leonard Freeman, Metro head in the same country, attended the session. Talks were generalized and no particular problem was featured at the huddle.

Theater Safety Measures Hoppered In Penn. House

Harrisburg, Pa.—An asbestos or steel curtain and a main control lighting switchboard are required under an act introduced in the House designed as a safety measure. The bill also requires the attendance of a licensed attendant during the show, and places enforcement of the act under the Department of Labor and Industry, and in certain cities, under fire chiefs.

A measure has been introduced in the House which would amend the Fire Safety Building Regulation Law by requiring as many licensed projectionists to be employed in a projection room as there are projection machines.

Monogram Branches to Pay Tribute to George Weeks

"Geo. W. Weeks Week," April 17-22, has been set aside by Monogram's 37 exchanges in the United States and Canada as part of their Pre-Convention Sales Round-Up Drive.

Ansell-F & M Parting

St. Louis—Ansell Brothers and the Fanchon & Marco interests have finally arrived at an agreement which saw the end of their association. Settlement was reached over a $10,000 suit, and Ansell-F appears to be going strong locally. The agreement does not affect the company's operations in California, but the future of the firm in the midwestern states is uncertain.

Baird Tele Using Color

Preliminary experiments in television with natural colors have been successfully carried out by Baird Television in England, it was learned yesterday. Experiments with color have been conducted for the past year.

UA MANAGEMENT IS SUIT ISSUE--GOLDWYN

(Continued from Page 1)

that the Goldwyn suit, withdrawn in Federal Court here last week, had been re-filed yesterday in Federal Court in Delaware. Ward & Gray of Wilmington filed for Goldwyn and his company.

Steuer said that the equity calendar in the Delaware district is virtually up to date and expressed the belief that both companies have any desire to destroy or injure each other.

Formal statement asserted the suit was not brought to enforce any claim, that neither Goldwyn or his company "has any desire to destroy or injure UA," and that the suit was solely designed to determine whether UA had breached its agreement.

Statement said: "UA made a definite agreement that similar contracts which it made with its other stockholders as producers would not in any manner be altered. It appears that they have been materially altered to the detriment of UA and the Goldwyn corporation. The internal management has completely changed its policy. It was organized to distribute pictures made by companies of the first magnitude or by artists of the first rank. "Its written contracts and all its advertisements clearly so indicate. Naturally, these highest ranking producers and artists of the first magnitude were interested in having each of their pictures sold and distributed with the merits of each picture and not coupled with any others. That policy is implied in every contract that was made."

Steuer, concluding, said: "Abuse has existed in the distribution of pictures. These abuses UA pledged itself not to practice and if possible to completely eradicate them from the industry. It is desired that by this action, taken by the Goldwyn corporation, that result may be achieved for the industry but particularly for UA."

Frontier Films Moves

Frontier Films, formerly at 725 Seventh Ave., will move to larger quarters at 250 W. 57th St.
DISTRIBUTORS AWAIT EXHIB. DRAFT ACTION

(Continued from Page 1)
or special committees of the individual organizations and will be
acted upon by their entire memberships at later dates.
W. F. Rodgers, M-G-M general sales manager, who has been active
in the preparation of the pact throughout the negotiations, said
yesterday that of the five replies received from exhibitor associations,
three have been favorable to the code, one unfavorable and one
indefinite.

AFM Executive Board Will Meet in New York Friday

(Continued from Page 1)
forth a proposal at next Monday's meeting, looming yesterday when it
became known that the union's execu-
tive board will meet here Friday.
Joseph N. Weber, AFM prexy, revealed yesterday that the union
had no definite plan now and he ex-
pected the meeting to be along ex-
ploratory lines, but it is known that
the union hopes some plan can be
formulated which will increase the
employment of musicians in the-
teries before the convention.
Annual convention of the AFM
starts in Kansas City on June 12,
with the largest number of dele-
tegates scheduled to attend in the
union's history.

No Dog Racing in Maine
Portland, Me.—The Maine House
rejected legislation to permit pari-
mutuel dog racing in Maine.

WEDDING BELLS

Russellville, Ark. — Mrs. Eunice
Simpson and Henry Brownlee, man-
ger of the Malco Theater, were
married.

Boston—Barbara Maney and Her-
bert Maguire are married. She's a
niece of Angeline Maney, former
advertising assistant at the M & P
Metropolitan, and was with National
Screen Service.

Richmond, Va.—Alvin Cone, War-
ner checker, and native of Rich-
mond, was married on Easter Sun-
day to Miss Hamilton McKenzie in
Norfolk.

Richmond, Va.—Virginia Lee
Sneed, secretary to Sam Bendheim,
Jr., general manager, Neighborhood
Theaters, will be married to Julian
H. Chockley on April 25.

Seymour, Ind.—John Hanenschid,
manager of the Little Theater here,
and Dorothy Kutchback, North Ver-
on, employed at the Rit Amuse-
ment Co., were married yesterday.
The newlyweds will honeymoon in
Florida.

COPYRIGHT REVISION PROGRAM SHAPING UP

(Continued from Page 1)
vision and clarification, it was stat-
ed yesterday. It is expected that a
final complete program may be
drafted following this meeting, with
this program to be revised and
polished on a final form before the
later Brussels conference for dis-
cussion of the revision of the Berne
Convention copyright laws.
A number of snags in the impor-
tant "manufacturing clause" have
been worked out and progress
has been made by all committees in
the revision work, it was learned.
The question of television, if and
when the question arises in connec-
tion with copyright legislation, can
be settled under several provisions
already established, it was said.
MPDA special committee of coun-
el, embracing Robert W. Perk-
ins, Gabriel L. Hess, Edwin P. Kil-
non and Howard A. Sargoy, has par-
ticipated extensively in the discus-
tions of sub-committees handling
formalities in the creation, preser-
vation and transfer of rights under
copyright; remedies for infringe-
ment of copyright; reprinting of sin-
gle copies of out-of-print works for
purposes solely of library research,
and the problems of mechanical re-
cordation rights for copyrighted
musical compositions, as well as the
dispute from the New York
town that the ex-
tensions to become a big-shot gangster,
and ends up in the gut-
ters from whence he came"...the author even has Phil Daly
walk the last mile to the hot seat...but this is the pay-off...
Ed Sullivan, who also dabbles in polygrams, wrote the script.
that gives you an idea of the nice cordial feeling that exists among
the journalistic craft...Just pals...for consolation, we are
now reading what Louis Nizer says in the Year Book about
"The Right of Privacy"...ha...

• • • NOW that the metropolitan strike started by Local 306 is
over...we propose a toast to the boys in the exchanges...the
white-collar boys who turned into manual laborers so that the show
could go on...handling 40-pound cans day after day...night
after night...boys in the shipping room, inspectors, poster room
men, bookers, accountants, messengers, branch managers and assistants
...they all kicked in with Hard Work over and above their regular
duties...keeping things moving around the territory...showing
the exhibits, that the exchange end of the biz could function 24 hours a
day...right around the clock...so that they would not be in-
convene...and they would not have to explain to the cus-
tomers why the program was all shot to hell... 
Ben Radin, of the
Cameo, is all excited over that spread that his boy crashed in Life on a
Soviet film...no doubt some of the mag readers are excited, too
...but the editor will not dare hear about that...
THE EYES
OF THE NATION
AS IN 1836
ARE ON TEXAS!
MAJESTIC THEATRE

AZTEC, SAN ANTONIO

MAJESTIC, DALLAS

WORLD

MAN OF OCEAN

with

VICTOR JORY, ROBERT OSBORNE, C. HENRY GORDON, GEORGE BLACK, JANET BEECHER, BILLIE BRIGHT

Director: PATRICK

AMERICA - THE WORLD
LAST - ALWAYS!

CONQUEST

JOAN FONTAINE
EDWARD ELLIS

CAST - ROBERT ARMSTRONG
RALPH MORGAN - MAX TERHUNE
ACT and a cast of thousands!

Nicholls, Jr.

PREMIERE

HOUSTON, TEXAS

FORT WORTH

Management Interstate Circuit Inc.
THE DRAMATIC STORY
of “MAN OF CONQUEST”

After spending much of his youth with the friendly Cherokee Indians, Sam Houston enlists with General Jackson and is severely wounded while leading a charge at the battle of Horseshoe Bend. Jackson commends him for his gallantry, and a life-long friendship is formed. Jackson is elected to the Presidency and Houston becomes Governor of Tennessee. On the eve of Houston’s re-election, he marries Eliza Allen but after many misunderstandings they separate. Houston resigns in the face of the scandal, goes into a long debauch and returns to the Cherokee Nation.

He goes to Washington to protest the treatment of the Cherokees by the government, and there meets Margaret Lea at a Presidential ball. Jackson persuades Houston to go to Texas, where he meets Margaret Lea again. Jim Bowie and Davey Crockett decline to join Houston in a fight to free Texas. They are loyal to peace-loving Stephen Austin, who refuses to enter into war with Mexico. Word is brought that the Mexican Army is marching across Texas, killing and plundering. Austin is convinced that Texas must fight and Houston agrees to lead the army.

The Mexicans attack the Alamo and Crockett, Bowie, Travis and others perish. Houston riding to re-inforce this garrison arrives too late. Thus the cry, “Remember the Alamo!” is born. At San Jacinto, Houston outsmarts the enemy and with a handful of troops routs the Mexican Army, thereby establishing the independence of Texas.

Houston is elected first president of the new Republic, and, with Margaret Lea, now his wife, he watches the Lone Star come down and the Stars and Stripes raised on the capitol flagpole, signifying the annexation of Texas into the Union.

Back in Tennessee, Andrew Jackson, dying, hears the news and whispers, “All is safe at last. My old friend and companion in arms... has been true to his trust.”
**REVIEWS OF THE NEW FILMS**

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**bark Door to Heaven**
With Wallace Ford, Aline McMahon, Stuart Erwin
-Hollywood Preview-

**POWERFUL DRAMATIC OFFERING**
PLAYED SHOULD CLICK WITH STAGES.

This is a powerful, dramatic offering, directed by William K. Howard, as a story of a boy, who lived “On the side of the tracks,” whose father was a drunkard and whose mother was little for him. He steals a mouth organ play at a school program and is sent to a reformatory, although, who deems that he is a good boy. Later, he is committed to the state penitentiary, slugging a trusty, who was cruel to a prisoner. His term finished, he goes home town, St. Mary’s, O., with two prison guards, who have been free friends that his teacher, Aline McMahon, has been retired, and he pleads with his schoolmate, Bruce Evans, now a banker, for her reinstated. He and his two friends, who “stuck up” a restaurant and a dealer is committed, however, it is the town that Wallace Ford has procured. He is sentenced to be hanged, escapes to attend his class reunion in M. There he meets a teacher who denounces Evans, the banker, for giving any real help to Frankie, who is found by the police and shot. This outing does excellent work, and Frankie as a boy, while Ford is splendid the adult Frankie, Stuart Erwin and Aline McMahon are very good as Franklin’s mates. Aline McMahon does her usual acting, while Kent Smith gives a stellar performance as a classmate, who is in love in court. Patricia Ellis is pretty and able as Frankie’s sweetheart. Johnny Walker functioned as associate producer to Wallace Ford, and Robert W. Taylor wrote the screenplay, on the original story by Howard and James P. Hogan. Run a mile, civic leaders and get strong endorse-

**Ohio ITO Backs Sales Tax Redeposition Plan**

*Columbus, O.—Pete Wood, secretary of the ITO of Ohio, is urging exhibitors to cooperate in publicizing the new Ohio sales tax redeposition plan which goes into effect on May 1, pointing out that “the more money the state receives from the sales tax, the less danger there is of an increase in the admissions tax.” Exhibitors are asked to add the ITO trailer explaining the tax to newsreels for the week beginning April 27-28.

**Report White and Shafer Forming Booking Combine**

Cincinnati—It is reported Maury White, proxy of United Theaters, and Nick Shafer are incorporating a booking combine, with headquarters in Cincinnati. White’s circuit has assumed the booking for Sam Lee’s Winchester and Frankfort, Ky., the-

**“Win” Take All**
With Tony Martin, Gloria Stuart
20th Century-Fox

**FAIR ENRAINTMENT WITH PRIZE Know ATMOSPHERE AND ROMANCE IN VRY TONI MARTIN.**

Good combo of action and comedy, with romantic interest added as Gloria Stuart playing part of a sportswriter trying to help Tony Martin become a prize-ring champ. Tony has the part of a cowboy stranded in town who gets a job as waiter in the lunch place run by Henry Armetta. Tony is a cheap guy, and suddenly Armetta is arrested. Tony is brought to court and charged with the murder of a woman who was shot. In the course of the trial, the accused are found not guilty. Tony is not the real killer, but he is hailed as a hero. In the end, the trial is over, and Tony is free to pursue his career as a prizefighter.

**“Bulldog Drummond’s Secret Police”**

Paramount

**GIL MELLER IN CASTLE DUNGEON WITH BULLDOG DRUMMOND DELIVERING THRILLS.**

A very meller thriller in the Bulldog Drummond series. This time the great detective makes a big move back to the old days when the police were just trying to do their job and the only concern was the protection of the community. This film features a new version of the famous character, played by Gil Meller, who is a private eye and the only one who can do the job of protecting the community. Meller is a tough guy, and he is able to take on any challenge that comes his way. He is a great detective, and he is able to solve all the crimes that come his way. This film is a great thriller, and it is sure to please all fans of the Bulldog Drummond series.
Arnold Wants Funds for Monopoly Drive

(Continued from Page 1)

Arnold recently disclosed that 10 new film cases were in preparation. He stated that lack of personnel was handicapping their completion.

It was authoritatively reported that the D of J anti-trust division will institute four major monopoly suits within a few weeks. Whether any is in the film field, however, is not known.

World’s Fair Admis 1 Tax?

Albany—Under provisions of a bill introduced in the Senate by Joseph D. Nunan, Jr., Democrat of Queens Borough, the City of New York is authorized to impose a tax not exceeding five cents on each admission ticket sold to New York World’s Fair. Proceeds to be used for unemployment relief purposes.

Vaudie Out In Dayton

Dayton—The Colonial will resume a straight picture policy, abandoning vaudeville.

Merchands In Show Biz

How’d You Like To Own a Theater in Wisconsin?

Fon du Lac, Wis.—Local merchants have started a series of ten Saturday morning shows at the Fond du Lac theater with admission for either adults or children as follows: Six bread wrappers, four bottle tops, or sales slips from six participating merchants.

Sharon, Wis.—Residents of this community will be assured a variety of entertainment this summer what with the Sharon Commercial Club voting to sponsor movies on Saturday nights, accompanied by band concerts and Bank Nights. One Saturday night of each month will feature the band concert and the remaining Saturday nights the Bank Night.

Booth Bill Goes Over

Albany—The Crews bill for licensing motion picture machine operators in New York City on the Assembly third reading calendar was put over until April 19. Due to the illness of Minority Leader Irwin Steingut, no controversial bills were considered.

Reviews of New Film:

“On Trial”

with Margaret Lindsay, John Liel Warners 61 Mins.

FAIR MELLER MURDER TRIAL FROM OLD STAGE PLAY STILL PACKS SUSPENSE.

The somewhat outmoded stage play of Elmer Rice is brought back again to the screen in a fairly interesting version that moves along with speed. Acting is well done, however, and the plot is as tight as the script permits.

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WHAT A BOOK!

That's what the Industry is saying about the 1939 FILM YEAR BOOK
Block, former SWG proxy, who as-asserted that the Neely bill, if enacted, would demoralize production, and by Kenneth, SAG executive secretary, who warned the bill’s passage “would inevitably cause the closing of many theaters, curtailment of production and the consequent unemployment of the actors.”

Call Kuykendall Today

Hearings continue this morning with Enis Kuykendall, to be scheduled to testify. Allied will give rebuttal testimony at conclusion of opposing testimony, either today or tomorrow.

The industry is making more good pictures than bad ones, Schaefer declared, adding the industry, “now has more opportunity to exhibit pictures through better writers, better stories, better plays and better production and not through the Neely Bill.”

RKO has expended $500,000 for the rights to “Ab Lincoln in Illinois” and “The American Way,” he stated, and said both pictures may cost $5,000,000 before they are completed. RKO Radio also contemplates producing “Ivanhoe” which will cost an approximate $1,000,000, it was disclosed. Schaefer denied assertions that “Snow White and the Seven Dwarfs” was not sold solely to exhibitors but pointed out that it was merely “good business” to give an exhibitor who took all RKO product during first-run privileges on the Disney film.

Schaefer also refuted statements that UA has operated successfully without block-bookings. “UA has not sold a picture under the terms of the Neely bill and it would be impossible for it to do so under any other law,” he declared. He explained at great length how UA operated, stating that as a former UA sales executive, he was qualified to clear up misstatements made by proponents.

Reps. Yamin’s “Monopoly”

Schaefer turned his attention to testimony given by Nathan Yamin and Sidney Samuelson, former presidents of Allied States. “These men,” he charged, “have been complaining for 11 years. Yamin has more theaters today than 11 years ago and now has an absolute monopoly in Fall River on product. Samuelson still has his monopoly in Newton, N.J., because he has the only theater there. Samuelson has stated that somebody dropped a load of bricks in his back yard and the load is too heavy to block a legitimate for an old opera house he is converting into a movie house. This was done by an independent exhibitor who intended to build another theater. Do not single us out for legislation while these...”

"Don't Single Out Pix for Burdensome Law" Schaefer

RKO Radio Prexy Answers
Neely Proponents, SWG, SAG Hearings

(Continued from Page 1)

Block and Thomson Hit Neely Bill

Shots aimed at the Neely bill in Washington yesterday by Ralph Block, SWG spokesman, and Kenneth Thomson, SAG executive secretary, appearing before the Senate Interstate Commerce sub-committee:

BLOCK

THOMSON

This particular bill, far from raising the standard of the screen will, in effect, by demoralizing the machinery of production, erect insurmountable obstacles in the way of those creators for the screen who by their special outlook, taste and desire for increased scope of expression are now in a position materially to influence motion picture production for the better.

The writers of Hollywood do not feel that the public has a 12-year-old mind. Rather they feel it is a creative mind that must be led every imaginative time to keep up with the eternal demand of film for rising, stimulating, window-opening entertainment.

The implication in this bill of the bondage of the exhibitor to assist masters of bad taste is, if I may be allowed to say so, an attempt to control the public.

The power and taste of selection of the exhibitor will be conditioned by his own personality, background and vision, and nothing that the proponents of this legislation have written into this bill will add one cubic foot to its future.

Motion pictures cannot be improved by legislation.

RKO Theaters Will Have Talent Search Auditions

RKO Theaters will take an active part in the second “Gateway to Hollywood” talent search for new screen personalities. Instead of the theaters merely supplying information and entry blanks, auditions will be given in certain RKO houses. Fifteen theaters in the New York area have been designated as audition spots.

Men are effecting monopolies in their territory.

“Don’t hamper this industry with unwised legislation,” Schaefer concluded.

To counteract the testimony of clubwomen who testified in favor of the bill, C. C. Petitjohn, MPPDA general counsel, introduced Frances Flagg of Newtonville, Mass, who said the bill was unnecessary in the campaign against obscene and immoral pictures.

“Block-booking and blind-selling is not affected under this measure,” the counsel said. “Abolishment would not have any salutary effect on educational or moral pictures. It might hinder our campaign.”

Lund Ill, Defer Hearings
On Illinois Booking Bill

Chicago — Illness of Rep. Lund, chairman of the House sub-committee designated to probe the anti-book block measure on Lund’s anti-block booking measure, has caused a postponement of the hearings.

Motions in Gorham Suit
Heard in Vermont Court

Burlington, Vt. — Hearings were held in Federal Court here yesterday on motions entered by both plaintiff and defendants in the $100,000 monopoly suit instituted by Kenneth Gorham, Middletown, against Graphic Theater circuit and major distribs.

Attorney George S. Ryan, appearing for Gorham, argued a motion to strike the defendant’s demurrer to the complaint.

Defense counsel asked that complaint be dismissed, that portions of the complaint be stricken and that the plaintiff be directed to file a bill of particulars.

Maine Sunday Pix Measure
In Conference Committee

Portland, Me. — Maine’s Sunday picture law is now being considered by a conference committee. Measure carries two amendments, imposed by the Senate, one permitting municipal officials of a city to sanction or oppose the showing of Sunday movies before inhabitants voted on the proposal at a regular city election, and the other providing any newspaper operating Sunday movies from working employees more than six days a week.

Challenges Tax Action

Jefferson City, Mo. — The Attorney General’s office has ruled that the two per cent sales tax bill passed by the House is unconstitutional because it merely extended rather than re-enacted the statute.

AMUSEMENT TAX MOVES
MADE IN PA. SENATE

(Continued from Page 1)

Rep. Eastern Regional
Brings 50 to Session

Republic’s Eastern regional sales convention gets under way today at the Hotel Century. Sessions continue tomorrow, the regional closing with a beefsteak dinner at the N. Y. A. C.

H. B. Field, general district sales manager, and J. Bellman, Eastern district sales manager, are co-chairmen of the convention. In addition to those named, speakers will include Herman Gluck, Herman Ripkin, Nat Lefton, Sam Fox, Alexander, Paul Nathanson and W. Perry.

Home office execs. attending the regional will also include: W. Schaefer, J. O’Connell, A. Pindar, Jones and D. Whalen. Conventioeers will total approximately 50.

Erpi Re-elects Stevenson
And All Officers at Meet

(Continued from Page 1)

nual meeting of the stockholders and officers re-elected were: D. C. Collins, H. G. Knox and G. C. Praeger, promoters; J. C. Smith, vice-president; H. C. Taylor, secretary; T. Brooke Price, counsel; and H. B. Gilmore, secretary.

Re-elected board members were T. K. Stevenson, Edgar S. Bloom, Daniel C. Collins, H. G. Knox, Brooke Price and Clarence G. Stott.

C. L. Rice Elected to WE Board; Officers Named

Stockholders of Western Electric yesterday elected Charles Leal Rice, vice-president of the company and manager of its Hawthorne Works in Chicago, Ill., to the board. Present directors were re-elected. At the annual meeting of the directors, all officers of the company, headed by Edgar S. Bloom, were re-elected.

Klassler Has French Pix

“Curtain Rises,” new French film, will be released by Fran Klassler in the near future.
Intimate in Character
International in Scope
Independent in Thought

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26 "Dodge City" Holdovers Announced by Warner Bros.

Warner's home office announces 26 holdovers for "Dodge City," a second week run in key markets where it is current, and that a third week is anticipated in great majority of other markets. The feature has been out-grossing such attractions as "Robin Hood" and "Angie," Warner's "Dirty Faces."

Holdover posters include: Strand, New York; Strand, Albany; Hippodrome, Cleveland; Warner, Memphis; Warner, Milwaukee; Roger, Sherman, New Haven; Strand, Hartford; Warner, Bridgeport; Warner, Worcester; Capitol, Springfield; Earl, Washington; Stanley, Baltimore; Hollywood, Los Angeles; Downtown, Los Angeles; Metropolitans, Boston; Chicago, Cleveland; Circle, Indianapolis; Metropole, Louisville; Newman, Kansas City; Fox, St. Louis; Fox, San Francisco; Fox, Oakland; Paramount, Portland; Albee, Cincinnati; Victory, Dayton, and the Orpheum, Seattle.

Paramount and Pennoi in Co-op Adv. Campaign

Co-operative advertising campaign with a budget of $80,000 has been launched by Paramount in a drive with the Pennoi Company for exploitation and national advertising on Paramount's forthcoming "Union Pacific." Campaign is being started in national magazines, and the oil company is making use of several types of posters in addition to distributing advertising mats for use in local newspapers.

Pa. Sunday Bill Up

Harrisburg, Pa.—Bill to repeal the Sunday movie law of 1955 was introduced in the House this week. It would allow local municipalities to vote on whether or not they want theaters open on Sunday. Amendment to the bill to prohibit admission of children under 12 to movies on Sunday is expected.

To Vote on 702 Fact

Meeting tomorrow night at the Capitol Hotel of Local 702 members to vote on acceptance of a contract with De Lure Laboratory will probably establish wage scales and conditions on a basic scale for most laboratories in this area, if the contract is accepted, and it is reported that the membership will probably accept it.

"Streets" Premiere Biz Big

Hartford—"Streets Of New York," a new Negro play, opened here at world premiere yesterday at the State Theater to biggest opening for the house since it has been in business. The show was in fact, past five months.

Honor McCausland

Testimonial dinner will be ten- dered to Westminster M. McCausland at the Astor by his friends and associates in RKO.

Co-op Theaters of Ohio Will Open Cincy Office

Cleveland—Co-operative Theaters of Ohio, organized by Milton A. Mooney to buy and book for theaters in the northern Ohio area, will open a Cincinnati office about May 1 to serve the theaters in the southwestern Ohio. Harry Bugle with Warners for the past 11 years, has resigned to take charge of the new Cincinnati office. Mooney states that he is now serving approximately 50 theaters in northern Ohio. And in the southern part of the state he has signed up the John Elliott circuit of 8 houses, the Plaza, Norwood, owned by Harold Bernstein, president of the ITO of Cincinnati; and Warren Schaeffer's three houses, in Morehead, Irvine and Carrollton, Ky.

Experiencing With 1-Day Vaude in New Haven

New Haven—Second of the Arena vaudeville engagements, leading off with Glenn Gray and his Casa Loma orchestra, is set for Sunday afternoon at a price range of $5.50-8.50-$11.00, and children half-price. Nathan Podolf, owner of the Arena, states the one-day vaude bills are purely experimental, but that he is working on other shows. State, Hartford is the only house in Connecticut featuring big-name bands and vaude of this kind as a regular policy. The Arena played its last first trial, headlining Paul White- man and Paul Tremaine.

V. C. Hart Returns

Vincent G. Hart, who established the Eastern office of PCA, has returned to New York from the Coast. His stay there was to become further acquainted with standardization of Code procedure and interpretation through service under Joseph L. Breen, PCA head.

AI Weiss Recovering

Pittsburgh—Al Weiss, who, with his father owns and operates the Liberty, Rainbow and Galata theaters in McKeesport, Pa., is reported doing very nicely after undergoing a serious operation at the Worrill Hospital in Rochester, Minn.

Mich. Regional Meets

Detroit—Allied Theaters of Michigan will start a program of regional meetings open to all exhibitors in a few weeks. President Ray Branch and other Allied leaders will attend each session.

To Start Gypsy Pic

Musart Film Productions, Inc., will ship to production companies the Gypsy operetta titled "Princess Azza" during the last week in April. Michael Kahn will be in charge of production.

"Castles" Clicks

"The Castles" is doing the largest weekly business at the Music Hall has had in the past three years, RKO reported yesterday.
PHIL M. DALY

ALONG THE DIAL

with PHIL M. DALY

- YOUTHFUL star you’ve got to reckon with……….Jackie Cooper……..positively sensational in Monogram’s “Streets of New York”……..he will tear your heart out………in a down-to-earth drama of a newsboy of the big town acting as guardian over a crippled kid……….talk about your father-son or mother-love dramas……this one has got them back off the boards for high-voltage emotional appeal…….you won’t have a dry eye in your audience when you play this human story.

- THERE IS no trick in making a box-office smash with a quarter-million budget………with a great story by an expensive author……….with a top-price director who picks his star-studded cast……..the mystery is that such a combo can ever miss……….now in this instance Monogram steps out with a tight budget……….and with a simple human story and a director like William Nigh who knows life as it is lived by the underprivileged……….a director who has a deep and warm sympathy for the underdog……….and with a Spencer Tracy in embryo as this kid Jackie Cooper really is……….this Monogram outfit kicks in with a box-office smash that can’t miss wherever there are audiences who respond to the Human Touch……….and that means anywhere and everywhere in these U. S. A.……..sure, we’re raving……..we’ve just seen a Human Picture.

- AMPA luncheon at the Astor today……….with the election of the following officers for the coming year: Paul N. Lazarus, Jr., president……….Vincent Trotta, vice-president……….Herbert Berg, treasurer.

- Kenneth Clark, secretary……….Martin Starr, trustee……….here is a popular slate that calls for your support……….so come out, mug, and show your heart is in your work……….Leon Turrou, famous ex-G-Man, technical advisor on Warner’s “Confessions of a Nazi Spy,” will be the star guest, along with Joe Penner.

Trans Lux Officers, Board Renamed by Stockholders

(Continued from Page 1)

dent; E. H. Unkles, vice-president and general manager; A. C. Paine, vice-president; Robert Davis, vice-president; A. D. Erickson, treasurer; Acula Gies, secretary, and A. T. Mukasy, assistant secretary.

Distrib and 360 Sign New Pact; Runs to 1940

(Continued from Page 1)

Sept. 1, 1940, and is retroactive to the same date in 1937. Another item on the agenda of the meeting of the union is expected to be held in the near future to ratify the pact. This will be a formality as it has been accepted in principle by the union officials.

Iowa-Nebraska Indies Meet in Des Moines, Mon.-Tues.

(Continued from Page 1)

Kirkwood Hotel on Monday and Tuesday.

Film exchange people and others connected with the theater industry in Des Moines have been invited to attend the noon luncheon that opens the meeting, Leo F. Wolcott, Eldora, Ia., is president of the association.

Helen Ferguson Moves West Coast Bureau of THE FILM DAILY

Hollywood—Helen Ferguson will move her publicity office on April 13 to 8619 Sunset Blvd. The former screen star has been operating a publicity office for the past six years and represents several important screen personalities.

Shifs to Philly Allied

Sally Fisher, secretary of Allied Theaters of New Jersey, has resigned to accept a similar post at the new Allied unit in Philadelphia. She has been succeeded here by Clara Deutsch.

UA STRIKES BACK IN GOLDWYN SUIT

(Continued from Page 1)

tions, if upheld by the Court, are sufficient to breach his contract.

Schwartz repeated the previously expressed determination to oppose Goldwyn vigorously in his action, and said it was his intention to have the law being studied, aimed at an answer which is due to be submitted within the next 20 days.

Schwartz said in part: “In yesterday’s statement issued on Goldwyn’s behalf, his counsel asserted that the present litigation was commenced because, in Goldwyn’s opinion, the internal management has completely changed its policy of distributing pictures only of first magnitude, and selling each picture on its own merits.

The substance of the complaint filed in the action, however, does not even remotely jibe with this statement. The complaint asks the court to declare that Goldwyn is entitled to cancel his contract because of alleged breaches by United Artists in permitting Lincoln and Fairbanks to do certain acts. Not a word of objection to any change in management policy is contained therein.

Goldwyn’s grievance appears to be that pictures contracted for United Artists distribution are not, in his opinion, comparable with those covered by his contract with Goldwyn in complete error. We unequivocally state that the pictures to be produced by David O. Selznick, an acknowledged outstanding producer, for distribution by our company, will be, as heretofore, of a quality and standard second to none. We also believe that the pictures of our other producers, including those who have recently joined our ranks, will likewise be comparable with the Goldwyn product.

Goldwyn’s complaint regarding the studio’s selling policy has no foundation. Every contract taken on his product was and is now approved by his representatives before acceptance.

Goldwyn’s counsel states that if the court decides against Goldwyn, no one will be injured, and if the court finds in his favor, then the stockholders will all know precisely what the situation is. All the other stockholders know what precisely the situation is, and the outcome of the lawsuit will not give them any additional enlightenment.

Regardless of the outcome of the lawsuit, the other stockholders are determined that no one will be permitted to have any voice in the management and operation of the company other than such as he is entitled as a one-fifth owner—no more, no less.”

STORKS!

Detroit — Charles T. Collins, of the Empire Booking Service, is the father of his fourth offspring and first son.
"EVERY MONTH I CHAT WITH ALL YOUR CUSTOMERS!"

Here's the next issue of M-G-M's popular LION'S ROAR column. It is typical of the breezy message which appears in a special preferred position monthly in leading national magazines. The informal copy, different from any other film advertising, has won it a huge following throughout America.
Each M-G-M representative has been provided with a booklet which shows in a national publishers’ scientific survey the number of families reached by Leo’s column (which by the way is only one phase of M-G-M’s vast direct-to-the-public advertising coverage). This circulation blankets every city, town and hamlet in America and every range of purse. It pre-sells M-G-M attractions to your public. The response has been sensational. After only three months of existence Leo’s column has acquired a regular following that watches for his gay message every month and writes in for the photos and booklets offered by The Friendly Company.
It's Holy Week but 'The Castles' Socko at $100,000; 2d W

‘The Castles’ Gives Music Hall $100,000

Steady downpour yesterday kept box-office receipts along Broadway at a low level. Generally, however, this year's Holy Week...

BEHOLD!

RADIO CITY MUSIC HALL NO LONGER HIDDEN B THE SIXTH AVENUE “L!

...Herewith first “full view pictures of the world's largest theatre...streamlined, making more room for the crowds and crowds heading for Radio City to see the spring season's great new extended run attraction!
and the SECOND WEEK BIGGER THAN THE FIRST!

HELD OVER THIRD WEEK!

THE STORY OF VERNON AND IRENE CASTLE STARRING GINGER FRED ASTAIRE ROGERS

with

EDNA MAY OLIVER
WALTER BRENNAN
LEW FIELDS • JANET BEECHER • ETIENNE GIRARDOT • PANDRO S. BERMAN in charge of Production Directed by H. C. Potter • Produced by George Haight Screen Play by Richard Sherman Adaptation by Oscar Hammerstein II and Dorothy Yost
Joy Says Impossible for Studios to Operate Under Sec. 4.

Only Remedy Would Be to Amend Section 3, Joy Tells Committee

(Continued from Page 1)

Ray Schreiber Files Suit Against Co-op of Michigan

(Continued from Page 1)

had been a member as owner of the Palmer Park. Application was re- fused, and he withdrew, joining the new Mutual Theaters, rival booking combine.

According to General Manager Raymond E. Moon of Mutual, this organization has booked and paid up films for the Palmer Park sub- sequently, but the Co-op organization has continued to technically "book" by assigning playdates.

Suit asks that Co-op be restrained from "book ing," asks return of $250 paid in for Co-op, stock, and hopes that the labor department will re- leased from its allegedly illegal contract with Co-op.

Among principal allegations in the bill of complaint are that Co-op is an "illegal combination in restraint of trade in violation of laws of the State" and that it "assumes dictatorial powers over its members, particularly this plaintiff, contracting for and assigning films contrary to its wishes."

Reade Shifts Managers

Managerial shifts announced yesterday by the Walter Reade circuit are as follows: Edward Nolan, formerly of the Broadway Theater and the Savoy Theater, replaces the Dr. Larson as manager of the City Theater. John Gut- ridge, manager of the Lyric, Asbury for several months, replaced Nolan. Mooney, assistant manager of the Mayfair, Asbury Park becomes manager of the Lyric and Ems- kink Dollardice goes to the Mayfair. When William I. Blumberg returns to the Mayfair on May 15 Mooney will go to the Paramount on the Boardwalk. Dollardice is slated to go into Reade's Casino when the ballroom opens in May.

JUDGMENT THAT DOES NOT EXIST?

The theory that motion pictures are a social menace "seems to me ridiculous," he continued.

Final witness of the day was Mrs. Tilly Wilder of New Haven, vice- president, Theater Patrons, Inc., who attacked the moral arguments of the proponents. She said the children's lack of labor department has no information proving that movies are a factor in child delinquency and stated, "I prefer to have the entire theater product on the screen where I can make my own selections. I don't want civic groups to tell me what I should see."

Hearing was adjourned so all senators might attend state funeral services for late Senator Lewis. Testimony continues this morning.

Ray Schreiber Files Suit Against Co-op of Michigan

Telecast British Boxing Bout Tonight

Broadcast tonight in England of the Red Burman-Tommy Farr fight will be seen in all American British cinemas and in the London area and a number of Welsh theaters are expected to be equipped by tonight with the Baird sets.

Would Have Governor's Help in Studio Union-IATSE Row

(Continued from Page 1)

37 and International officers of IATSE is the suggestion made by Erb Sorell, business representa- tive of Moving Picture Painters Local 644. His proposal provides that the return of autonomy to Local 37, establishment of an arbitration committee consisting of one representative of the Local, one of the international, and either Governor or mayor, postponement of pending court suits with a view of amicable settlement.

After a conference with produc- tors attorneys IATSE officials and leaders of Local 57, Dr. Towne Ny- loran, NLRB representative, annunc- iated that various factions had tentatively agreed in principle to a settlement, and that another conference will be held April 19.

It was reported the settlement would have producers recognizing a bargaining representative to be named by the membership of Local 37.

Group Theater to Produce Three at Eastern Service

(Continued from Page 1)

feature production slated for Eastern Service Studios. Financing for the Group picture has been an- nounced by independent sources, it was reported yesterday. It was stressed that Erpi is not interested financial- ly in the proceeds to the pictures.

It was reliably reported that other big plans for Eastern produc- tion are in the making, with an announcement forthcoming shortly.

The first picture to be made by the Group, it was said yesterday, will be an original by either Irwin Shaw or Clifford Odets.

Expect Continuance in Case Against John Nick in St. L.

IATSE, and State Representative Edward M. Brady will be asked when it is called up for trial before Circuit Judge Robert L. Aronson on Monday, on the grounds that Brady being a member of the Missouri General Assembly, now in session at Jefferson City, cannot be in court at that time.

A Missouri statute provides that a continuance is mandatory when a case comes up for trial while a member of either the Missouri House of Representatives or the Senate is attending a session of the legislature if he is a principal or an attorney in the litigation.

TELE SEEN AS HALT TO DUALS--SKOURAS

(Continued from Page 1)

celebrate his return from F Ireland.

Skouras holds that the dual pro- gram of the future will see second features supplanted by telecast entertainment, which will be offered in conjunction with the projection of an "A" pix.

He urged exhibitors not to be frighten- ed by television's impending wide and rapid invasion, and assures that the motion picture industry is "big enough to absorb television."

During his address, Skouras tol of his trip to the U. S. from Greece at the age of 18 and entering exhibition field with his two brothers in St. Louis. He pointed out that he had tried to restrain competition, and that they erected only two theaters in Missouri, although their circuit there grew to 98 houses.

Dr. A. H. Giannini, acting as toastmaster at the dinner, praised Skouras for having elevated exhibitor standards in the West Coast area and pointed to the fact that he became the country's highest admission prices.

Dr. Smith, Patron's western division manager introduced Giannini.

N. H. "Jack" Brower, Warner Los Angeles exchange manager said Skouras has been biggest asset to exhibition and distribution in Southern California, and A. A. Gal- ston, ITO of So. Calif. prexy, as- serted that his organization, via co-operation with Fox West Coast during past few months, had accom- plished more in a six-month period than in the entire 15 years of the exhib. organization's history.

DuMont Seeks to Establish Two Tele Stations in Wash

(Continued from Page 1)

applications for permission to es- tablish two television stations in Washington, D. C. One of the stations would be lo- cated in the National Press Building and the other would be a mobile station, which would transmit events it picked up to main station.

Winchell's Finish!!

Miami Beach, Fla.—Ben Bernie, one of the celebrities introduced at the world premiere of "East Side of Heaven" at the Lincoln Theater, divulged the plot of his new picture to be made with Warner Winchell, next October. Said he, "While I can't tell you the story, I can tell you the ending. The scene is laid in Florida. We take Winchell out in the Everglades and throw him at the alligators—and then comes the surprise finish: the alligators throw him back!"
HELD OVER 2ND WEEK!

WITH CROWDS LIKE THIS — WHAT ELSE COULD ANY THEATRE DO?

Man of Conquest

Republic's

Majestic Theatre
Houston, Texas
“Double Crime in the Maginot Line” with Victor Francen, Vera Korene
Tower Pictures 83 Mins. SUSPENSEFUL, TIMELY AND HIGHLY DRAMATIC, P.I. SHOULD INTEREST ALL TYPES OF AUDIENCES.

Probably one of the most talked of subjects of the day, the Maginot Line, mighty French fortification system on the German frontier, is seen in detail for the first time in this film. Apart from the natural interest in the fortifications themselves, there is an excellent dramatic story deftly handled by a fine cast which should enthrall any type of audience. Despite the fact that the dialogue is in French, there is a sufficiency of English titles and clarity in the film’s action to allow anybody to follow. Francis Brekke, as the main character of Francen is excellent as the veteran French army officer and Vera Korene is highly capable in the role of his wife. Vital is good as the spy and the rest of the cast is more than adequate.
Francen, jealous of his wife, is suspicious of the new commandant’s appointment after the commandant and his aide are murdered and the suspicion falls on Francen. Vital, as the German spy, is an excellent character; his character in Francen’s company, is finally unmasked as the spy and Francen is honorably freed of his implication in the crime. There are plenty of scenes and drama packed into the film with a bang-up climax.
CREDITS: Produced and Directed by Felix Gandara, Screenplay, Felix Gandara and Giese, Photography, Good.
DIRECTION, Good. PHOTOGRAPHY, Good.

“THE LADY AND THE MOB” with Fay Bainter, Ida Lupino
Columbia 66 Mins. FAR-FETCHED YARN OF SOCIETY DAME HEADING GANG-BUSTER ASSOCIATION HITS SLUMP.

This seems to be a film made to rob the gangster films. It shows Fay Bainter heading a gang-busting outfit, which she organizes when she discovers a garment sent to the cleaners is being taxed 25 cents more to pay for gang “protection.” She sends to New York for a gang (Wrenn Hymor) whom she has befriended, and he hires a bunch of pluggers. The gang hi-jacks the racketeers, takes the merchants’ money from them and returns it. Finally, Ida Lupino, engaged to the old lady’s son (Lee Bowman), throws her lot with the future mother-in-law when she realizes that she is fighting for an American principle of freedom of action. Miss Lupino frames the gang chief (George Meeker) and the herd kidnap him, and finally extracts the information that the town clerk is the key of the racket and getting the big cut from the intimated merchants. The fighting society dame gets herself jilted for this crime, but has her mob release her long enough to go to her own bank and rob the safety deposit box of the man in which are the marked bills she has planted with the merchants. Thus the mayor is caught red-handed.
Selling angle: novelty of a society woman heading a gang-busting outfit.
CREDITS: Director, Ben Stoloff; Authors, George Bradshaw, Price Day; Screenplay, Richard Malbaurn, Gertrude Fercell; Cameraman, John Sherry; Editor, Orel Mayer.
DIRECTION, Fair. PHOTOGRAPHY, Good.

WM Bond Plan in Effect

Warner plan of exchange for convertible debentures, series due 1939, was declared effective yesterday by action of the Warner directorate. Both series of debentures carry six per cent interest. Statement said that at the close of business Tuesday, this week, there were outstanding 239,005,000 aggregate principal amount of 6 per cent convertible debentures, series due 1938, of which $19,005,000 have been deposited under the plan of exchange, for which certificates of deposit have been issued and are now exchangeable for the new series.

Contract unreasonably limit such damages.

“ONE IMPORTANT matter has been completely overlooked in the formation of the code. We feel that the code should prohibit a distributor from re-allocating pictures for any reason such as re-designating a B picture or, as sometimes happened, even C pictures to the A picture. Once classified, such designation should stand.”

“MUSIC School” has been selected as the new title for the Samuel Goldwyn picture, "Angeles Making Music," United Artists announced yesterday.

“FISHERMAN’S PLUCK” (Paraphrased)

“SMALL GUN” (Paragraph)

“PARAMOUNT” 10 Mins.

“SWELL FISHING”

This will bring joy to the heart of the sportsman. Henry Hull Venezuela follows the descriptive story following the famous author, Zane Grey, on a fishing trip for the famous steel-head trout. The party in three boats is forced to negotiate vicious and dangerous rapids before they can reach the prime fishing spot. Here Grey is seen landing a big specimen that puts up a grand fight. The Zane Grey technique in fly-casting is demonstrated. Produced by Homer Grey.

“BIG LEAGUERS”

RKO Pathe News 9 mins.
Baseball’s Back Again

The annual ballyhoo for the national pastime is rapidly reaching out to grab most of the sports page news, and this release should be of particular interest to young and old alike as most everybody is a baseball fan to some degree. We are taken to the training camp of the Chicago Cubs out on the Coast to see last year’s national champions getting in shape. Dizzy Dean tosses a few and we see the rest of the Cubs talent filled ball club in action. Fredric Lehman Jr. produced and Frank Donovan supervised.

“So Does an Automobile”

Paramount 8 mins.

“CLEVER CARTOON,” with Betty Boop as the number one hospital for sick and injured automobiles. Betty must be part nurse and part mechanic in order to minister to her patients. She does not go through all the actions of sick human patients. Some catchy songs are sung by Betty as she restores broken fenders, split headlights and a police car with sore feet to perfect condition again.
THE MOTION PICTURE INDUSTRY
Presents
ITS ANNUAL TRIBUTE TO
Will Rogers
"FOR AULD LANG SYNE"

STARS INCLUDE:

RAYMOND MASSEY
Spencer Tracy
Deanna Durbin
Lowell Thomas
Robert E. Sherwood

THIS SHORT SUBJECT RUNS 10 MINUTES. SUPPLIED GRATIS TO ALL EXHIBITORS TAKING COLLECTIONS FROM THE AUDIENCE

Proceeds for the future support of the Will Rogers Memorial Hospital, Saranac Lake, N.Y., and for its kindred philanthropies, maintained for the needy of stage and screen. And for the aid of local institutions specializing in the care of handicapped children

WILL ROGERS NATIONAL THEATRE WEEK
WEEK BEGINNING THURSDAY, APRIL 20th • MAJOR L. E. THOMPSON, Chairman

Order prints from the following Zone Chairmen of WILL ROGERS NATIONAL THEATRE WEEK . . . or from any branch manager or film salesman:

District

OKLAHOMA CITY
OMAHA
PHILADELPHIA
PITTSBURGH
PORTLAND
ST. LOUIS
SALT LAKE CITY
SAN FRANCISCO
SEATTLE
SIOUX FALLS
WASHINGTON

Zone Chairmen and Company
Ralph B. Williams, RKO
Al Mendenhall, Paramount
F. L. McNamee, RKO
Harry Seed, Warner Bros.
Louis Atcheler, Metro
John E. Garlton, Universal
Charles Walker, 20th Century-Fox
Dennis J. McInerney, United Artists
Lawrence J. McKinley, Universal
Sherman Pink, RKO
Sam Wheeler, 20th Century-Fox
CINECOLOR throws the master switch in its new $250,000 Burbank plant!

As motors hum, vats swish and pulleys begin their ceaseless chores...a vital new milestone is passed.

Now equipped to add a million feet each week to the 40,000,000 feet of its film being shown throughout the world... CINECOLOR is destined to push on to greater heights in color accuracy, flexibility, speed and economy.

O. P. M. Connell
PRESIDENT

2800 SOUTH OLIVE AVENUE, BURBANK, CALIFORNIA * STANLEY 7-1126
Operators May Strike - Los Angeles - Projectionists in theaters affiliated with major distributing companies may be ordered strike momentarily because the demands of the four studio locals have not been granted, George Brownie stated last night.

**The Film Daily**

New York, Friday, April 14, 1939

Ten Cents

**Atlas Seeks Early Determination of All RKO Appeals**

**Myers, Kuykendall Clash at Neely Bill Hearing**

**Republic Plans to Expand its World-Wide Operations**

Republic's U. K., Canadian Business Up 100 P. C., Yates Reports

Republic will intensify its sales throughout the world this year, plans are being worked out to push into every territory where pictures can be sold, Herbert J. Yates stated yesterday at the company's 52-day eastern regional sales hud in a closing at the Park Central.

Yates told THE FILM DAILY that the company's business in the United Kingdom and Canada had increased 50 per cent during the past year.

(Continued on Page 14)

**Greater N. Y. Fund Group to Meet Wed.**

Motion Picture Division of the Greater New York Fund Drive for 1939 will hold an organization luncheon and meeting on Wednesday next, at 1 p.m. in the Hotel Astor, it is announced by J. Robert Rudin, division's chairman.

An industry-wide group will be formed, he declared, among whom (Continued on Page 14)

- Speakers and Guests Lined Up for Variety Club Conv.

- Detroit—Invited speakers at the annual Variety Clubs convention to be held here April 28-30 include Will Hayes, Sidney R. Kent, Al Lichtman.

(Continued on Page 4)

It's a Giveaway

Reports reaching home offices foreign departments yesterday declared Italy has resumed the three pic houses in Tirana, Albania's capital, charging no admission to public. Pixgoers are being sold the idea that movie is purely ben-efit one. But real "giveaway" in scheme is that screen, via fascist gen-erosity, are showing propaganda films.

**Neely-Smith Flare-up Off the Record**

**Neely Backer Tosses "Bombshell"; Asks Trial for Trade Reform Plan**

Washington—Proponents of the Neely Bill received the severest setback yesterday when Chairman Smith of the Interstate Commerce Sub-committee tossed a bombshell by reading a letter from D. Lyman Wilbur, president of the National Motion Picture Research Council, prime backers of the bill, asking that the trade reform program be given a chance to work before legislation is passed. The letter was sent to Senator Smith who read it into the record. The letter read:

"Dear Senator Smith:

"Under date March 29th I wrote you a letter regarding block-book-

(Continued on Page 15)

**Tough Competition Threatens Southwest's Exhibs.**

Oklahoma City—Theater owners in the southwestern area are looking forward to tough competition from other amusement agencies during the Spring and Summer.

Professional baseball is expected to cut heaviest into the box-office grosses. Last year broadcasting of both road and home games had a serious effect on night grosses in many spots. An indication of the strong pull of the ball game broadcasts is shown locally by an independent survey which revealed 50 per cent of the radio listening audience during the baseball broadcasting times were tuned to the station carrying the play-by-play accounts of the games.

An early interest in baseball and extensive plans by club owners for (Continued on Page 15)

**Circuit Court Sets Early June for Appeal from RKO Plan Confirmation**

Univ. Execs. Leave Today For Cincy Sales Meeting

Approximately 50 Universal home office executives, exchange heads and salesmen from the local territories leave this afternoon for the first of three regional conventions in Cincinnati. Headed by Sales Manager W. A. Scully, the convention (Continued on Page 14)

**Circuit Court of Appeals, it was learned yesterday, has calendared the appeal of H. Cassel & Co. from the confirmation of the RKO reorg. plan for the week of June 5.**

Rapidity with which action was scheduled gave rise to several deductions; namely, that proponents of the plan are aiming at disposing of this appeal at the earliest conven-ient time; that the strategy appears to be the equally early dis-
Friday, April 14, 1939

COMING AND GOING

ANTHONY VEILLER, writer, left for the Coast yesterday after a vacation here.

S. SYLVAN SIMON, Metro director, left New York last evening for Hollywood after a brief vacation here.

A. RUSCICA, manager in Chico for 20th Fox, leaves New York on April 29 for Chico after a six-week stay in Hollywood.

CHARLIE RUGGLES returns to Hollywood to marry.

BEN SHLYEN, publisher of Box Office, is in New York from Kansas City.

MARGARET LOCKWOOD, English actress, has returned to the Coast after a short stay here.

ELLEN DREW arrived in town this morning on route to England via the Aquitania tomorrow to appear in a Paramount film being produced there.

DIXIE DUNBAR arrived via United Airlines for a vacation here.

WILL FYFFE arrives today on the Aquitania.

RAY MILLAND sails tomorrow on the Aquitania to appear in Paramount’s English production of “Trench Without Tears.”

SHIRLEY ROSS arrived yesterday from Europe for a p.a. at the Paramount-Newark.

JOHN W. HICKS, foreign dept. head of Paramount, leaves Monday for a two-week stay at the Hollywood studios.

H. M. RICHEY, RKO’s director of exhibition relations, leaves Sunday for Columbus, Ohio, to speak on film censorship at a town meeting sponsored by the B’nai B’rith with Heliot Foundation.

“U” Signs Raft for “Million”

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed George Raft to a one-picture contract. He will be seen in “I Stole a Million” to be directed by Frank Tuttle.

The Philadelphia opening of Samuel Goldwyn’s production, “Wuthering Heights,” at the Aldine Theater Wednesday night chalked up a record-breaking figure in both attendance and receipts, United Artists reported yesterday. With a box-office line a full block long, more than 2,000 ticket buyers had to be turned away. Two hundred of those ticket buyers had already purchased tickets and could not wait more than an hour to see the picture.

Allisons Injured

Pittsburgh — Raymond Allison, who operates the Rivoli Court of Theaters, of Cresson, Pa., with his wife and son suffered severe injuries in an automobile accident near Duncansville, Pa., in which one man was killed and three others seriously injured, as a result of the driver of the other car attempted to turn left into a driveway.

THE THEATRE

“Wuthering Heights’” Hits Record at Philadelphia

“That have been a number of good girl and music shows in town lately, but this by far is the most impressive,” said one of the influential.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Wynn, Eddie Tully, SAVO MURRAY ALBERT HART

ALVIN, W. 524 St., Mats. Wd.-& Sat.

New York 5-4114

PRIMROSE PATH

By Bob L. Boosker and Walter Hart with Helen Betty Mary Russell

WESTLEY CABLE MAISON HARDIE CORT, West 48th St., Mats. Wd. and Sat.

80-90-04

“What a Life” with EZRA STONE as Harry Aldrich

MANFIELD W., 47th St., Mats. Wd. and Sat.

Circle 6-040
EES EARLY WINDUP ON RKO'S APPEALS

(Continued from Page 1)

allegation to the appeals of Ernest Farnol, Copia Realty and Fabian Realty inasmuch as all of these impending appeals have been rumored to contend with that of Hansen & Co.; and that the reports indicate that the Atlas Group will seek to consummate the RKO deal plan until all appeals are out if the ways may be correct, although an official announcement of such a slay has been expressed to date.

One of the trends toward proponents' evident objective looms in a recent an appellate's finding, all of whom are said to be co-operating the end of the present hearing as that an extraordinarily early hearing as that of June, 1938 may be had.

Canvas of legalists yesterday fought to light the possibility that the consolidated appeal hearings are held in the Circuit Court in one, and determination reached by July, it is wholly that the U. Supreme Court might hand down its decision, if the two cases are to be taken by the Associated Press, and may provide a scheduling in contrast to the more than six years of proceedings which RKO underwent from its entry into equity receivership in Jan., 1933.

New St. Louis Firm

St. Louis—The International Picture Corp. has been incorporated in Missouri with a 1,000,000 shares of no par value stock to “take, manufacture and produce motion pictures of every kind and description; to sell, lease and distribute motion pictures of every kind and description, and to deal in and dispose of such real and personal property as is necessary to conduct the said business.”

Fidler Shifts Time

Chicago — Jimmie Fidler’s comments on pictures, now heard on the NBC-Red network at 10:45 P.M. (EST.) will be heard on Saturdays at 9:30 P.M. starting May 20.

THE FIRM DAILY

ALONG THE 

with PHIL M. DALY

• • • LOCALIZING a national campaign....and combining a shock thrill theme with a romantic one.....is the rather unique accomplishment chalked up by Lynn Farnell as advertising chief of United Artists...in advertising Samuel Goldwyn's "Wuthering Heights"....

• • • FIRST came the national campaign........with full page ads in color in such magazines as Saturday Evening Post, Collier’s, Life, Cosmopolitan, American Weekly, etc.........a $100,000 smash done with class....stressing the "beauty and the beast" theme........a striking example of modern motion picture advertising technique....in taking a classic such as Emily Bronte's powerful novel of a delicate man avenging a lost love, and tricking it out with a psychological appeal that meets the present-day demand for bizarre and spine-chilling thrillers as well as the perenially pop appeal that frustrated love exercises for all women........

• • • THE local campaign in the New York newspapers cleverly caught up these two themes....and with as smart copy and art work as has ever been seen in picture advertising......gets over the sales appeal with a nice balance of sensationalism for the pop crowds and a touch of classiness for the discriminating audiences who know their classic fiction........what we are trying to say is they didn’t knock these ads off over the week-end........there is abundant evidence that several keen advertising minds gave the campaign penpalling thought.

• • • BEEFSTEAK Party at the N. Y. Athletic Club last night marking the close of Republic’s eastern and central regional sales meeting....with over 100 in attendance........Jimmie Grainger was the host........a gent named Herbert Yates was his honored guest.......NO speeches.....it was wonderful........so was the beefsteak.........rare, medium or well done........at nine o'clock the gang had started singing those old songs........"Sweet Adeline"........and "Sweet Adeline"........and another one we dimly recall was "Sweet Adeline".........it was wonderful.

• • • AMONG those present were........Spryos Skouras, Joseph Bernhard, Charles Moss, Bill German, Joe Pastor........Al Stieles, Walter Vincent, William Powars, Max Fellerman, Sam Rinaldi, Louis Frisch........Ralph Poucher, J. J. Sullivan, William White, Max Cohen, Al Suchman, Al Reed, Jack Harten, Ed Reid, George Lynch.

• • • ANNUAL election of officers was held at AMPA in the Hotel Astor yesterday........President, Paul N. Lazarus, Jr........Vice-President, Vincent Trotta........Treasurer, Herbert Berg........Secretary, Kenneth Clark........Trustee, Martin Starr........Board of Governors, Ralph Rolan, Eli Sugarman, Lou Litton, James Cron, Martin Starr.

• • • OBJECTIVES of the new administration were succinctly outlined by President Lazarus........he does half as good a job as active proxy that he has been doing as a ghost proxy. AMPA should soon be back to its old-time standing........Leo Tourova, ex-G-Man, who is responsible for the factual story in back of Warner's "Confessions of a Nazi Spy," gave a grand informative talk.

PARTICULARS IN GOVT SUIT EXPECTED MAY 1

(Continued from Page 1)
sought by various defendants will be forthcoming by May 1 and possibly earlier.

At yesterday’s examination conducted by Robert Wright, special assistant to the Attorney General, the D of J sought information from Muller concerning Exhibitors; names of producers associated with the company, and their identities; names of the representatives of UA producers in New York; single pic deals of the company with outlets; and contracts made by the exchanges with exhibitors.

UA turned over to D of J copies of long-term producer contracts.

Government indicated that Harry Gold, the western general sales manager; Jack Schlaifer, western general sales manager; and Paul Lazarus, contracts manager might be called for further examination.

Questioning of UA officials was adjourned to April 30.

Conn. Drive in May 15

Middletown, Conn.—Salvatore Adorno, former operator with Arthur Lockwood of the Capitol, Middletown and Palace Theaters, announces his new drive-in theater in the town will be open on May 15. This and the open-air venture on the Milford Turnpike will be the first undertakings of the kind in the state.

Form Drive-In Co.

Boston—Robert Cobe, former Republican exchange manager in New Haven, and associated for a short time with Grand National in Boston, has incorporated Open Air Theaters of America, Inc., with himself as president, treasurer and chairman of the Board of Directors. The first venture is announced for Salisbury.

File Dissolution Papers

Albany—Announcement of dissolution papers by the Flora Amusement Corp. were filed with the Secretary of State this week. Papers of dissolution for the Mohawk Amusement Co., Inc., Buffalo, were filed by Saperston, McNaughton & Saperston, Buffalo.

“Ballerina” Booked

“Ballerina,” distributed by Arthur Mayer and Joseph Burusty, has been booked into Warner theaters in Philadelphia and Washington.

WEDDING BELLS

Palo Alto, Cal.—Gloria Swanson’s daughter, Gloria Somborn, has announced her engagement to Robert Anderson, son of Harold S. Anderson of Belair. The wedding is planned for next Summer.
Too Much Legal Interference Hurts Biz--Kuykendall

Kuykendall Attacks Neely Measure

Ed Kuykendall, president of the MPTOA, yesterday summarized what in his opinion would be the effects of the Neely Bill if it were enacted. His objections were listed as follows:

1. The Neely Bill will not establish moral standards in the production of motion pictures, because the picture is recorded on the film before it enters the process of distribution and cannot be changed.
2. It does not prevent any exhibitor from showing any objectionable or obscene films he wants to show.
3. The Act does not provide any option to cancel the picture after it is licensed.
4. It forces the distributor to raise wholesale prices to an artificial level under criminal penalties. We exhibitors think that in the nature of the case we have no control over the prices of pictures and seek to put the entire responsibility on the local exhibitors scattered throughout the country, without offering to the exhibitors an option to cancel pictures as they are booked.

Kuykendall stated that this is a business of lawyers who have taken over the picture business and "now our business is in a mess of trouble.

"The troubles of lawyers may be excellent, but their business judgment is not so good," he said. "The mere fact of the delays and obstructions encountered by the business executives and the responsible job of running a theater is trying to work out constructive solutions to our own business problems has been due to legal interference, legal advice and legal interpretations of various court decisions."

Kuykendall asserted that during the current hearing the proponents of the measure "have discussed nearly everything about the motion picture business except the Neely Bill itself." After pointing out that the Neely Bill does not attempt to cure other so-called evils, Kuykendall said:

"Strangely enough, the exhibitors whom I represent who oppose the Neely Bill are utterly opposed to compulsory block-booking and blind-selling. We are not at all unsympathetic with the ostensible purpose of this legislation, but we are convinced that the provisions of the bill, applied to our business under criminal penalties, will do nothing but damage."

In commenting on the manner in which exhibitors operate, the MPTOA president said: "We have wholesale prices, which can only be had with wholesale buying, but we must have retail deliveries. Retail prices with wholesale buying will do us great damage."

The Neely Bill, he said, does not offer an option to contract or any option to cancel pictures after they are licensed for exhibition. It destroys the artistic integrity of the theater business by placing stock in the hands of the exhibitor, and the exhibitor may be forced to play or pay for a picture that he did not want to show, Sumner said.

In 25 years in the motion picture business he has never been forced to play or pay for a picture that he did not want to show, Sumner said. The joiners had used these tactics themselves on certain box-office pictures which drew objections.

Upstate N. Y. Exhibs Fight Measure Not Before Legis.

Albany—Upstate legislators are receiving letters and all kinds of communications from exhibitors, to oppose the crews two-men-in-a-book bill, but oddly enough, the measures they are specifically opposing in still locked tightly in committee, both in the Senate and Assembly, while another Coudert bill has been on third reading order in the Assembly for the past three weeks.

Also opposed by exhibitors, in outlying sections is the Mitchell-Coudert low cost housing bill, which contains as one of its permissive controls of obtaining housing revenue a provision that a tax on theater tickets may be levied, with one cent on the first half-dollar admission price and accompanying taxes on higher entrance admissions. Thus far, the Senate and Assembly have not decided on any specific housing legislation and while the Mitchell-Coudert legislation is regarded in some quarters as the official Republican slum-cleanup measure, it is still far from a certainty that it will be adopted in its present form.

D OF J SEEKS MORE 'TRUST BUSTING' CASES

Barney Balaban and H. M. Warne Jr., distributors, have accepted the lieutenant governor's invitation to set before the Department of Justice all "trust-busting" cases.

That motion pictures may be included in major antitrust action expected within the next month or so is what was said as he "anybody's guess." Attorney General Murphy, it was said, has yet to give final approval to the major cases which may be launched.

 Speakers and Guests Lined Up for Variety Club Con

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"Birth of Nation" Showing In Denver Causes Arrest

Denver—Robert Allan, Jewel The-ater owner, was arrested when he ran off a single copy of a National vaudeville program which he claimed violated a city ordinance which prohibits the showing of any motion picture "which tends to deftect upon any race, or incite race hatred or tends to stir up or engender race prejudice, or are calculated to disturb the public peace."

The crime in police court was postponed when it was ascertained the case would be entered in the New York City Civil Liberties League.

UMPTO to Discuss Pact

Philadelphia—UMPTO board meets next week to discuss the trade pact, Lewen Fizor announced yesterday.

"Our exhibitors had been telling civic groups that block-booking was responsible for showing certain pictures as an excuse. The exhibitors wanted to show those pictures, he said, and the Senate had used these tactics himself on certain box-office pictures which drew objections.

In 25 years in the motion picture business he has never been forced to play or pay for a picture that he did not want to show, Sumner said. The joiners had used these tactics themselves on certain box-office pictures which drew objections.

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PARAMOUNT, always the leader in American epics, with such tremendous box office successes to its credit as "The Covered Wagon", "The Trail of the Lonesome Pine", "The Virginian", "The Plainsman", "Wells Fargo", "The Buccaneer"... NOW TOPS THEM ALL WITH→

Cecil B. DeMille's
"UNION PACIFIC"
Cecil B. De Mille’s

"UNION PACIFIC"

starring

Barbara Stanwyck · Joel McCrea

with

AKIM TAMIROFF · ROBERT PRESTON
LYNNE OVERMAN · BRIAN DONLEVY

and a Cast of Thousands!

Produced and Directed by CECIL B. DeMILLE

Screen Play by Walter De Leon, C. Gardner Sullivan and Jesse Lasky, Jr.
Based on an Adaptation by John Cunningham of a Story by Ernest Haycox
Great Pictures Deserve Great Advance Selling...

The Greatest Publicity Stunt in Picture History!

From Wednesday, April 26th through Saturday, April 29th the greatest city of Omaha, Nebraska will give "Union Pacific" the greatest send-off in motion picture history. Two blocks of city streets will be made into replicas of the 1869 period. Only horse-driven stage coaches, prairie schooners, and Civil War Cavalry will be allowed in the streets. 52 blocks, including the business section, will be elaborately decorated. A tribe of 35 Sioux Indians will camp on the Court House grounds.

On Thursday there will be a huge military parade. Mr. DeMille and the Paramount stars from the Coast will be guests of the city and of the State. Other celebrities will include the governors of Nebraska and neighboring states, as well as 12 presidents of America's great railroads.

On Friday there will be another tremendous parade starting off another day of city-wide celebration leading up to the official world premiere of "Union Pacific" at the Omaha Theatre to be broadcast over the Mutual Network of 125 stations. Portions of the celebration will be picked up by the N.B.C. Red network on Thursday night over 51 stations, and on Friday night over 52 stations.

The size of the celebration is quickly shown by such figures as these: 34,000 Nebraskan males now growing beards for "Union Pacific" celebrations, 60,000 men, women and children will be in costume, 325,000 Nebraskans will be present during the four-day celebration. Space does not permit further details—you will hear them on the radio, you will read them in your paper, as this greatest of all world premieres takes place.

The Greatest Exploitation Stunt in Picture History

During the period, just before and after the release day of the picture, Cecil B. DeMille and a great number of famous Paramount stars, including Ray Milland, John Howard, Patricia Morison and Martha Raye, will make a huge coast-to-coast tour, hitting 36 key cities enroute, on the great Cecil B. DeMille "Union Pacific" special train. Leading this train will be the famous old engine No. 58, a locomotive built in the late 60's and used in the picture, immediately following this will be the first of the great, new "Union Pacific" super turbine-electric streamlined locomotives showing in one quick glance 70 years of railroad progress. Behind this will come one of the first passenger coaches ever built in the United States, an 1869 baggage car, a civil war period coach and a blacksmith's car. Following these will come the line-up of streamlined pullmans carrying the Paramount stars. You can see the key cities the train will hit on the map at the bottom of this page.

A special shortwave transmitter, as part of the train equipment, will make possible continuous broadcasts of the train to the cities it is approaching. There will be another big-time broadcast from Schenectady. A Hollywood preview of "Union Pacific" is planned for each city where the train stops. The train will be open to the public and Mr. DeMille and the stars will be available, where possible, for personal appearances at previews.

The Greatest Advertising Campaign in Picture History

In addition to cooperative campaigns in many key cities, Paramount will run a huge national advertising campaign in the American Weekly and In This Week. A full-page, 4-color advertisement in American Weekly on April 30 will sell "Union Pacific" to its 12,293,119 readers. A 4-color, double spread in This Week on May 7 will sell "Union Pacific" to 12,979,050 readers. A full-page advertisement in Life's April 24 issue will sell "Union Pacific" to 17,300,000 readers. Other Paramount ads will appear in Hollywood Magazine, Motion Picture Magazine, Movie Story, Modern Screen, Screen Book and Picture Play. In addition to the five radio broadcasts from Omaha, Cecil B. DeMille's Lux Radio Theatre, with its millions of listeners, has for the past 15 weeks been plugging Mr. DeMille's newest, and he believes, his greatest picture; and will continue to do so until past release date.

The Union Pacific Railroad is crashing through with a tremendous cooperative advertising and exploitation campaign for the picture, timed to synchronize with its own 70th anniversary and release date of the film. A $50,000 advertising campaign will include national ads during April, May and June in Collier's, Look, Newsweek, The New Yorker, Saturday Evening Post, Time, Liberty, Photoplay, Red Book, American Weekly and will feature billing scenes from the picture. The Hamilton Watch Company will run a nation-wide advertising campaign built around "Union Pacific." Other national advertisers to tie-in are California Fruit Growers' Exchange, Wonder Bread with full-page and half-page, full-color ads in the American Weekly; Tea Bureau, Pennzoil, Pan-American Oil Company, with 24-sheets in the four southern States in which it operates. International Silver Company is launching a series of ads which will appear in national magazines at release date of "Union Pacific."
HERE IT COMES!

Paramount's BIG 15
Paramount gives you 15 BIG ONES in 5

The Greatest American Epic!
Pre-sold to millions! Sold on the Lux radio program . . . in $150,000 advertising campaign . . . by Cecil B. DeMille All-Star train in 3-city coast-to-coast tour . . . in gigantic, unsurpassed four-day world premiere celebration in Omaha, Neb. Greatest exploitation job in picture history!

Cecil B. DeMille's
"UNION PACIFIC"

starring
Barbara Stanwyck and Joel McCrea

with
Akim Tamiroff - Robert Preston
Lynne Overman - Brian Donlevy
Produced and Directed by Cecil B. DeMille

Screen Play by Walter DeLeon, C. Gardner Sullivan and Jesse Latky, Jr. - Based on an Adaptation by Jack Cunningham of a Story by Ernest Haycox

A Great New Name Combination!
"Just about the best comedy ever caught by the camera", says M. P. Daily. "Better than 'It Happened One Night'," read audience comments. And the figures speak for themselves: Miami 134%, Boston 110%, Worcester 121%, Hartford 122%, New Haven 140%.

Claudette Colbert
Don Ameche
in
"MIDNIGHT"

with
JOHN BARRYMORE
FRANCIS LEDERER
MARY ASTOR
Elaine Barrie

Screen Play by Charles Brackett and Billy Wilder - Based on a Story by Robert E. Howard and Frank Schaefer

Directed by MITCHELL LEISEN

America's Favorite Humorist!
Bob Burns, as Hollywood Reporter says "Clinches star niche" with this big time hit. Beating "Arkansas Traveller" grosses everywhere. Doubled average business in Kansas City terrific first week, smash second week at N. Y. Paramount.

Bob Burns in
"I'M FROM MISSOURI"

with GLADYS GEORGE
Gene Lockhart - Judith Barret
William Henry - Paricia Morison

Screen Play by John C. Moffitt and Duke Attaway - Based on Stories by Homer Cray and Julian Street

Directed by THEODORE REED

The Year's Best Racing Picture!
Delivered just at the time racing interest is at fever pitch, Kentucky Derby time, it's a box office wonder all the way. Raft has perfect part as race track gambler. Ellen Drew takes to her first star role as you knew she would!

George Raft - Ellen Drew
in
"THE LADY'S FROM KENTUCKY"

with HUGH HERBERT
Za Su Pitts - Louise Beavers

Screen Play by Malcolm Stuart Boylan - Based on a Story by Rowland Brown

Directed by ALEXANDER HALL
Jack Benny's Best!
Toppling even his famous "Big Broadcast of 1937", four "Hit Parade" songs, a million laughs, a fast-moving, light-heartd story that moves along to an uproarious climax, and a marquee-great cast. The best picture of the spring season.

Jack Benny
Dorothy Lamour
Edward Arnold
in
"MAN ABOUT TOWN"
with
Binnie Barnes  Phil Harris  Betty Grable
Eddie "Rochester" Anderson  E. E. Clive
and
Matty Malneck and His Orchestra
Original Screen Play by MarieByskland
Directed by MARK SANDRICH

Year's Funniest "Who Dun It?"
Its very title makes the customers titter in anticipation. This is the "different" picture they are all looking for—Grace and Philo Vance sleuthing side-by-side in a dark purple mystery. The book is one of the season's best sellers—the picture is going to get a big break on the Chesterfield program.

S. S. VAN DINE'S
"The GRACIE ALLEN MURDER CASE"
with
GRACIE ALLEN  WARREN WILLIAM  ELLEN DREW  KENT TAYLOR  DONALD MacBRIDE
Screen Play by Nat Perrin
Directed by ALFRED C. GREEN

A Great Women's Picture!
The screen's most poignant and exciting actress in the picture which is the sensation of London—ten capacity weeks and still going strong. Critics have heaped such praise on it as no other has received in months. Every woman will want to see what few have dared to do—steal another's life and love!

ORION PRODUCTIONS LIMITED
present
Elisabeth Bergner
and
Michael Redgrave
in
"STOLEN LIFE"
Produced and Directed by PAUL CZINNER
A Paramount Release

A Great Emotional Drama!

BERNARD STEELE
presents
"BACK DOOR TO HEAVEN"
with
Wallace Ford  Patricia Ellis
Stuart Erwin  Aline MacMahon
Based on a Story by William K. Howard  Screen Play by John Bright and Robert Kosker  A Paramount Release
Produced and Directed by WILLIAM K. HOWARD

Wesley Ruggles' Best Picture!
These two great stars both achieved their top performances under Ruggles' direction. They even surpass those performances in his one. Screen previews show audiences swept from uproarious laughter to terrific excitement. A Wesley Ruggles picture is always a hit, as is witnessed by his "Sing, You Sinners" and "I Met Him in Paris!"

Irene Dunne
Fred MacMurray
in
"INVITATION TO HAPPINESS"
with CHARLIE RUGGLES
William Collier, Sr.  Billy Cook
Marion Martin
Screen Play by Claude Binyon
Produced and Directed by
Wesley Ruggles

Tamiroff, The Magnificent!
Here is the first chance he has had to go to town as he does in his great impersonation of a dictator. This picture has a locale that hasn't been done in pictures in a long time—Central America. A fast-moving, Richard Harding Davis type of picture.

Paramount presents
"The MAGNIFICENT FRAUD"
with AKIM TAMIROFF
LLOYD NOLAN  MARY BOLAND  PATRICIA MORISON  GEORGE ZUCCO
Screen Play by Gilbert Gabriel and Walter Feiris
Adapted from a Story by Charles G. Bant
Directed by ROBERT FLOREY

months—3 a month—when you need them most!
Bob Burn's Best!
Fits him like a glove, tailor made by the great Irving Cobb. Dramatic story of strife and struggle between left and right wingers, with Bob stopping the fight and showing them the way to go home. A picture with great force—just the kind to keep those home fires burning.

**Bob Burns**

in

**“OUR LEADING CITIZEN”**

Directed by

**AL SANTELL**

They'll Dance in the Aisles!
The "Thanks for the Memory" duo are hotter than ever, Bob readily becoming radio's No. 1 comedian and Shirley fresh from a series of personal appearances. Krupa and his band now packing in the nation's youth on his coast-to-coast tour. Two terrific tunes, "The Lady's in Love with You" and "Some Like It Hot!".

**BOB HOPE** • **SHIRLEY ROSS**

**GENE KRPÁ** and His Orchestra

in

**“SOME LIKE IT HOT”**

with

**Una Merkel** • **Rufe Davis**

Screen play by Lewis R. Foster and Wilkie C. Mahoney

Based on a play by Ben Hecht and Gene Fowler

Directed by **GEORGE ARCHAINBAUD**

Bing Crosby

in

**“THE STAR MAKER”**

with Louise Campbell • Linda Ware

Ned Sparks

A Charles R. Rogers Production

Directed by **Roy Del Ruth**

Timely War Drama!
The "Grand Hotel" of the front lines. Introduces the most publicized newcomer to the films in years, Isa Miranda, with more than a million lines in stories and photographs. Gets extra punch from fact! A dramatic, story of Cossack Ukraine, released right at the time Nazi operations make that territory front page news.

**Isa Miranda** and **Ray Milland**

in

**“HOTEL IMPERIAL”**

with Reginald Owen • Gene Lockhart • J. Carrol Naish

Curt Bois and Don Cossack Chorus

Screen play by Gilbert Gadriel and Robert Theben • Based on a play by Lejos Biro

Directed by **ROBERT FLOREY**

A Belly-Laugh Panic!

**MARTHA RAYE** • **BOB HOPE**

in

**“NEVER SAY DIE”**

with Andy Devine • Alan Mowbray • Gale Sondergaard

Ernest, Cossart

Screen play by Don Hartman, Frank Butler and Preston Sturges

Based on a play by William K. Powell

Directed by **ELLIOT NUGENT**

GET ABOARD

Ride to box office success with Paramount...

Remember it's the last 5 months that count!
ONE OF THE BEST OF POP HARDY ERIES WITH MICKEY ROONEY SCORING HIS BIGGEST LAUGHS.

The most amusing of the Hardy series, directed by Lewis Stone. Judge Hardy, as played by Rooney, is the apparent heir to two million dollar fortune that has come to him from an old soldier in the family whom he thinks a colonel in the War of 1812. So the entire Hardy family packs up and goes from the little home town to New York, and take up residence in a house which was once a mansion that is part of the estate. They await final decision of the courts, for comes principally with the red herrings of Mickey Rooney as the son of the family, who starts to put on the dog as he attempts to be as himself in the man about town. Daughter and Auntie also take it big, and start to step out pending some of the fortune before they return. Only the Judge and his wife keep their feet on the ground, and are still like the simple folks “back home.” After many hilarious experiences, especially Mickey’s adventure with a gold digger who is framed on him by a designing and handsome villain (John King) who is trying to get the fortune, the thunderbolt hits Hickey when his father (Lewis Stone) tells the family that there will be no fortune descending upon them through a legal hecchecity. Back in the home town, the family starts to adjust itself to being just ordinary folks again, with the Judge impinging some sound advice and kindly philosophy to his family. They all take it in the right spirit, and we are sure that the fans will be glad it happened this way. The Hardys in the big money would spoil their appeal. Mickey Rooney was never funnier, and he has scene after scene that brought gouts of laughter from the audience in the Capitol theater on Broadway.


CREDITS: Director, George B. Seitz; screenplay, Agnes Christine Johnston, Kay Rodney, William Ludwig; cameraman, Lester White; editor, Ben Lewis.

DIRECTION, Excellent. PHOTOGRAPHY, The Best.

Edgar F. Bitner Dies

Edgar F. Bitner, 63, former president of Leo Franky, Inc., died Wednesday night at his residence, 230 Central Park South. He retired in December as a vice-president and treasurer of Music Periodicals Corp.

Settle Rae-Ed Suit

Settlement of the litigation between the Rae-Ed Amusement Enterprises and the Kallet Circuit was announced yesterday by Edward Goldstein, proxy of Rae-Ed.

“The Family Next Door” with Hugh Herbert, Joy Hodges, Eddie Quillan. Universal. 82 mins. 
(HOLLYWOOD PREVIEW) FIRST OF A NEW SERIES FOR FAMILY AUDIENCES PROVES FAIR ENTERTAINMENT.

“The Family Next Door” is the first of a new series of pictures designed for family audiences. This offering headed by Hugh Herbert moves along at a good pace, mixed with many laughs created by Herbert’s antics. Joseph Santley did a nice job of directing, James Bush, Frances Robinson. He had on hand. The picture opens with several good scenes but starts to fizzle for some sort of cut. Associate producer Max Glaser keep the picture within budget. The story deals with a small town plumber and his socially and financially prominent family. The son, Eddie Quillan, talks the mother into giving him the family nest-egg to invest in a real estate deal and is left with the deed to get enough money to put on a show in order to get her daughter, Joy Hodges, a good catch, gives him the money. First the real estate is a good buy but then quicksand is discovered on the land. Later the land proves valuable for glass manufacturing and things turn out for the best. Bennie Bartlett, as the young son, and Juanita Quigley, as the child, do well in their supporting parts. As Doctor, Bennington, James Cunningham, James Bush and Frances Robinson. Mortimer Offner wrote the story and screenplay.


DIRECTION, Hugh Herbert, Joy Hodges, Eddie Quillan, Ruth Donnelly, Bennie Bartlett, Juanita Quigley, Thomas Beck, Cecil Cunningham, James Bush and Frances Robinson. Mortimer Offner wrote the story and screenplay.

DIRECTION, Excellent. PHOTOGRAPHY, Okay.

ABSORBING MURDER STORY EXCELLENTLY ENACTED BY A FINE CAST.

An unusual murder mystery story, this new French import has an absorbing plot and excellent players to carry it out. The direction of Pierre Chenal is top notch holding the interest of the audience to the end. Eric von Stroheim, Jany Holt and Louis Jouvet head the fine cast. Jany, a dance hall girl needs money, and provides an alibi for the murderer until the very end of the picture when her story is finally changed.


CREDITS: B. N. Film Production; director, Pierre Chenal. Presented at the Paramount Theatre with French dialogue and English titles.

DIRECTION, Excellent. PHOTOGRAPHY, Good.

“Sotto La Croce Del Sud” (Under The Southern Cross) with Doris Duranti, Antonio Centa. Esperia Film Distributing Co. 81 mins.
UNUSUAL SETTING AND THEME GIVES PIZZ RANK AS ONE OF FINEST ITALIAN IMPORTS.

A smouldering drama that is different in theme and setting from the usual Italian films makes this new release highly entertaining. It should place the Italians everywhere, although lack of English titles will naturally restrict its sphere. The cast and technical work of the picture is very good. Filmed in Ethiopia, the setting of the picture is unusual and highly interesting. Story deals with two Italian soldiers on the battlefront who come to the rear from the recent war to find it in the hands of an unscrupulous overseer. Centa is attracted by an exotic native girl that the overseer has at the plantation, and it is not until the two partners uncover the extent of the overseer’s cupidity that they finally get rid of the man in an exciting climax.

CAST: Doris Duranti, Antonio Centa, Enrico Grillo, Giovanni Grasso.

CREDITS: Produced by Mediterraneo Films; director, Guido Brignone. Presented at the Cine Roma Theater with Italian dialogue and no English titles.

DIRECTION, Excellent. PHOTOGRAPHY, Good.

“Bizarre Bizarre” with Louis Jouvet, Michel Simon, Francon Rosay. Leuwer International Films, Inc. 64 mins. 
AMUSING STORY IDEA FAILS TO GO OVER DUE TO LACK OF SMART TREATMENT.

This new French film had possibilities of being made into a highly amusing comedy, but indifferent story treatment and direction consign it to the rank of also-ran pictures. There are sequences that may amuse the French audiences, but as general screenfare it will not hold much interest. The principals in the cast, headed by Louis Jouvet, Francon Rosay and Michel Simon, are good. Jouvet, the Viceroy of Bedford, goes to see his cousins, Mr. and Mrs. Molyneaux, Simon and Rosay. The courtship is played with less than the style and wit which Jouvet becomes suspicious of. It winds up in a criminal investigation in part might have been a ridiculous slapstick sequence.


CREDITS: Produced by Cornigli Millennium, director, Marcel Carne. Presented at the Filmarte with French dialogue and English titles.

DIRECTION, Fair. PHOTOGRAPHY, Good.

“Jitterbug Follies” (M-G-M Cartoon) M-G-M. 9 mins.
Jazz Contest

A contest is staged for the best jitterbug. But the sponsors are not on the level. So a couple of tough eggs from the Citizens Fair Play Committee sit in a box and cover the show with gags. The various contestants do their stuff, including a songstress, two penguins, Mother Goose, Little Boy Blue, Bo Peep, The Wonder Dog tries to cop the main prize by imitating an ostrich which is leading with a fan dance. But the deception is uncovered and the finish has the sponsors fleeing from the angry contestants and the citizens committee.

“Soldiers of the Sea” RKO Pathes News. 9 mins.
Timely and Interesting

The United States Marine Corps, its traditions and military achievements, have always been among the patriotic and the preparedness of the Marines news today, a timely and interesting subject that should show on every screen. Taken at the San Diego base and showing the whole story, the Marines are shown at drill and at the more serious business of rehearsals for war. The reel packs a thrill with its realism and is of particular significance to all Americans at the present time. Frederic Ulman Jr. produced and Frank Donovan supervised.

“Three Kings and a Queen” (Headliner) Paramount. 11 mins.
Pop Musical


Republic of Panama

Republic of Panama (Paramount Color Cruise) Paramount. 9 mins.
Timely Travel

Timely reel showing the Republic of Panama and the workings of the Canal. The activities center around Colon, the busy seaport of Panama. The city is shown with street activities, shops and the colorful racetrack. The camera follows the new French-manufactured Ernestino as the boat goes through the enormous locks. In color. Produced by Palmer Miller and Curtis P. Nagel.
Greater N. Y. Fund to Hold Film Meet Wed.

(Continued from Page 1)


The Greater New York Fund is a city-wide, non-sectarian charitable organization which includes 380 independent charities in its membership.

Louis Gersofsky Dies

Somererville, N. J.—Word has been received here of the death this week of Louis Gersofsky, former owner of the Cort Theater. He was in the business here 20 years before retiring in 1936. He died Monday in Miami where he and Mrs. Gersofsky spent the Winter.

Smith Plans No-Open Air Exposure During Summer

Boston—Phil Smith has no plans to build more open-air theaters this year. Smith expects to open his automobile cinemas in Cleveland and Detroit within two weeks.

Boston — Marcel Mekelburg will open a 550-automobile theater in Milford, Conn., the latter part of April, under licensing by the Drive- In Theater Corp. Mekelburg, who was GB manager in Boston, is un- derstood to own a majority interest in the operating corporation which, it is said, is a New York man controls.

Bell in 3rd Week

Attendance at the Roxy for the first two weeks that "Alexander Graham Bell" has been playing there went over the 220,000 mark last night. Pix starts its third today.

Mack Joins N.S.S.

St. Louis—William V. Mack, for- mer GB district manager, has filled the vacancy in the local sales staff of National Screen Service. He will be city salesman.

Univ. Execs. Leave Today

For Cincy Sales Meeting

(Continued from Page 1)

and that he looked for further in- creases this year as the company has the strongest product line in its history. Joe Goodman, for- eign manager for Republic, is cur- rently surveying the South American markets.

James R. Grainger, Republic pres- ident and general manager of distribution, stated that the company was serving 9,000 accounts now and that he expected this figure to rise over the 10,000 mark during the 1939-40 season. Grainger said that he expects to total around 12,000 bookings on "Man Of Conquest."

Yates and Grainger stressed the estab- lishment of confidence and good will with exhibitors during the meet- ing. Grainger outlined his sales policy as being one that "gives the exhibitor a square deal in every re- spect, and that the company had no hard and fast policy that was un- flexible, and that where circum- stances warranted it, he was both willing and anxious to make an- fair adjustments necessary.

There will be no re-allocation of Republic pictures, and the exhibitor who buys our product will have every picture delivered to him in the group that we sold it in. Mc- grain and Yates pointed out that the new product lineup would be sold with a minimum of four, and probably maximum of 10 percentage pic- tures. "Selling a picture to an ex- hibitor in one bracket and then re- allocating the film to a higher bracket because the picture is a bit hit is a breach of faith with the exhibitor, and we are not going to do it under any circumstances," they said.

Meeting wound up last night with a beefsteak dinner at the New York Athletic Club which was attended by a number of circuit heads in addition to the convention officers. Chica- go meeting starts Thursday next week, with San Francisco meeting following the week after.

To Start 'Mad Dog of Europe'

Hollywood—Al Rosen will go into production shortly on "The Mad Dog of Europe," a story of the Ger- many tragedy from the out- break of the World War up to the present day, augmented by several thousand feet of motion picture film taken in Germany at time Hitler rose to power.

With release of the pix Rosen will release a novel of the same title. Picture will be road-showed.

Now Booking

Official Exclusive Motion Pictures of the World's Heavyweight Boxing Contest Between

Joe Louis, Heavyweight

Champion of the World

and

Jack Roper, Contender

Photographed at Ringside at Wrigley Field. Los Angeles, California, April 17, 1939

Round by round. blow by knockdowns shown in slow motion

INTERNATIONAL SPORTS FILM CO.

1910 South Vermont Avenue

Los Angeles, California

HENRY SONESIHESE

Phone: Republic 6411

Foreign Rights Available

Neely Hearings to End Next Week

Washington Bureau of THE FILM DAILY

Washington—Optimistic observers at government sources predicted yesterday that the testimony may end Monday evening or Tuesday morning. The committee is endeavoring to expedite the hearings.

Hollywood—"In the Grip of Fear," the Universal Screen篇. weekend's first feature. John Ireland and C. Henry Gordon star in the romantic, action-packed story with the melodrama style that has been a feature of the studio's later releases.

The story is based on the life of a man, the son of a Russian free-lance writer who was killed in the Revolution, and his attempts to save a woman he had loved during the entire time he was a fugitive. Ireland portrays a man who was sent to a labor camp but was able to save the woman by using his political tact to influence the warden of the prison to give him the opportunity to escape with her. The story continues through a variety of adventures as the fugitive and his companion try to avoid being caught by the police and the authorities.

"In the Grip of Fear" is a well-acted film with many exciting scenes and a climax that will hold the audience's interest to the end.

Republic Planning

Operations Expansions

(Continued from Page 1)

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SRO Plus

Following a high-powered and intel- ligently planned advertising campaign, "Wuthering Heights," newest of Gold- wyn-UA attractions, packed the house to overflowing last night at the pix's premiere.
IEELY BACKER ASKS TRADE DRAFT TRIAL

(Continued from Page 1)

My attention has been called to certain changes in the selling motion pictures proposed by the industry to your committee which is said would eliminate block-booking.

What some of us would like to have is a real answer to the present abuses and allibs. If the motion picture industry has presented practical plans to eliminate block-booking and give the local exhibitor a wider choice of subjects and sufficiently higher percentage of cancellations to assure that he can meet the reasonable requests of those interested in sound, sane and wholesome pictures for our youth would in my judgment be better to have the industry handle the problem than to have it compelled to do so by legislation.

There are indications that legislation may be the only answer, but a workable plan to meet the situation has evolved from the industry, and will be put into prompt and general effect, it should be given a fair trial.

(Signed) Ray Lyman Wilbur.

Goldwyn's "Stella Dallas" Answer Claims Ownership

Screen Will Rogers Short Today

Major L. E. Thompson, RKO executive, and chairman of Will Rogers National Theater Week, announced that "For Auld Lang Syne," all-star short subject, presented by the motion picture industry as its fourth annual tribute to Will Rogers, is being screened for Will H. Hays, other industry celebrities, and the Trade Press, at Radio City Music Hall, at 12 noon today.


Goldwyn's answer claims ownership through purchase from Selwyn & Co. and also asks an injunction and accounting.

Plan "Ehrlich" Pic

Dr. Maurice S. Rosen and Josef Berne have started work preparing the script of "The Life of Rabbi Ehrlich" for immediate production. Josef Berne will direct. A definite decision will be arrived at within a fortnight as to whether the picture will be produced in Hollywood or in the East.

Studio Local 37, IATSE Hearing Off to April 18

West Coast Bureau of THE FILM DAILY Hollywood—Superior Court Judge Emmett Wilson yesterday continued until April 18 trial to determine whether control of Studio Technicians' Local 37 should be given to IATSE or to local officers of the union. John F. Gatelee and Frank Stickling, international officers of IATSE, are handling the affairs of Local 37 under an emergency declared by George E. Browne, president.

The belief is growing that the matter will be settled out of court.

Fox Hits Peak

Spring production peak will be hit at 20th-Fox next week when five films go before the cameras to boost the total of pictures in work to 18. Four others are in work now and three are in the cutting room. The Zanuck special, "The Rains Came," heads the list of pix starting next week.

TOUGH COMPETITION FOR THEATERS OF S. W.

(Continued from Page 11)

promotion of their games has led theater owners in this area to do some serious planning to compete with the Summer sports in this field as well as in others. Several club owners, notably Dallas, have in the past year found exploitation stunts such as used by theaters for many years, an easy means of building better grosses at their own box-office.

Increased competition is also expected from other amusement fields during the forthcoming months. Ballrooms and dance palaces are set to import big name bands and have already begun their own ballyhoo.

Carnival and circus competition has been dying a slow death in this area and are not expected to cut into theater grosses this year.

"L'Alibi" Held Over

Columbia's French talking picture, "L'Alibi," released through its French Foreign Features Dept., will be held over for a second week at Fifth Ave. Playhouse, commencing tomorrow.

...FORECASTING AN EVENT OF TICKET-SELLING IMPORTANCE TO SHOWMAN-WISE EXHIBITORS!

It's on the Showmanship for Showmen HIT LIST!
Swing It Baby!

with National Screen Trailers

They combine in one two-minute message all the emotions and reactions that you get from the picture itself.

BECAUSE their effectiveness is only equalled by their low cost per ticket sold.

BECAUSE they are made by the type of advertising men you'd have on your payroll if you could afford them.

BECAUSE they are sold to a one hundred percent audience while the audience is in a mood to listen AND BUY!

Swing it toward the box-office with National Screen Trailers—

NATIONAL Screen SERVICE

Prize Baby of the Industry!
**Universal Boasts Budget $5,000,000 For '39-40**

WB Sales Up 25%; $2,000,000-Week Ends Sears Drive

Company Serviced 11,500

Accounts During

Past Year

Simultaneous with the announce-

ment that Warner Bros. had wound

up the Sears Drive with a $2,000,000-

week in billings, The Film Daily

reported that the company to date

had sold its new season product to

5 per cent more accounts than last

year for a similar period.

The Sears Drive came to a close

Saturday, the final week resulting

in the biggest business in the his-

tory of the company, according to a

report over the week-end. It is be-

lieved that the $2,000,000 billed last

(Continued on Page 21)

**EXPECT NEELEY BILL HEARINGS END TODAY**

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—C. C. Pettitjohn and

Abram F. Myers today are slated

to sum up their cases before the In-

terstate Commerce sub-committee.

It is believed that the hearings will

be completed this afternoon.

The motion picture industry has

(Continued onPage21)

Seventh Annual Kent Drive

Gets Under Way August 13

The seventh annual S. R. Kent

Drive is slated to be launched by

the 20th Century-Fox sales staffs on

Aug. 13. No announcement as to

the length of the drive will be made

(Continued on Page 21)

**SMPE Opens Annual Meeting**

In Hollywood This Morning

West Coast Bureau of THE FILM DAILY

Hollywood—The annual SMPE

convention starts today at the Hotel

Roosevelt and will continue through

Friday. A highlight of today’s ses-

sion (Continued onPage 21)

**NO GENERAL WALKOUT OF OPERATORS EXPECTED FOLLOWING NEGOTIATIONS**

Hollywood—As a result of a seven-

hour session yesterday between rep-

resentatives of the IATSE and

Local 37, presided over by District

Attorney Flitts, peace was assured

between the two factions and all

danger of a projectionists’ strike

averted. Local autonomy is to be

restored to Local 57 in 48 hours

(Continued onPage 4)

**PARA. CONVENTION ON COAST IN JUNE**

By WEST COAST BUREAU OF THE FILM DAILY

Hollywood—For the first time in

seven years, Paramount will hold

its annual sales convention in Los

Angeles, it was announced over the

week-end by Neil F. Agnew, vice-

president in charge of distribution.

Dates are June 12-14.

Two hundred Paramount salesmen,

branch managers, district managers,

home office and studio executives, as

well as representatives from abroad,

(Continued on Page 22)

**W. A. Scully Announces U's Production Plans For New Season**

Cincinnati—An increase of $5,-

000,000 over last year's production

budget was announced yesterday

by William F. Scully, Universal's uni-

versal sales manager, at the first

of the company's regional conven-

tions. The sales sessions, which

opened here yesterday, were con-

cluded last night and will be fol-

lowed by others in Chicago and San

Francisco.

The 1939-40 program calls for 40

(Continued on Page 22)

**MEXICO BOYCotts GERMAN-MADE PIX**

Mexico City— A boycott against

all German-made films has just been

called by the potent group of Mex-

ican Motion Picture Syndicate

(Continued on Page 3)

**Para. Stockholders' Suit Is Moved To Federal Court**

Paramount’s petition to remove

the $25,000,000 minority stockhol-

der's suit from the New York State
courts to the U. S. District Court

(Continued on Page 21)

**CONNECTICUT SENATE KILLS PROPOSED ANTI-ASCAP BILL**

Hartford, Conn.—The State Sen-

ate on Friday rejected the anti-

Ascap bill which was filed in the

(Continued on Page 4)
The Broadway Parade

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<td>Fury in the Sky (Metro-Goldwyn-Mayer) (d)</td>
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**FOREIGN LANGUAGE FEATURES**

Alexander Nevsky (Ankala) (6th week) - Cameo
Snow White and the Seven Dwarfs (French) (7th week) - Waldorf
Ben Hur (Chinese) (8th week) - Astor
Barabbas (Russian) (9th week) - Palace
Cleopatra (Italian) (10th week) - Astor

**FUTURE OPENINGS**

The Eagle and the Hawk (Paramount-Vista) - April 12
Back Door to Heaven (Paramount) - April 19
Criticism
Dark Victory (Warner Bros.) - April 20
Music Hall Cinema
Curtain Rises (Frank Kaplan) - April 22
The Three Wives (Vestron Films, Inc.) - April 24
Justice (Warner Bros.) - April 25
Man of Conquest (Repubco Pictures) - April 27
Capital
The Lady's from Kentucky (Eagle) - April 30
Confessions of a Nazi Spy (Warner Bros. Pictures) - May 1
Strand
The Return of the Cisco Kid (20th Century-Fox) (c)
East Side of Heaven (Universal Pictures) (c)
Rival
Blind Justice (Brel) - May 16
Love Affair (RKO Radio Pictures) - April 19 (a-b)
You Can't Get Away with Murder (Warner Bros. Pictures) - April 19 (a-b)
Palace
The Personal Enemy (Espio Film Distrib. Corp.) - April 19
Cinechrome
The War Machine (Tri-National Pictures) (b-c)
World

(a) Dual bill. (b) Subsequent run. (c) Two-a-day run. (d) Follows current bill. (e) Revival.

260 “Union Pacific” Dates in Month After Premiere

Following the three-theater premiere of “Union Pacific” in Omaha on April 28, 260 engagements in key cities within the succeeding 30 days. Fifty-three of the engagements are accounted for the national release date on May 5.

On April 29, day following the premiere, the company began making tours of cities—Salt Lake, Los Angeles, Denver, Portland, Ore., Seattle, Ogden, Cheyenne, Laramie, North Platte, St. Petersburg, Tampa and Miami Beach. On May 3 it will have four simultaneous openings in Kansas City, Fort Smith, Columbus and Augusta.

On May 4 it will have 10 engagements; on the 5th, 7th; on the 6th, 26 dates; on the 7th, 30; on the 8th, four; on the 9th, two; on the 10th, 11; on the 11th, 18; on the 12th, 27; on the 13th, 13; on the 14th, 21; on the 15th, nine; on the 17th, four; on the 18th, three; on the 19th, three; on the 20th, four; on the 21st, 16; on the 24th, five; on the 25th, three; and on the 28th, five.

218,695 See “Bell”

“Alexander Graham Bell” played to a total attendance of 218,695 persons at the Roxy during the first two weeks, and week-end business for beginning of third week was reported to be exceptionally good.

Rites for Edgar Better

Funeral services were held on Saturday afternoon at Fencliff Mausoleum, Greenburgh, N.Y., for Edgar F. Better, 62, former president of Leo Feist, Inc.

**SAFETY**

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seventh Ave.
Bryant 9-5600

**SECURITY**

THE NEW YORK STOCK MARKET

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**COMING AND GOING**

WALTER J. HUTCHINSON, director of theater distribution for 20th-Fox, and HENRY WOHLER, general manager of distribution, met at the Washington Franklin Hotel on Wednesday night to review the company’s forces.

AMERICAN TELEPHONE sales manager is making a tour of the company’s branch offices.

A. CLAUSING, general manager of Faber and Shea, announced the return of Faber’s salesmen over the week-end.

VICTOR SAVILLE, Metro producer in England, sailed for New York Saturday from Southampton on the Queen Mary.

E. SUTTON DAWES, director of sales for 20th-Fox in Great Britain, and SIR GEORGE CRATHAC, general manager of British Movietone News, sailed Saturday on the Aquitania at Southampton for conferences here.

CLAY V. HAKE, managing director in Atlanta, was aboard 20th-Fox, leaving the coast for New York April 26 on the Mariposa.

MAJOR AND MRS. ALBERT WARNER arrived from Florida.

SPENCER TRACY arrived yesterday for vacation.

WALTER BRANSON, captain of the Schooner Days force, and HARRY MICHAK, short subjects sales manager, have returned from a swing through the company’s branches.

LYA LTA arrives from the coast this morning, having completed her role in "Confessions of a Nazi Spy." RICHARD CARLSON left for the coast to-day to appear in Walter Wanger’s "Wagon Train." ASTAIR has arrived from the coast.

LEON T. REED, technical adviser on "Nazi Spy," left today in the company of "Confessions of a Nazi Spy" star, lecture tour today in New Haven, and booked for Hartford tomorrow and New London.

LOU HOLTZ arrived Chicago via Union Airline.

D. WHALEN, Republic exploiter, left Friday for Richmond, Va., to handle the distribution of "No Time for a Hero."

BILL SAAL is back from Houston where conducted the "Man of Conquest" campaign.

**THE THEATRE**

George Abbott Productions

"There have been a number of good and successful productions in town in recent years, but this is by far the most brilliant and well-executed." - E. W. DRAKE, Riv. Trib.

George Abbott—Rodgers and Hart

The Boys from Syracuse with Jimmy Wynn Eddie Tedd April 24 MURRAY ALBERT BART

MIL 4, 524 St., Manhattan, Sat. and Sun.

COLUMBUS 5-4144

"The best, newest, most enchanting, best-dressed, most hilarious, and certainly funniest play for your dollar on sale this season." - George Jeans, Newsweek.

**PRIMROSE PATH**

By Rhys L. Buckner and Walter Hart with Kiyes, Albers, Russell, Mason.

WESTLY GARDEN HOUSE HARRISON DOWNS WASHINGTON 42nd ST. MCEWEN, 20th St., Manhattan, Sat.

BRYANT 9-0406

"Roses of Pleasure"—Atkinson, Times. WHAT A LIFE

With EZRA STONE as Henry Aldrich.

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

COLUMBUS 6-0640

"The loveliest, most enchanting, most drest, drest, drest, and certainly touching play for your money on sale this season." - George Jean Nathan, Newsweek.
EXICO BOYCOTTS
GERMAN-MADE PIX

(Continued from Page 1)

A Photophone Promotes
C. Cahill, Harry Sommerer

RCA Photophone announces that C. Cahill has been advanced to
ager of the Photophone Division, addition to his duties as director
al general service activity of the company. Harry Sommerer, for-
anager of the Photophone, has been made assistant to executive vice-president.

O and Gordon Close Deal
For "Abe Lincoln in Ill."

contracts were signed Friday by O and Max Gordon Plays & Pic-
es Corp., for the acquisition of "Abe Lincoln in Illinois," current
ite hit by Robert E. Sherwood. It is the second important play
erty purchased by the EKO-ordon organizations, first being
American Way." As previously announced, Gordon will produce two pictures yearly for EKO base.

ALONG THE RIALTO

with PHIL M. DALY

• • • THREE BIGGIES.......all showing in theaters in the Broad-
way sector at the same time.....and all three productions from one
company....... Warners..... the first to open will be "Dark Victory,"
starling Bette Davis, which comes to the Music Hall on the 20th for
at two weeks......on the 25th, "Juarez," co-starring Paul Muni
Bette Davis, will open at the Hollywood on a two-a-day basis,
starting with a gala world premiere......on the 28th, "Confessions of
a Nazi Spy" comes to the Strand, starring Edward G. Robinson.

• • • EASILY the best of the industry's annual tributes to
Will Rogers for National Theater Week.......the current short,
"For Auld Lang Syne," which will show in upward of 5,000 the-
ders during the week beginning Thursday, April 20.......carries
a timely patriotic punch with Raymond Massey doing two of his
notable scenes from "Abe Lincoln in Illinois".....a natural
hook-up with the memory of Rogers...... another homespun prod-
uct which portick of Lincoln's characteristics to a remarkable
degree.

• • • PRACTICAL.......that clip and work sheet for the cur-
rent March of Time subject........"Japan: Master of the Orient.".....
showing the first unencumbered pictures from Japan....... It is so concise
and the data so get-able.....it seems to point the way to solving
the press-book problem when economy is indicated.....it is practically
the size of this publication.......it shows a smash one-sheet.....and
tells of a pip National Screen Special action trailer.

• • • SATISFYING.......is the word that Manager Jack
Lykes of Leoone's Stillman theater in Cleveland applies to the results
of a stunt on "Prison Without Bars."..... Lykes held a special "Breakfast Matinee" at 8:30 a.m. on opening day.....made
a teip with the Statler hotel next door to the theater.....which
herited coffee and doughnuts, de luxe style, at no cost to the the-
ater, to the patrons after entering the inside lobby......the hotel
received mention in newspaper ads and stories.......all three city
papers carried special stories on the stunt.....the regular policy
of the house is a 9 a.m. opening.....therefore expenses were not
increased any.....but the extra biz derived amounted to five
times greater than the average morning business on any opening
day.....the stunt was so satisfactory that Lykes is waiting
eagerly for an early repeat.

• • • CEREMONIAL.......the ballyhoo surrounding the ship-
ment of the original golden spike which joined America's first trans-
continental railroad.....which will be shipped from the San Francisco
Exposition on April 22 to the world premieres of the Paramount produc-
tion, "Union Pacific."......a representative of Wells Fargo Bank, trustee
of the relic for its owner, Stanford University, will set a time lock
on the portable safe so that it cannot be opened till the train reaches
Omaha.....the safe will be guarded in transit by railway police,
which officials of the states crossed, and special operators of the Rail-
way Express.....the glass through which the spike is displayed after
the safe is opened is of the laminated bullet-proof type, guaranteed
to stop a hard-nosed bullet.....(Editor's Note: We did not concoct
this amazing, sensational story. It is direct quote from a Paramount
publicity blur. Just goes to show what happens to publicity mugs
who have been reading this kolyum for any length of time.)

JAPAN INCREASING
USE OF NEWSREELS

Tokyo—Increase during the cur-
rent year of newsreels, exhibition
of which is aimed at keeping public
geared to sacrifices necessitated by the
Japanese war situation, is looked for here, sources close to the
Government assert.

Although consent is refused re-
garding the report that more mush-
room theaters will be constructed to provide public education outlets,
step is regarded generally as inevi-
able. Basis for this view is that
(a) playing time in most of the
country's theaters has reached the
saturation point already as regards
propagandistic films; (b) officialdom
has been endeavoring to circum-
vent the further curtailment of en-
tertainment films, since these are
held to be especially valuable in sus-
taining morale, and (c) if more pro-
motional patriotic programs are em-
ployed, new outlets will have to be
provided.

Observers are of the opinion that,
since the opening of hostilities to date, Japanese propaganda at home
has been very skillfully handled in film theaters. Virtually no program
is lacking in an effective appeal to the national emotions, and yet this
has not been overcome.

Newareels exhibited in 1938
showed an increase of 16,552 pic-
tures and 10,286 reels as compared
with 1936, the year prior to Japan's
invasion of China. Another rise of
between 15 and 20 per cent is an-
ticipated during the calendar year
of 1939.

Wobber, Hutchison Sail
Wed. for London, Paris

Herman Wobber, general mana-
ger of distribution for 20th Century-
Fox, and Walter J. Hutchinson, di-
rector of foreign distribution, sail
Wednesday night on the Washing-
ton to attend two conventions of
the company's foreign field in Lon-
don and Paris.

K-A-O Dividend
The board of directors of Keith-
Albee-Orpheum Corp. declared a
dividend, out of operating surplus, of
$1.75 per share on the 7 per cent
cumulative convertible, preferred
stock for the quarter ended Septem-
ber 30, 1938, payable on July 1,
1939, to the holders of record of said
stock at the close of business
on June 15, 1939.

Jessel, Frescott to M. C
Detroit—George Jessel and Nor-
am Frescott will be toastmasters at
the Variety Club's convention
banquet on the night of April 29.

Lund's Bill Favorited
Springfield, Ill.—Representative Arnold
Lund's anti-block-booking bill has been
favorited at the committee
and has been placed on the House
calendar for first reading this week.

Happy Birthday

Best wishes from THE FILM DAILY
to the following on their birthday:
APRIL 17
Chorus Brabion
Raymond L. Langer
J. W. Ward

Birthday
DOMESTIC LEGISLATION: Hearings on the Neely Bill continued in Washington Senate Commerce Committee sub-committee. Heavy attacks were leveled at the measure by industry solons. George J. Schafer, RKO Radio prexy, last to testify, was salacious, and termed it worse than foreign threats to filmland's commercial stability. He advised sub-committees not to hammer pictures with an unwise law. William F. Rodgers asserted that the current trade reforms program will accomplish results aimed at by Neely Bill, and without drastic effects of the latter. Another barrage of criticism of all interested parties, by Rossy, 30th-Fox, who declared producers could not operate under the bill. 4 of the bill's provisions are such that quality of product would be destroyed. Ed Kuykendall, MPTOA chief, likewise assailed the measure, and clashed with Abram F. Myers, Allied's general counsel, who is leading the battle as principal exhib. proponent group representative. Hearings are expected to terminate early this week.

TRADE REFORMS: William F. Rodgers, M-G-M's general sales manager and a key figure in the new trade practices drive, stated that next move is up to the exhibs but that distribs, are willing to continue pact huddles. Toward the week-end, it became known that TTOA had endorsed the trade practice code with reservations with respect to four either omitted or inadequate issues.

PRODUCTION: While in Washington, George J. Schafer revealed that RKO Radio Services is footing $25,000,000 production budget for 1939-40 season, and covering 48 features. At the New York regional meet, Republic's execs disclosed company's 1939-40 budget will exceed $8,500,000.—some $1,500,000 more than current season, and that company plans to expand its world-wide operations ... Frank K. Speel, general manager of M-G-M's New York Studio, said eastern production is on up trend, with N. Y. banks more willing to finance.

LITIGATION: U. S. Attorney General is scheduled to meet in Washington today with U. S. attorneys re existing and impending pix suits. ... Federal Judge William Bondy signed order setting RKO confirmation, in wake of which Circuit Court scheduled first of appeals, that of H. Cassell & Co., from the decision. ... Samuel Goldwyn filed his suit against UA, transferring action from New York to Delaware.

STRIKE ENDS: Projectionists' walkout in N. Y. area terminated at confab between distribs. and officers of Local 306.

EXHIBITION: Gradwell L. Sera, Warners general sales manager, expressed view that New York World's Fair would make New York chief preview mart Broadway's pix palaces reported highly satisfactory Eisler Bill.


DISTRIBUTION: Nathan D. Gold, chief of the MP Division of the Allied States Corp, has disclosed that Nazi grabes had closed 2,626 theatres to U. S. films. Majors' home office foreign departments reported Italy's prompt action taking over Albanian theaters, making the trip of Tirana houses admirably free to public, and showing propagandists pix.

One article is clipped from the end of a long article which appears to be discussing various aspects of the film industry, particularly focusing on trade reforms, legislation, and production budgets. The article mentions a number of individuals and companies, including RKO Radio, Republic, and M-G-M. It also references various court cases and legal proceedings, as well as union activities, such as the projectionists' strike. The text is filled with references to specific dates, names, and company names, indicating a detailed and factual discussion of the industry at the time. The article concludes with a statement about the Allied States Corp's plans for the World's Fair in New York. Throughout, the text is dense and packed with information, typical of an industry publication focused on the film business.
Without hysteria, without braggadocio, without making rash promises that we can never hope to fulfill, Twentieth Century-Fox proudly presents its program for the season 1939-40.

The company will release fifty-two pictures.

In the following pages, we list titles, stars, players and directors that will be used to make up our 1939-40 program.
The literary properties outlined are the most important ever offered by this company. From this list will be selected the pictures that will make up our next year's group.

In spite of their great merit, a certain percentage of our story properties will fail to develop, because there always has been and always will be a percentage that, in final form, will not reach up to Studio expectations and must be replaced or dropped.

This is a situation which is inherent in the production of motion pictures.

These hazards, these changes, these heartbreaking disappointments are realized only by the man who has to deal day by day with the actual problems of production, but they exist in our industry and they cannot be eliminated.

As to the casts, we list that group of personalities un-
der contract to this company and those already borrowed from the outside from whom these pictures will be cast.

Other deals of course will be made, other names will be added from time to time as they have been in past years; but we do not mention our hopes in many directions simply because these negotiations are not actually completed.

In asking you, our customers, to purchase this product, we call your attention to the following facts on which you can base your judgment:

1. The production record of this company for the past four years since the 20th Century-Fox Film Corporation was formed.

2. The list of important box-office names under contract to this organization plus our ability to buy our share of additional talent in the open market.
3. The list of impressive and well-known properties from which our program will be made, plus the purchase of other timely books or stage plays offered on the market which may be superior to or more timely than some of those we have indicated in spite of their respective merit.

4. The incentive to continue to operate and conduct a successful and constantly growing company and to secure the continued good will and respect of the thousands of contented customers the world over which this company enjoys.

5. The mutual necessity of making product that will produce a profit for ourselves and for you, which can only be done in the future as in the past by producing the greatest number of money-making box-office attractions.
These ingredients and the reasons as stated above plus this company’s well-known record do not make so-called blind buying quite as blind as some would make you believe.

To the exhibitor who has used 20th Century-Fox product these past four years, we pledge the utmost that is possible to deliver a continuous flow of well made and profit-making quality motion pictures, to the end that we can continue to deserve and secure that support and confidence that has made this company’s record one of which we are all very proud.

Sincerely,

President, 20th Century-Fox Film Corporation

Vice-President in Charge of Production

General Manager of Distribution
THE RAINS CAME

STANLEY AND LIVINGSTONE
A production that has been more than two years in the making. A special expedition braved the African wilds for months to obtain authentic scenes. Directed by Henry King. The cast is one of the most impressive in screen history: SPENCER TRACY, RICHARD GREENE, NANCY KELLY, Sir Cedric Hardwicke, Walter Brennan, Henry Hull, Henry Travers, Charles Coburn, thousands more.

HOLLYWOOD CAVALCADE
The "Big Parade" of film history... patterned to the scale of "Alexander's Ragtime Band." Co-starring ALICE FAYE and DON AMECEHE. A cast blazing with luminaries of the film capital. Screen play by Ernest Pascal, from a story by Lou Breslow.

MARYLAND
In TECHNICOLOR. Produced as a companion picture to "Kentucky." Tingling and fascinating drama that revolves around the breeding of thoroughbred trotting horses and the glorious history of the state of Maryland. From the story by Sonya Levien.

Maeterlinck's
THE BLUE BIRD
Starring SHIRLEY TEMPLE. In TECHNICOLOR. One of the most important properties ever acquired by this industry. Based on the play and book of world-wide fame. To be produced with a lavishness that will make it stand out among even the very biggest of 20th's top-bracket hits.
EVERYTHING HAPPENS AT NIGHT
Starring SONJA HENIE. Romantic comedy, thrilling with the grace and heart-lifting beauty of the most spectacular ice ballets yet to present this top-ranking "First Ten" star.

DRUMS ALONG THE MOHAWK
In TECHNICOLOR. From Walter Edmonds' best of best-sellers. Two whole years of research and writing have been devoted to getting the full throbbing power of this story of pioneer trappers and the American Revolution onto the screen. Its multi-star cast will be one of the year's most impressive.

THE MARK OF ZORRO
TYRONE POWER will star in this adaptation of one of the most sensationally successful and colorful boxoffice hits in all screen history. A role ideally suited for this most versatile and dashing of great stars. Truly big-picture!

A BRITON AT YALE
RICHARD GREENE'S sky-rocketing popularity will leap forward again with the showing of this attraction — an intensely dramatic story woven around the traditions and high-spirited activities of one of America's greatest universities.

SWANEE RIVER
The romantic Old South in song and drama. Starring DON AMECHE in a characterization that gives full play to his wealth of talent.

LITTLE OLD NEW YORK
Starring ALICE FAYE. The famous play by Rida Johnson Young, a notable success on stage and screen, rich in heart-warming sentiment and romance. Perfect for the glorious abilities of beautiful Alice Faye.
LADY JANE

Another SHIRLEY TEMPLE dramatic spectacle . . . produced with all the breath-taking scope of "The Little Princess." Resplendent with the brilliant and reckless gaiety of New Orleans at Mardi Gras. From the classic by Mrs. C. V. Jamieson. Directed by Walter Lang.

AN S. S. VAN DINE MYSTERY
(TITLE TO COME)

A master-stroke of showmanship stars SONJA HENIE in a story by one of the greatest living writers of detective fiction. A picture loaded with the electrifying surprises for which Van Dine is famous.

Elsa Maxwell’s

HOTEL FOR WOMEN

The flair of the famous Elsa for the daring has made her entertainments internationally famous. Here she makes her debut as a screen personality . . . in a story she co-authored with Kathryn Scola. A spontaneous-publicity natural . . . a word-of-mouth sensation. Directed by Gregory Ratoff. The first of three Cosmopolitan Productions.

DANCE WITH THE DEVIL

An original story by William Rankin and Eleanore Griffin, who wrote "Boys Town."

FRONTIER MARSHAL

A dramatization of the West in its most lawless and tumultuous days . . . depicting the never-to-be-forgotten exploits of historic Wyatt Earp.

HE MARRIED HIS WIFE

WARNER BAXTER and BINNIE BARNES, who scored so brilliantly in "Wife, Husband and Friend," in a story even richer in hilarity and romance.
THE KHYBER RIFLES
A story of heroic action . . . as British regiments and native hordes clash for the gateway to India . . . historic, blood-drenched Khyber Pass. To be produced on a lavish scale.

JOHNNIE APOLLO

20,000 MEN A YEAR
Quick-on-the-trigger alertness won 20th this story of modern aviation's newest phase—the fliers of tomorrow and their training in American colleges. Thrilling and alive with youth. From the story by Frank Wead.

HERE I AM A STRANGER
Sincere, moving, powerful, human! Father and son drama against a college background. From the novel by Gordon Hillman, first published in McCall's magazine.

SCOTLAND YARD
Based on the famous stage play of the same name by Denison Clift. Pulse-pounding with all the suspense and fascination its title suggests.

BREACH OF DISCIPLINE
The sensational European stage hit about women in the medical profession.

STEINMETZ, THE GREAT
A production of epic scope, revealing the human side of the scientist whose miracles captured every imagination. His early struggles and romance make a story compelling with real-life impact.

RED CROSS NURSE
A tribute to that inspiring group of women, followers of the Florence Nightingale tradition, whose heroism has repeatedly thrilled the world.
BRIGHAM YOUNG
America's pages know no more arresting and vital figure than the illustrious founder of the Mormon Church. His indomitable courage in the face of crushing obstacles constitutes one of the most grippingly dramatic stories ever written.

Irving Berlin's

SAY IT WITH MUSIC
An exciting new type of American cavalcade—original, different! Mellow with heart-warming memories inspired by 25 of the most popular melodies ever written. Prodigal with all that makes for production greatness!

I WAS AN ADVENTURESS
Vivid-as-life experiences of a woman who led a band of European swindlers. Unmatched for minute-to-minute excitement.

A DEAL IN HEARTS
A bright comedy of domestic relations and complications ... involving a wife who fought the eternal triangle with fire.

THE LITTLE DIPLOMAT
Starring SHIRLEY TEMPLE. A perfect vehicle ... to be produced with the abundance of show values with which 20th has determined to surround the world's No. 1 star!

DANCE HALL
Adapted from W. R. Burnett's colorful and powerful novel of the steel workers, "The Giant Swing." Directed by Gregory Ratoff.

LILLIAN RUSSELL
Brightest star of the brightest days of New York musical comedy, her story glistens romantically with diamond brilliance, sparkles with champagne effervescence. The era that gave the Gay White Way its name.
BELLE STARR
The famous woman outlaw of the turbulent West whose deeds of brazen daring rivalled those of Jesse James.

THE POSTMAN WALKS ALONE
One of the most compelling titles and one of the most vital stories the studio has scheduled for production.

These Popular Series
SOL M. WURTZEL, Executive Producer

4 CHARLIE CHAN PRODUCTIONS
Even stronger casts and higher-budget production are planned this year, following the enthusiastic acceptance by exhibitors and the public of Sidney Toler in the title role!

4 JONES FAMILY SERIES
The constantly-growing affection of theatre-goers for this family—both individually and as a group—is being reflected in successively larger boxoffice returns. More important story material will still further strengthen their value to you.

3 MR. MOTO ADVENTURES
Peter Lorre, as the famous Saturday Evening Post sleuth, has steadily become a more firmly established boxoffice asset. Added impetus will be given his popularity by the stronger material afforded him in 1939-40.

4 JANE WITHERS COMEDIES
The wisdom of 20th's star strategy is reflected in the fact that Jane Withers, again in 1938, was high in the enviable “First Ten.” Plans for the forthcoming season include important casts and stories calculated to widen her top-rank appeal and marquee pull.

—and—

13 ADDITIONAL FEATURES
As yet untitled.
THE PRODUCING ORGANIZATION

DARRYL F. ZANUCK
Vice-President in Charge of Production

WILLIAM GOETZ
Vice-President and Executive Assistant to Darryl F. Zanuck

SOL M. WURTZEL
Executive Producer

Associate Producers
Harry Joe Brown
Raymond Griffith
David Hempstead
Nunnally Johnson
Edward Kaufman
Kenneth Macgowan
Gene Markey
John Stone

Directors
Otto Brower
Irving Cummings
Roy Del Ruth
Allan Dwan
John Ford
Eugene J. Forde
Norman Foster
Herbert I. Leeds
Henry King
Walter Lang
Sidney Lanfield
George Marshall
Gregory Ratoff
William A. Seiter
Malcolm St. Clair
Alfred Werker

The Writers
Jack Andrews
Arthur Arthur
John Balderston
Edwin Blum
Lou Breslow
Walter Bullock
William A. Drake
S. G. Duncan
Philip Dunne
Kenneth Earle
Walter D. Edmonds
Robert Ellis
Don Ettinger
Robert Harrari
Sam Hellman
Anne Herendeen
Ethel Hill
Joseph Hoffman
Leonard Hoffman
Betty Hopkins
Frances Hyland
Boris Ingster
Frank L. James
Rian James
Jack Jungmeyer

Curtis Kenyon, Jr.
Fidel La Barba
John Larkin
Henry Lehrman
Sonya Levien
Helen Logan
Walter Morosco
Morris M. Musselman
Samuel Ornitz
Ernest Pascal
William Rankin
Eleanore Griffin
Gregory Ratoff
Albert Ray
Allen Rivkin
Sid Silvers
Richard Sherman
Edith Skouras
Milton Sperling
Barry Trivers
Lamar Trott
Harry Tugend
Karl Tunberg
Jack Vernon
Darrell Ware
Frank Wead
**THE STARS AND PLAYERS**

The personalities listed below include only those now under contract to 20th Century-Fox. Other established names will be cast in fulfillment of story demands. And 20th will continue its successful practice of developing talent into stars of maximum value.

<table>
<thead>
<tr>
<th>Shirley Temple</th>
<th>Sidney Toler</th>
<th>Russell Gleason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tyrone Power</td>
<td>Jane Withers</td>
<td>Kane Richmond</td>
</tr>
<tr>
<td>Sonja Henie</td>
<td>Lionel Atwill</td>
<td>Joseph Schildkraut</td>
</tr>
<tr>
<td>Alice Faye</td>
<td>Henry Fonda</td>
<td>George Sanders</td>
</tr>
<tr>
<td>Don Ameche</td>
<td>Joan Davis</td>
<td>Slim Summerville</td>
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<tr>
<td>Nancy Kelly</td>
<td>The Ritz Brothers</td>
<td>Wally Vernon</td>
</tr>
<tr>
<td>Richard Greene</td>
<td>John Carradine</td>
<td>Marjorie Weaver</td>
</tr>
<tr>
<td>Cesar Romero</td>
<td>Lynn Bari</td>
<td>Arleen Whelan</td>
</tr>
<tr>
<td>Annabella</td>
<td>Spring Byington</td>
<td>Florence Roberts</td>
</tr>
<tr>
<td>Warner Baxter</td>
<td>Jed Prouty</td>
<td>Amanda Duff</td>
</tr>
<tr>
<td>Binnie Barnes</td>
<td>Eddie Collins</td>
<td>Pauline Moore</td>
</tr>
<tr>
<td>Peter Lorre</td>
<td>Douglas Fowley</td>
<td>Joan Valerie</td>
</tr>
</tbody>
</table>
SHORT PRODUCT

The policy of producing its own short subjects, under the supervision of Truman Talley, has evoked such a gratifying exhibitor response that 20th Century-Fox will continue it this season. Quality will again guide the planning of these one-reel featurettes.

6 LOWELL THOMAS' MAGIC CARPET OF MOVİETONE
Incomparably the finest in its field, narrated by the greatest voice of screen or radio. A subject whose breath-takingly beautiful photography and interesting subject matter has made it a "must" for all the better theatres.

6 ED THORGERSEN'S SPORTS REVIEWS
Already, in one season, an established success. Its unique "inside story" slant on outstanding sports activities accounts for its great popularity. Narrated by the man who knows ... and knows how to tell it.

6 DRIBBLE-PUSS PARADES
The absurdities, peculiarities and laughs in life are shown on the screen while America's No. 1 funny man, Lew Lehr, convulses you with his cock-eyed comment.

4 ADVENTURES OF A NEWSREEL CAMERAMAN
To be individually produced—not compiled as in the past—thus heightening the amazing thrill and suspense that have made this series one of your surest-fire attractions.

4 VYVYAN DONNER FASHION FORECASTS
In TECHNICOLOR. A subject with sensational feminine appeal that has taken the men by storm. The tops in smartness, beauty and audience pull. With sparkling comment by Ilka Chase that would, in itself, mark this series as outstanding.

—and—

26 TERRYTOONS
Paul Terry's organization will have ten subjects in TECHNICOLOR this season—five of which will be delivered before January 1, marking another forward stride in this company's live-wire production schedule.
Probably never before in this country's life has the public been so intensely interested in news the world over ... making it a matter of utmost importance that your theatre show the finest in newsreels. Movietone News' farflung international organization ... the morale of its cameramen who snatch scoops in the very midst of peril ... the unequalled speed with which it rushes the news to your screen ... its incomparable corps of editorial specialists ... all make it unchallenged No. 1 in newsreels. Issued twice each week.
## FIRST QUARTER RELEASES 1939-40

(TENTATIVE)

<table>
<thead>
<tr>
<th>Release Date</th>
<th>Production</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 5</td>
<td>HOTEL FOR WOMEN</td>
</tr>
<tr>
<td>12</td>
<td>CHICKEN WAGON FAMILY (starring Jane Withers)</td>
</tr>
<tr>
<td>19</td>
<td>HOLLYWOOD CAVALCADE</td>
</tr>
<tr>
<td>26</td>
<td>MR. MOTO adventure</td>
</tr>
<tr>
<td>September 2</td>
<td>STANLEY AND LIVINGSTONE</td>
</tr>
<tr>
<td>9</td>
<td>THE JONES FAMILY AT THE WORLD'S FAIR (N. Y.)</td>
</tr>
<tr>
<td>16</td>
<td>HE MARRIED HIS WIFE</td>
</tr>
<tr>
<td>23</td>
<td>CHARLIE CHAN AT TREASURE ISLAND</td>
</tr>
<tr>
<td>30</td>
<td>RED CROSS NURSE</td>
</tr>
<tr>
<td>October 7</td>
<td>STOP, LOOK AND LOVE</td>
</tr>
<tr>
<td>14</td>
<td>A BRITON AT YALE</td>
</tr>
<tr>
<td>21</td>
<td>HOLD ME TIGHT</td>
</tr>
<tr>
<td>28</td>
<td>THE RAINS CAME</td>
</tr>
</tbody>
</table>

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JOSEPH M. SCHENCK  
Chairman of the Board

SIDNEY R. KENT  
President
Rom Fiddlers White Pix Audiences Burn

Washington Bureau of THE FILM DAILY

Washington—Department of Commerce figures obtained on the week-end furnish strong evidence of reason why Italy has been trying "unofficially" to get U. S. films back into that country. American Commercial Attache at Rome is understood to have reported that only five U. S. features were shown in Rome during January, 1932—the month immediately following the withdrawal of U. S. majors. Italian audiences are, it is learned, still very pro-Hollywood, and fascist authorities are strongly conscious of the fact.

Para. Stockholders' Suit Is Moved to Federal Court

Southern District, was approved Saturday. Answers to the charges were in the form brought by Frank Jablow and Sam Acker may be filed this week.

The minority stockholders charged mismanagement and seek to force certain executives to return $25,000,000 to the corporation.

Joseph Nemirov, counsel for the stockholders, said his clients were not interested mainly in money damages, but would seek to have present officers removed. He said they were preparing for a fight at the annual stockholders' meeting in June.

Religious Pictures May Be Produced in Canada

Montreal—Plans are under discussion for the production of religious films in Canada, Rev. C. H. Dickinson, book steward of the United Church of Canada, told the Board of Evangelism and Social Service at its annual meeting.

The church intends to go into the religious film business, he said, and will cooperate with religious film producers in England and the United States. A film exchange system may be inaugurated shortly.

Republic to Distribute 20 In Mexico Under New Pact

Morris Goodman, Republic's foreign chief, advised the home office over the week-end that he had closed a deal with Alianza Films, S. de R. L. of Mexico City, for the distribution of 20 selected features on the current program. Alianza also will handle four to six serials on the 1937-38 and 1938-39 lineups.

Goodman left Mexico City Friday and is now in Panama.

Ratify De Luxe Pact

Contrary with De Luxe Labora-

tories was ratified by a large ma-

jority of Local 702, Laboratory

Technicians' Union, at a member-

ship meeting Friday night. Pact will

run to Dec. 31, 1940, and will be

effective as soon as it is signed. A

closed shop, increase in wages, va-

tions and time and a half for

overtime are features of the agree-

ment. Negotiations for the union

were conducted by John Rugge,

president.

Warners Book "Crisis"

"Crisis," being distributed by Ar-

thur Mayer and Joseph Burstyn, has

been booked into 150 Warner the-

aters throughout the country.

W B SALES UP 25%;
SEARS DRIVE ENDS

Week established a record in the in-

dustry.

The campaign started Dec. 25 and

executives said over the week-end

that it was the most successful in

the company's many years of sales
drives.

Around 11,500 accounts were ser-

viced by Warners last year and the

sales department expects to go over

the 12,000 mark this year. With "Dark Victory," "Dodge City" and "Confessions of a Nazi Spy" receiv-

ing widespread public interest, the

sales execs are expecting "Junes" and

other product for the balance of the

year to be just as big. Selling season was started earlier than any

year previously and execs, believe that quality of product plus early

starting will give the company its

biggest year in history.

To Televise Derby

Deal has been closed by Baird Televison in England to televise the

English Derby on May 24.

There is no other source from which we can ob-

tain the valuable information contained in the

Year Book and we refer to it quite frequently.

I certainly would hate to be without it.
"U" Plans 40 Features, Four Specials, 14 Outdoor Pix

PARA. CONVENTION ON COAST IN JUNE

Blumberg Says It's a "Universal Year"

It's going to be a Universal year, Nate Blumberg, president, said Friday as he left for the Cincinnati convention. "We believe we have the finest lineup of stories and the best men to make them in the history of the company," he said.

Program Designed to Conform to Trade Code, Scully Says

(Continued from Page 1)

feature pictures, four special attractions, seven outdoor pictures starring Richard Arlen and Andy Devine, seven westerns starring John Wayne, four serials, 13 two-reeler and 43 single-subject series, a special two-reeler, "March of Freedom," and 104 issues of Universal's Newsreel.

The four specials include three to be made by Harry Edington's Productions and "The Mikado". In commenting on Universal's sales policy, Scully said it was designed to conform with the proposed fair trade practice code when it is adopted.

The picture and star list as presented by Thomas C. North to the convention was confirmed fully a convention message sent to President Nate Blumberg from Cliff Work, studio head, that the new season would see the greatest number of top ranking pictures ever released by Universal in any one year. Blumberg told the sales representatives that production plans and commitments assure this release had been completed.

Stars already assigned include Deanna Durbin, Edward G. Robinson, Bing Crosby, Irene Dunne, W. C. Fields, James Stewart, Margaret Sullivan, Jackie Cooper, Fredric March, Danielle Darrieux and Basil Rathbone.

The bracket product will be made by Joe Pasternak, Henry Koster, John M. Stahl, Anatole Litvak, David Butler, Richard Wallace, Rowland V. Lee, Lester Cowan, Ben Stoloff and Joe May, and negotiations are on for other well known directors, Scully said.

The complete product list presented to the convention by Mr. Scully follows:

Deanna Durbin pictures—to be produced by Joe Pasternak.

The Ocean Between.—Directed by Henry Koster, and produced by Joe Pasternak.

A Bing Crosby Production—Foremost song and story writers are now working on this picture. To be directed by David Butler.

An Edgar Bergen-Charge McCarthy Production — With "Morning Slop" and amplified by other star names and special story treatment. David Butler will direct.

A John M. Stahl Production, "Dance of the Vamps"—A comic story of the romantic type.

A John M. Stahl Production, "Bull by the Horns"—From the best-seller by Charles Bonner, who will also do the screenplay.

A W. C. Fields Picture—Lester Cuneo.

A Margaret Sullivan Production—The winner of the Film Critics Award for the best performance by an actress in 1938, in another print-taking picture.

A Joe Pasternak Production—The Under Pup, starring Gloria Jean. This young newster, discovered by Pasternak, in a screenplay by Grover Jones taken from I. A. Wylie's story from Housekeeping Magazine. Richard Wallace will direct.

A James Stewart Picture.—One of the most successful box-office stars in a picture to be produced by Joe Pasternak. Mischa Auer has already been signed for the supporting cast.

"Tower of London" starring Basil Rathbone—and a case of important players. To be produced and directed by Rowland V. Lee.

"Victoria Dock and at 8" starring Basil Rathbone—The screenplay by James Cain is from the story of Rufus King. To be produced and directed by Richard Wallace.

Daniel Duryea will be in a Joe Pasternak production, with one of the most important directors in the industry to be assigned.

In its top bracket division, Universal will include the following ten pictures:


Two Pictures starring Jackie Cooper and Fredric March—An attempt to be directed by Burt Kelly, in connection with Joseph Santley, and "Bright Victory."

"Return of the Sheik"—A "super" production of the screen version of H. Rider Haggard's classic. Will be done and directed by Ben Stoloff.

Two "Family Next Door" Pictures—Produced by Chay Biderman, directed by Herbert standing Picture—A romantic comedy of the popular type.

An Edgar Bergen-Charge McCarthy Production — With "Morning Slop" and amplified by other star names and special story treatment. David Butler will direct.

A John M. Stahl Production, "Bull by the Horns"—From the best-seller by Charles Bonner, who will also do the screenplay.

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Two "Family Next Door" Pictures—Produced by Chay Biderman, directed by Herbert standing Picture—A romantic comedy of the popular type.
A COMING EVENT...

Wm. S. HART

IN A ROARING, SURGING WESTERN OF WESTERNS!

TUMBLEWEEDS

THE GREATEST REVIVAL IN THE HISTORY OF FILM!

GREATER IN ITS EPIC STORY TELLING THAN ANY FILMED BEFORE

... BIGGER THAN ANY ATTEMPTED SINCE!...

ASTOR PICTURES CORP.
Showmanship for Showmen
1270 SIXTH AVE.
RADIO CITY, N.Y.

SOON

THE MADDEST RUSH FOR FREE LAND IN HISTORY ... (The Cherokee Strip) ... WITH THE STAR DEMANDED BY MILLIONS!

THE MAN WHOSE BOOTS THEY'RE TRYING TO FILL!

AVAILABLE IN ASTOR EXCHANGES IN ALL KEY CITIES.
"BEAU GESTE"

starring

GARY COOPER
RAY MILLAND
ROBERT PRESTON

Brian Donlevy • James Stephenson

WILLIAM A. WELLMAN
Producing and Directing

PARAMOUNT FOR 1939-40
For Theatre Men by Theatre Men
High Court Rules for Ascap in Florida, Wash. Actions
Pettijohn, Myers in Final Neely Bill Arguments
Operators' Strike Threat Not Yet Averted—Gatelee

"Times Are... ...what you make them"

By CHESTER B. BARN

TIMES are what you make them," observes Grant L. Sears.

People of old-fashioned "horse sense" in those six words, and the situation being what it is today, wouldn't be a bad idea were Warners to print the sales chief's speech. Sears wonders: Would the record show a general European war develop is a reasonable manifestation of industry courage. Or if you want it in down-to-earth English, a display of guts all along the line.

That's why the announcement by Charly Einfeld that Warners will spend $100,000 to advertise the forthcoming run of "Juetz" at the New York World during the World's Fair is so important.

A period when, in some jittery quarters, there is a disposition to cavil while "waiting to see what happens," Warner's word can be calmly met with a $2 pix and a top appropriation to launch it.

It is keen showmanship or call it psychology as you will, it is a move that, in the long run, will benefit not only "Juetz" and Warners, but American film as a whole.

While we're on the subject of showmanship, don't overlook the sound reasoning underlying that second factor in the Warner decision to present "Juetz" in New York at $2 for the fair's duration.

Sears envisions the Fair transforming this metropolis into a world preview market for films. He believes that the millions of visitors attracted by Grover Whalen's exposition will not be indifferent to Broadway pix entertainment and he sees them returning to the four points of the compass as film "salesmen.

Not all Fair visitors will pay $2 to see "Juetz." It is cautioned, but even those who do not will not remember that the picture was presented at $2 on Broadway and will be inclined to view it personally and suggest it to their own coterie when it comes to their home towns later. Such, at least, is the Warner hunch.

And the record establishes the Warner crowd know their hunches.

NBC FILM TELECASTS TO START APRIL 30

Formal announcement was made yesterday by Lenox L. Riehl, NBC exec, of the company's television transmission schedule in connection with the New York World's Fair. Some 23 hours per week will be devoted to telecast of programs.

Cultivate Latin-American Field, Says Nathan D. Golden

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Recommendation that the American pix industry pay still greater attention to the Latin American market.

Blumberg Traces Course as Universal President

Cincinnati — Nate J. Blumberg, Universal's prexy, reviewed every important decision he has made.

CONSTITUTIONAL ISSUE UNDERDetermined AS ASCAP WINS FLA., WASH. ACTIONS

Depinet, Weeks to Attend Variety Convention Dinner

Dietore—Ned E. Depinet, vice-president of RKO-Radio Pictures, and George W. Weeks, general sales manager of Monogram, will attend the Variety convention banquet here.

"The Big Four"

Washington, D.C.—THE FILM DAILY

Washington—Step up and meet the "Big Four." Taking note of the frequent references to the Big Eight by Neely Bill proponents before the Senate Interstate Commerce subcommittee, C. C. Pettijohn, MPPDA general counsel, introduced the "Big Four" into his closing statement yesterday, naming "Miss Lyford, Mrs. Bannerman, Mr. Atkinson and Mr. Myers." Respectively, they are: Catherine Lyford, executive secretary of the Massachusetts Civic Leage; Mrs. Mary Bannerman, Washington legislative representative of the M. P. Research Council; Henry R. Atkinson, president of the Boston Chapter of the M. P. Research Council; and Abram F. Myers, general counsel and chairman of the board of Allied.

Code is Solution, Says Former; Latter Offers Amendments

By MILTON L. LOUTH

Washington—The trade practice code now being considered by exhibitor organizations is the only constructive, effective, practical and workable approach to the problem presented," C. C. Pettijohn, MPPDA general counsel, told the Senate Interstate Commerce committee, considering the Neely Bill yesterday as hearings on the controversial measure closed.

Pettijohn, declaring that opponents of the bill have shown it "will do nothing but harm to the motion picture business and will actually...

RODGERS SAYS ALLIED PROGRAM NOT IGNORED

Only one exhibitor association has flatly rejected the proposed trade practice code, W. F. Rodgers, spokesman for the distributors' committee, said yesterday. The others, he said, have approved the code with reservations or indicated that...

Dramatists Meet Tomorrow; Vote on Basic Royalty Pact

Dramatists' Guild Council meets tomorrow and is expected to vote on the first draft of the new basic royalty contract with film producers, it was learned last night. De...

Pix Censors Like Foreign Dictators, Richey's View

Columbus, O.—Branding the six states of Ohio, New York, Pennsylvania, Maryland, Kansas and Virginia as comparable to foreign dictators in their systems of political...
Empire May Invite 306 Prexy to Make Address

Speeding up of amalgamation of Local 306, projectionists' union, and the Empire State Operators' union was forecast yesterday. An executive board meeting of Empire will be held tonight to discuss inviting Joseph Basson, 306 prexy, and an LATSE official to address the membership.

Abraham I. Kindler, president of Empire State Projection Operators' union, was arrested yesterday morning by the Kings County Sheriff's office on a warrant issued by the Supreme Court of the State for his supposed complicity in a scheme for the disposal of property. The warrant was obtained by the Kings County Union and the Brooklyn Union, which are two rival unions.

Appeal by Kindler for a stay of the contempt order was denied in the Appellate division. In addition to the previously named sum, Kindler will also have to pay Kimmel the sum of $12750.00.

Producers and Local 52 to Discuss Pact Changes

Meeting is expected to be held the latter part of this week or early next week at the office of Pat Casey, producers labor representative, between producers and Local 52, stewards of the Screen Actors Guild, to discuss a readjustment of working conditions in the five-year contract negotiated last year. Question of wages and hours will not enter the discussions, it was reported.
ULTIMATE LATIN-AM. MARKET, GOLDEN PLEA

(Continued from Page 1)

in market was the keynote of the SMPE convention address made here today by Nathan D. Golden, head of Motion Picture Division, Department of Commerce.

One of 15 speakers with assigned subjects to address the SMPE Spring meeting which continues through Friday at the Roosevelt Hotel, the federal Government's official spokesman comprehensively discussed the world situation, the prepared talk being largely Golden's article written for the new 1939 FILM DAILY ear Book.

Referring to the Latin American market, Golden pointed out that with 5,239 potential theater outlets dissent, new theater construction is increasing yearly. He told the SMPE audience that production of panish-dial-pig in Hollywood employing stage favorites from South America would be "a great stimulus" to the development of the Latin American market.

Speaking generally, Golden urged production of films for foreign markets with a definite appeal to the strong of foreign theaters and the latter's natural fondness for familiar names and ways of life.

Lester Cowan, who is associated ith Sinclair Lewis in the production of "Angela is 22," stated in addressing the meeting that he plans to make television tests of commentaries for important parts in picture.

Other speakers included Mayor Fletcher Bowron, William K. Howard and James Hilton. The membership committee reported that SMPE has six honorary members, 140 fellow members, 355 active members and 840 associate members.

Erpil gave a cocktail party yesterday at the Roosevelt, and will present tour of inspection of Erpil's new Hollywood plant and laboratory toorrow afternoon.

Bob Hope will appear as master of ceremonies at the convention banquet Thursday night.

Happy Birthday

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

APRIL 18
Col. Fred Levy
Glenon Alivia
Louis N. Cohen
Eddie Roberts

DRAMATISTS TO VOTE ON Royalty CONTRACT

(Continued from Page 1)

pacture of Robert E. Sherwood, Guild president, for Europe later this week is said to have expedited consideration of the agreement.

New contract will run until Jan. 1, 1940. Terms include minimum advances for stage productions, royalties, and termination of negot-run, plus provision for arbitration of disputes.

Government to Have Hand in N. Z. Conciliation Board

West Coast Bureau of THE FILM DAILY

Hollywood—At the request of distributors and exporters, a conciliation board will be established in New Zealand, according to Harry Hunter, Australian manager of Paramount, who arrived here yesterday. The board will consist of four distributors and four exhibitors and will be presided over by a magistrate appointed by the government.

Amalgamated Theaters and the Massey group of theaters will name two representatives, with independent exhibitors also represented by two members. Distributors have already selected their representatives.

The 25 per cent rejection clause operating in New South Wales is proving a heavy burden on distributors according to Hunter who said some exhibitors are taking advantage of clause which provides for rejection in all brackets.

Cecil Mason, Columbia's representative in Australia who also arrived yesterday, leaves today for New York, while Charles Munroe, executive director of Floyd's Circuit, who was expected yesterday, did not make the trip. In his stead will come Maurice Jonas, general manager of White's Circuit, who is expected April 30. Dan Carroll, independent exhibitor in Australia, is also expected April 30.

Lusk Returns Thursday From Survey of Europe

Norbert Lusk, former editor of Picture Play, arrives in New York on Thursday from Europe aboard the Rex, following an extensive tour of Continental countries for purpose of determining how market there can be increased for U. S. films.

During his survey, Lusk examined conditions in the Scandinavian countries, Germany and Italy in particular.

Upholds the Law

Asked by Rollie Rovil during a radio interview, who, if he were the public person most difficult to follow on any program, would be the person he would call to the stand? he quickly declared: "Louis Nizer, the film attorney."

Judge Charles Nizer is recognized as a better attorney than any of the top-flight national lawyers and refused to make a single exception.
WARNER BROS. will begin the $2-top roadshow engagement in New York of the motion picture the world will forever know as the screen at its greatest, drama at its fieriest, acting at its finest.

PAUL MUNI and BE 'JUAREZ'

A story so momentous that it requires a supporting cast of 1186 players, headed by

BRIAN AHERNE
CLAUDE RAINS • JOHN GARFIELD
DONALD CRISP
Joseph Calleia • Gale Sondergaard • Gilbert Roland
Henry O'Neill • Directed by WILLIAM DIETERLE
Screen Play by John Huston, August Mackenize and Wolfgang Reinhardt
Based on a Play by Franz Werfel and the Novel, "The Phantom Crown" by Bertha Harding • Music by Erich Wolfgang Korngold

JACK L. WARNER
In Charge of Production
HAL B. WALLIS • HENRY W. BLANKE
Executive Producer • Associate Producer
A NEW AND IMPORTANT REASON FOR A NEW YORK ROADSHOWING

... 'Juarez' comes to the Hollywood Theatre in New York—and millions from the nation over come to the World's Fair in New York at the same time! Picture what this means nationally in direct word-of-mouth prestige!
A "Little" from Hollywood "Lots"

By RALPH WILE

HOLLYWOOD

M-G-M Teams Gable-Loy Again

STUDIO news: When M-G-M has selected Clark Gable and Myrna Loy for the leads in Robert Sherwood's play, "The Road to Yesterday," Darryl F. Zanuck is considering a number of actors for the parts of Sherlock Holmes and other Conan Doyle pictures for Sidney Lanfield to direct because of Lanfield's excellent work on "The Hound of the Baskervilles." Ann Sheridan has been lost to Warner Bros. Walter Wanger for the leading feminine role in "Winter Carnival." Jack L. Warner has telegraphed a bid to attend the New York "Jazz" premiere to President Cardenas of Mexico. But whether Cardenas makes the trip or not, a special train will bring Washington diplomats to New York, studio states.

Valley Forge Film for Warners

By RALPH WILE

Warner Bros. has commissioned Crane Wilbur to write the script for a picture to be called "The Dead End Kids at Valley Forge," which will give the Warners a military background. Wilbur has gone to Valley Forge, Pa., to prepare the script.

Blumberg Traces Course as Universal President

(Continued from Page 1)

since his assumption of the presidency and gave the reason influencing his judgment at the company's regional sales meeting here yesterday, Blumberg held the floor for an hour.

In addition to W. A. Seully, general manager of the west coast product, others to speak included Al Herman, Dave Miller and H. D. Graham, district managers. "Hollywood," You Said It," play in "gridiron" fashion, was presented at the closing highlight of session by Dave Miller, Tony Ryan, George Jeffrey, Paul Barson, Lou Hess, Ralph Good, Herman Konnis, Tom Murray and Louis Pollock.

Titles of the three Harry Edington productions for Universal release, which were omitted in the product story yesterday in The Film Daily, are: "Atlantic Cable," with Douglas Fairbanks, Jr.; "Give Me a Smile" in a screenplay based on the stage play "La Chienne," and "Green Hill," a tropical drama. Charles Boyer has been added to the list of Universal stars.

Universal Execs. in Chi. for 5-Day Sales Meeting

"Forge" — They have arrived, the Universal Home Office executives, district managers and salesmen. The planes and salesman arrive here to open the 5-day annual sales meeting starting this morning. All the Home Office executives who attended the Cincinnati meeting, which closed last night, will be in attendance here, and include W. A. Seully, general sales manager, Nate J. J. Miller, vice-president, P. J. A. McCarthy, Eastern sales manager, W. J. Heineman, Western sales manager, Joseph H. Seidelman, in-coming manager and Louis Pollock, Eastern advertising and publicity head.

WHO'S WHO IN HOLLYWOOD

Introducing Interesting Personalities: No. 211


Lund Anti-Duals Bill Goes to House Com. Today

Springfield, Ill.—Two Lund bills relating to motion pictures will receive House attention today. His bill (No. 166), which prohibits block-booking in Illinois, will receive its second reading in the House and his bill No. 575, which prohibits double features, will have its hearing before the Committee.

"Wuthering Heights" Sets Rivoli Attendance Record

All attendance records set by the Rivoli Theater, Broadway, have been broken by "Wuthering Heights," United Artists announced yesterday. Since the premiere Thursday and continuing over the weekend yesterday noon, a greater number of persons has paid more money in admissions to see "Wuthering Heights" than any other picture, according to the UA report.

Record business also was announced from Philadelphia, San Francisco and Miami.

Pix Censors Like Foreign Dictators, Richey's View

(Continued from Page 1)

censorship of motion pictures, H. M. Richey, RKO's director of exhibition relations, yesterday attacked those systems in a symposium on film censorship sponsored by the B'nai B'rith Hillel Foundation.

Richey pointed out that Motion Picture Production Code and Code Administration adequately fulfilled the needs of the industry in guarding against the use of material that might be either locally or internationally in bad taste.

Admitting that the Code is looked upon by many as being severe, Richey said that this self-regulation has been designed "because of the conviction of the motion picture industry that, dependent as it is on public good will, they want to please the greatest number.

He then explained how, under the Code, "not a single picture that had been given the seal of approval during the last two years has been kept off the screens." And yet, he continued, a film that is free to run in every other state must also be approved by a censor in some states.

"In further attacking censorship, I should be called the world's most dangerous experiment," Richey said that every producer "must take away money that could go into production expenses for political purposes, and so the public in the end pays and pays."
NFC FILM TELECASTS
TO START APRIL 30

(Continued from Page 1)

utilizing films. Latter, it is learned, will comprise commercial pictures and jingles, but from what specific sources was not disclosed.

Film transmissions will commence on Sunday April 30 during the initial program which starts at 12:30 a.m. and concludes at 4 p.m. Theretofore, on Monday, Tuesday and Thursday of each week, film transmissions will take place from 11 a.m. to 4 p.m., but on Wednesdays and Fridays they will begin at 4 p.m. and continue until 8 p.m.

The film transmission which is primarily intended for dealer demonstrations of receiving sets, but which can be picked up by current owners of such units, will have its source in Radio City.

**WEDDING BELLS**


Chicago—Miss Ruth Gumbiner, daughter of Nate Gumbiner, theatre owner, was married to Lawrence Coyne.

Cincinnati—Paramount’s Evalyn Sweet married Phil Sauer, Times-Star Reporter.

Cleveland—An engagement of general local film interest announced was that of Ray Essick, son of P. E. Essick of the Scoville-Essick and Reil circuit, and Miss Lois Larker of this city.

Cleveland—Raymond Schmertz, son of I. J. Schmertz, local 20th-Fox branch manager and Mrs. Schmertz, and Miss Lois Wolf will be married on May 21 at the Wade Park Manor.

Richmond, Va.—Walter Broadwell, Neighborhood Theaters poster artist, will marry Miss Shannon Jones of Chase City, on April 20.

Burlington, Vt.—Mrs. Mary W. Leslie of this city has announced the marriage in Glendale, Calif., of her daughter, Marion, to Roger Kene- th Sargent, also from Burlington, who is associated with Technicolor.

**SHORT SHOTS FROM EASTERN STUDIOS**

By SID WEISS

OUR Own “Who’s Who” Dept....

Ben K. Blake... Born in Brooklyn, L. I., Sept. 18, 1893, started in pictures from the top as an exhibitor... Ran one of the first nickelodeons in New York.... Joined the old Imp Co. in 1913 as property man... Was assistant di-

rector with Universal in the days when King Baggott, Mary Pickford, Florence Lawrence and the Moore Brothers were getting the heavy fan mail... Was production manager on the first feature turned out at the Fort Lee studios, with Mary Fuller in the lead... Co-directed with Hobart Henley for Pathe in Jersey City in 1917... (Norma Shearer was an extra in some of their pictures)... Began produc-

ing on his own in 1921... In 1930 produced and directed for Warner Bros. at the Vitaphone plant... Started producing shorts for Colum-

bia in 1932... Is now producing and directing Jewish as well as English features... Has made two and has two girls and a boy... Lot’s in the low 150’s and has never missed a Film Daily golf tournament... As a matter of fact, he’s been getting the lil ole paper since it was Wl’s back in 1915.

On and off the sets... Arthur Dreifuss has completed two of a forthcoming “Color Parade” series, “Great Hall Vanities” for Columbia at Astoria... Ira Genet is making new color tests in preparation for his forthcoming “Color Parade” series, “Robert Aliser’s production, “Brick’s Without Straw,” starring Syliva Sidney with Marion Ge-

rre, and directing, should get under way before the month is up... Segar Ellis, Ork leader who appeared in “One Rainy Afternoon” opens next week with his Quiet Brass orchestra at the.

Trade Reform, Neely Bill

Before Allied of la.-Neb.

Des Moines — The Allied Inde-

pendent Theater Owners of Iowa and Nebraska met at the Kirkwood Hotel, yesterday for a two-day session, with approximately 100 exhibitors and film exchange people attending the opening luncheon. Prexy Leo F. Wolcott of Eldora, presided at the afternoon meeting devoted to discussion of trade prac-

tices and the Wurts Pair site, with a name band and big girlie show... Irv Cahn, who got himself secretly married the other day to Margie Young, of “Hellzapoppin”...

**SEEK TO FORCER OHIO TO TAX FILM RENTALS**

(Continued from Page 1)

proximately $750,000 which the plaintiff claims is due the state.

An Ohio Tax Commission regulation states that sales tax shall not be collected where the right to use personal property is conferred by a payment of an admission charge. The petition contended “rentals of items of tangible personal property and retail sales of such items are basis for collection of the tax.”

Attorneys for the defendants were granted an alternative writ of mandamus answerable May 20th.

Named in the suit were Big Features Rights Corp., Columbia, G-B, Grand National, Leew’s, M-G-M, Monogram, RKO, Republic, 20th Century, First National, Universal, UA, WB, and Vitagraph, all with Cincinnati exchange offices, and Par-

amount in Cleveland.

N. Y. State Censors Okay

“Nazy Spy” Without Cut

The New York State Censor Board has passed Warner’s “Confessions of a Nazy Spy” without a single cut or suggested change, Charles Einfeld, Director of Advertising and Publicity, said yesterday. Pix will have its world premiere at the New York Strand on April 28.

W. J. Hemsteger Dead

Dayton, O.—William J. Hemsteger, 70, who operated the first projector to Southern Ohio audiences, died here.

Shorts—What are they? Who has them? How good are they? ALL ABOUT THEM in the forthcoming FILM DAILY SHORT SUBJECT QUARTERLY
"A thing of beauty that will remain forever in the imagination of those who see it. I exhort everyone to hasten to the Rivoli for the pleasure of seeing the wild passionate love affair."
—New York Daily News

"Here is a truly magnificent film. Its great power and beauty will hold you from beginning to end."
—World-Telegram

"It is the most impressive picture this season. With its wild beauty, its passionate love story, its stormy dramatic episodes, 'Wuthering Heights' is a thrilling experience."
—Daily Mirror

"A fine film...distinguished and engrossing. There is shrewd showmanship in this Goldwyn production."
—Herald-Tribune

Starting with the premiere last Thursday and continuing over, have paid more money in admissions to see WUTHERING HEATH.

To the critics and the motion picture commentators, most sincere and grateful appreciation. Never has praise meant so much to me.
"Unquestionably one of the most distinguished pictures of the year, one of the finest ever produced by Goldwyn and one you should decide to see. We expect it to be among the year's best ten."

—New York Times

"'Wuthering Heights' is a good picture. It differs from other good pictures by its use of emotional power. Seeing it is an emotional experience. A picture you are not likely to forget."

—Evening Sun

"Takes its place as the most distinguished film that 1939 has yet brought forth. It is a great film."

—Evening Post

"Bronte novel brilliantly filmed. Outstanding in its compelling artistry and dramatic power. Beautifully done."

—Journal-American

week-end up to one p. m. Monday, a greater number of people than was the case with any picture the theatre has ever played!

every newspaper in the land, I offer the memory has a picture had such tribute.

Samuel Goldwyn

Released thru UNITED ARTISTS
RODGERS SAYS ALLIED PROGRAM NOT IGNORED

(Continued from Page 1)

further clarifications were desired. Rodgers said he would welcome suggestions as were offered last week by the TTOA, which, incidentally, is the only unit outlining its wishes and suggested changes in the code.

Refuting remarks made by Abram F. Myers, Allied general counsel, who yesterday stated in Washington that the Allied draft had been "rejected in toto," Rodgers said that Myers' proposals had not been ignored.

He added that Myers had misinterpreted his letter to exhibitor leaders, following the completion of the last draft, when he said that "It is obvious that this is not complete and further elaboration will be necessary." Myers mentioned this quotation from the letter in the former's summation before the committee hearings of the Neely Bill in Washington. Rodgers said he was referring only to the clauses dealing with arbitration.

O. P. Bernard Dead

London (By Cable) — Oliver Percy Bernard, 58, prominent British architect, writer, and former principal scenic artists in the U. S. for Kwok & Erlanger, is dead here.

Depinet, Weeks to Attend Variety Convention Dinner

(Continued from Page 1)

April 29, in addition to industry executives formerly listed. Total registration will exceed 1,200, according to hotel reservations.

Many large industrial and civic groups are planning special entertainment for wives and guests, during business sessions. Henry Ford's Greenfield Village will be visited, and executives of Packard, Chrysler, and General Motors will personally conduct tours through their plants.

Max Roth Will Preside at Rep. Chi. Conclave

Republic announced program yesterday for its Chicago regional to be held at the Drake Hotel on April 20-21.

Opening day sessions will be held at 10:30 a.m. to 12:30 and 2 p.m. to 5:30. Second day sessions will be from 9:30 a.m. to 12:30 and from 2 p.m. to 5:30.

Meet will be chaired by Max Roth, central district sales manager, and speakers will include H. J. Yates, president of the republic; William Saul, special representative; James R. W. Williams, Republic Pictures Corp.'s president and general manager of distribution; Al Adams, publicity-advertising chief; and R. W. Nickels, president of Republic Pictures.

Expect Local 306 Will Act on New Contract Tomorrow

Regular membership meeting of Local 306 will be held tomorrow. It is probable that ratification of the recently negotiated pact with distributors, covering projectionists in the home offices, exchanges and newsreel will be voted on. This move will bring to an official close the recent strike of operators in New York which lasted for two weeks.

STIRN GETS ADDED TIME TO DOCKET RKO APPEAL

U. S. Circuit Court yesterday extended time of appeal of Ernest W. Stirn from the EKO reorg. plan's confirmation to May 15.

John S. Stover, counsel for Stirn, took appeals from orders of both Jan. 6 and Jan. 17, last.

J. B. Russell Dead

Cincinnati — J. Barbour Russell, pioneer exhibitor of Maysville, Ky., died.

STORKS!

Cincinnati — Monogram's B. Burns is father of a baby girl, Pegg Ann.

Portsmouth, Va. — Jay Kimmel manager of the Gates, and his wife are receiving congratulations on the birth of a six and a half pound daughter.
ASCAP WINS IN FLA.
AND WASH. ACTIONS

(Continued from Page 1)

The Florida anti-Ascap law, the Supreme Court affirmed the district court's decision. The Washington case was remanded to the District Court with directions to permit the introduction of evidence which had been denied Ascap during the hearing in the lower court.

Justice Black Dissents

Associate Justice Reed delivered the opinion in both cases; Justice Black wrote the two dissents. Justice Frankfurter did not participate in the decision of either case. The court's opinion in both cases was substantially the same in argument. Justice Black entered a written dissent only in the Florida case and merely noted a dissent on the other.

Allegations by Florida attorneys that $3,000 jurisdictional amount necessary to make the case a Federal action was not involved was overruled by the court's decision. "As members own the copyrights, as the limited assignment to the society of the right of public performance for profit, and share in the earnings through mandatory distribution under the articles of association and not by way of dividends, they are proper parties to the action," the Court said. "These members are real parties in interest."

Pointing out that Ascap collected almost $60,000 in Florida in 1936 and that it would cost members approximately $10,000 each to perform the same services in Florida of protecting their copyrights the court said, "from these facts, finding of the district court that the matter in controversy—the value of the aggregate rights of all members to conduct their business through the society—exceeds $3,000 in value is fully supported."

Constitutionality Undecided

The court did not decide on the constitutionality of the anti-Ascap laws, but in the Florida case stated the manner in and extent to which the challenged statute offends or complies with the applicable provisions of the constitution will be clearly after final hearing and findings. The only question before the court at the present time was concern solely with the interlocutory injunction and on the issue of jurisdiction, it was stated.

Answering arguments as to the lack of equity in the case, the exercise of discretion in ordering a temporary injunction, and the lack of findings before the order of temporary injunction the court said, "it is clear that there is equitable jurisdiction to prevent irreparable injury, if the sections of the state statute outlawing the society referred to: issue of constitutionality. The heavy penalties for violation and the prohibition of the issue of licenses or collection of fees show the need to protect complainants. Upon the conclusion that the motion to dismiss should be overruled, there was no abuse of discretion in granting an interlocutory injunction. The damage before final judgment from the enforcement of the act as shown by the affidavits would be irreparable."

Justice Black declared the decree enjoining and suspending Florida's anti-Ascap law should be reversed because, "no showing has been made that casts any doubt upon a State's power to prohibit monopolistic price-fixing; complainants failed to sustain their burden of showing $5,000 in controversy, as required by statute; and the court below failed to require a bond or other conditions adequate to protect the people in Florida who might be injured by the injunction."

"Ascap a Monopoly"—Black

He charged that Ascap has a monopoly over 95 per cent of the copyright music and declared, "not only does this combination fix prices through a self-perpetuating board of directors, but its power over the business of musical renditions is so great that it can refuse to sell rights to single compositions, and can, and does require purchasers to take at a monopolistically fixed annual fee, the entire repertory of all numbers controlled by the combination."

"We have here a price fixing combination that actually wields the power of life and death over every business in Florida, and elsewhere dependent upon copyright musical compositions for existence. Such a monopolistic combination's power to fix prices is the power to destroy," Justice Black declared.

Basis for the court's decision in the Washington case was the action of the District Court in deeming evidence Ascap wanted to present as immaterial because it was concerned only with the cost of compliance to the Washington law and not the value of the right to do business free of the compulsion of the statute. "We conclude that the refusal to permit additional evidence in these circumstances was in error," the high court said. The Washington decision quoted the argument concerning the $3,000 jurisdictional amount and said the same rule applied.

Mills, Ascap Executive,
To Address Arkansas ITO

Little Rock—E. C. Mills, chairman of Ascap's administrative committee, will be the principal speaker at the Arkansas ITO annual convention here on Apr. 23-24, it is announced by the exhibit organization's president, J. F. Norman.

D. R. Milsten, Ascap resident counsel for Arkansas and Oklahoma, whose headquarters are in Tulsa, will also address the meet, plans for which are being further formulated.

Jeffrey Joining "U"

George Jeffrey, former United Artists salesman in the Ohio territory, has joined Universal's Albany branch.

4th Annual
ZIEGFELD CLUB BALL
and MIDNIGHT FROLIC

Music by
EMIL COLEMAN and His Orchestra

Staged by
NED WAYBURN

STARLIGHT ROOF
The Waldorf-Astoria

Saturday, April 22, 1939

Tickets are priced at $10, $7.50 and $5 per person, supper included, and may be secured at McBride's Ticket Agency, The Waldorf-Astoria, or at the headquarters of The Ziegfeld Club, Inc., Room 592, The Waldorf-Astoria, El Dorado 5-3000.


The proceeds derived from these annual events are devoted to caring for ill and needy Ziegfeld girls with additional contributions to the Actors' Fund and Will Rogers' Memorial Fund.
Pettijohn Backs Code, Myers Would Amend Neely Bill

Neely Bill—Final Pro and Con

Climactic sentences from the statements made by C. C. Pettijohn, MPPDA general counsel, and Abram F. Myers, Allied board chairman, at the final hearing on the Neely Bill before the Senate Interstate Commerce sub-committee in Washington yesterday:

PETTIOH—CON

"If we are to have a bill, let’s have a fair bill—fair to all concerned—fair to the producer, distributor, the exhibitor and the public. If it is wrong to sell more than one picture at a time, it’s just as wrong for anybody to buy more than one picture at a time.

"And while we’re solving ‘blind-buying’ by statute, let’s do something for the public which is buying motion picture entertainments blindly. Let the bill provide that the public pay the way out instead of Refin. Let’s take care of these 88,000,000 ‘blind-buyers’."

"The outstanding, truly great thing about this business is that today we have all kinds of theaters catering to all kinds of people with various picture tastes and at prices all can afford to pay . . . . The very thing which permits this is the very thing this bill will destroy."

MYERS—PRO

"In conclusion, I submit:

1. No new points have been developed by the opponents of this bill which should deter this Committee from repeating its action in 1936 and 1938 in reporting this bill favorably to the Senate.

2. The only convincing attack was that made on Section 4—the synopsis provision—and those objections can be met by the amendments which I, in behalf of the association I represent, have proposed.

3. Despite efforts to establish opposition to the principle of block booking we have not given an inch. And in the meantime, the Big Eight, united through the Hays Association, have called a meeting of supporters.

"I hope not only that this committee will promptly report the bill, but that the members will join in sending prompt passage by the Senate."

Sheepskin Telecast

Boston—Massachusetts Television Institute graduated its first class of television technicians this week-end here. The 10 young men who finished the course got their sheepskin before the television camera, and ceremony was television itself, a planned nonevent gathered in an auditorium in another state, before a stage screen, in a studio of about 9 x 12 inches, sharp and clear.

Let Movies Regulate Themselves, Says Senator Downey

Touching upon the Government equity suit, Myers said:

"Today there is pending in the Southern District of New York a comprehensive proceeding (United States v. et al.) for its main purpose compelling the Big Eight to divest themselves of their theater holdings which, if won, would bring substantial relief. Recently the head of the Anti-Trust Division of the Department of Justice notified the Appropriations Committee of the House that fund were needed for the prosecution of additional cases now in contemplation, including ten new cases against the motion picture trust. The petition in the Paramount Case cited compulsory block booking as one of the means by which the monopoly was acquired, and relief against it is included in the general prayer, but this should not deter this Committee from promptly reporting the Neely Bill.

"(a) It makes no mention of and asks no relief against the twin evil of blind-selling.

"(b) It is opposed of the practice of blockbooking calls for complicate provisions, including provision for subsequent, most appropriate inflation in a statute than in a court order.

"(c) The outcome of any litigation is uncertain."

Downey for Freedom of Films

Senator Sheridan Downey of California appeared before the committee and in the course of his statement urged the bill, and said:

"If I said 15 years ago that there would be a movie business, but ‘in 35 years there has been a tremendous turn of films away from in early 1938, he suggested.

"People behind the bill are sincere, he stated, but are carried away by their own idealism. He predicts, if the bill is passed, movies won’t be any better five years from now.

Mary T. Bannerman, Washington Legislative Representative, Motion Picture Research Council, told the sub-committee in her wind-up the film councils have not worked as the situation of which we complained 3 years ago still exists."

Catherine Loford of Massachusetts Civic League attacked the trade reform code and declare passage of the Neely Bill brings free selection of pictures from the straddlehold of monopoly."
The GNY Fund

By CHESTER B. BAHN

WITH an organization luncheon and meeting at the Hotel Astor today, the Motion Picture Division of the Greater New York Fund, again under the able chairmanship of Metropolitan's J. Robert Rubin, will develop plans for the all-industry campaign to raise a $100,000 quota of the Fund's $1,000,000 goal.

The quota, of course, will be fully met, as was the lesser sum, $65,000, asked last year.

For many reasons, this annual move to provide money to meet, in part, the requirements of 380 allied voluntary health and welfare agencies represents a step forward, both Jewish and Catholic alike, has special appeal to those engaged in the film business.

The Fund, for one thing, is predicated upon public service and community enterprise, two of the fundamentals that have motivated this industry in its business activities and its philanthropies and charities.

Then, too, there is the Fund's campaign slogan, "Build for Tomorrow," singularly understandable to the tens of thousands whose individual fortunes are interwoven with that of motion pictures.

As important, whether applied specifically or generally, is the fact that a contribution to the Fund unites all races and creeds in the advancement of human welfare—that it, moreover, is an endorsement of democracy, a pledge of good-will, an affirmation in faith in the brotherhood of man, an investment in a healthier, happier and more hopeful city.

It is pertinent to point out that 2,000-000 people benefit directly yearly from the services affiliated with the Fund, that it enables the fulfillment of communal obligations with one combined gift, that contributing business firms and employee groups are immune from solicitation by (Continued on Page 2)

The Daily Newspaper Of Motion Pictures Now Twenty Years Old

20th-Fox Talks New Deals With RKO, Warner Circuits

NBD, CBS WILL IGNORE SQUAWKS, PUSH TELEVISION

B & K Reports $1,270,401 Net; Directorate Reduced

Receipts for First 14 Weeks of New Year Show Drop of 4 1/2%

By JOSEPH ESLEER

FILM DAILY Staff Correspondent

Chicago—B & K at the annual stockholders meeting here yesterday reported earnings of $1,270,401 or $4.64 per share compared with $1,398,000 or $4.90 a share for 1937. B & K's current assets were given as $832,281 and current liabilities as $1,901,995. The company, it (Continued on Page 6)

"U" IN THE BLACK;

SALES UP 20.43%

Chicago—Universal sales for the current year show an increase of 20.43 per cent increase over the same period last year, William A. Scully, general sales manager yesterday, told those attending the (Continued on Page 7)

Baird Tele Telescope Deals Wait on Arrival of Javal

Deals for the installation of Baird Television equipment and screens in Broadway theaters will not be made until the arrival of Ian Javal, commercial director of Baird, and a staff (Continued on Page 6)

Wobber Discloses 20th-Fox Circuit Confabs on Eve of European Sailing

Para, Stockholders' Action Transferred to Fed. Court

In wake of consent by counsel for both sides, Paramount stockholders' suit, brought by Frank Jabloow and Sam Acker against officers and directors of the company was yester (Continued on Page 6)

RE-NAME ALL 20-FOX EXECUTIVES

Schenck Again Board Head, and Kent, President

Sidney R. Kent and Joseph M. Schenck, respectively president and board chairman of 20th-Fox, and all other officers of the company were re-named yesterday afternoon by the company's board of directors following the annual stockholders meeting, at which time all directors were re-elected. Officers re-named in addition to (Continued on Page 7)

Erpi's Polyphoror Draws Execs. to World's Fair

Film execs, and trade press representatives turned out in force yesterday morning for Erpi's preview of its 20-ton sound reproducing (Continued on Page 6)

Nets Sure Tel He Has Arrived

And That Progress Can't Be Stopped

Officials of NBC and CBS, in answer to the anti-television activities of a group of dealers, distributors, yesterday stated to THE FILM DAILY that despite the squawks, tele activities at both networks would continue as planned and announced. General consensus of opinion at both networks was that television has finally arrived and that progress can't be stopped, despite the fact that some might be "burned" by its march.

One of the major points brought out in regard to the complaints was the fact that it will be some time (Continued on Page 8)

OPERATORS' STRIKE PROSPECTS RECEDE

WEST COAST BUREAU OF THE FILM DAILY

Hollywood — Upon receiving assurances yesterday from Victor H. Clarke, assistant to Pat Casey, producers' labor representative, that upon Casey's return to the Coast in two weeks' time he would negotiate with them regarding wages, (Continued on Page 6)

No Quick Action on Neely Bill by Senate Committee

WASHINGTON BUREAU OF THE FILM DAILY

Washington—Action of the Senate Interstate Commerce Sub-committee on the Neely bill, following extensive two-week hearing, is not expected before next week at the (Continued on Page 8)

N. O. Exchanges Face Tax In Spite of Pending Suit

New Orleans — Despite the fact that suit has been filed against the city commission's arbitrary attempt to fix personal property (merchandise) taxes on film exchanges at (Continued on Page 7)
WHAT will probably prove the most important documentary film of the year. "The City," a four-reel dramatization of the need for urban planning brought on by the rise of the metropolises, is distributed by RKO. The film is being financed under a grant by the Carnegie Foundation. It is based on an original outline by Pare Lorentz, and a scenario written by Henwar Rodakiewicz. The film was directed and produced by Ralph Steiner and Willard Van Dyke. The narration will be written by Lewis Mumford, editor and author of "The Culture of Cities." It will be completed in time for showing at the World's Fair. Oscar Serlin is supervising the production for a committee of New York's leading architects.

TIMELY...this French production, "Double Crime in the Maginot Line,"...showering somewhat for the first time in a dramatic story the amazing French fortifications, with elevators that go up and down between eight floors...the story is a natural for an arts theater, with its polished acting, continental flavor and subtleties in story and direction...it is at the same time a swell B.O. baby for the pop audiences, with a gripping action story that ties you down to its taut suspense...Tower Pictures are sitting pretty with this lube.

FILM division of the Theater Arts Committee will hold an anti-censorship meeting at the Hotel Astor tomorrow eve at 8:00. Louis Niser will be chairman...among those present will be Langdon Post, James Shelley Hamilton, Harry Brandt, Eddie Golden, Maurice Kann.

The GNY Fund

...and film biz

 Jury Trial for Momart Charge Will Be Sought

Hearing on the lottery charge against the Momart Theater, Brooklyn, has been set for May 10. Meanwhile, Harry Kosch, attorney for the theater, is preparing to file a motion to have the case moved from Special Sessions to the County Court so that the trial can be held before a jury.

Allied Patriotic Trailer Gets 670 N.Y. Playdates

New York Allied has pledged 670 playdates on the first of the Allied patriotic trailers. The Buffalo unit has lined up 142 dates; Rochester, 110; Syracuse, 114; Albany, 138, and New York City, 171.

Continued "Pygmalion" Run At Astor to Bar "Mikado"

"Pygmalion" continues to do big business at the Astor Theater, Broadway, and indications are that it will not be withdrawn by May 2 when the theater's option on "The Mikado" expires. Under the reported terms of the contract, Universal will place its picture in another house if the Astor does not become available by that date. It is reported that the English-made M-G-M picture, "Good Bye, Mr. Chips," may follow "Pygmalion" at the Astor, although such a commitment has been made as yet.

**FINANCIAL**

**NEW YORK STOCK MARKET**

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| NEW YORK BOND MARKET

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| NEW YORK CURB MARKET

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<td>Universal Picts.</td>
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| Universal, N.Y. OVER-THE-COUNTER SECURITIES

**COMING AND GOING**

HERMAN WOBBE, general manager of distribution for 20th-Fox, and WALTER J. HUTCHISON, director of foreign distribution, sailed tonight on the Washington.

FRED W. LANGE, general foreign representative in charge of continental Europe for Paramount, sailed today on the Conte d'Anjou for New York.

ADOLP H ZUKOR arrives tomorrow on the Queen Mary.

TRUMAN TALLEY, Fox Movietone News chief, sails for Europe this week on the Queen Mary.

GEORGE FRIED, director of sound engineering for International Projectors, has left by plane to attend the SMPTE convention on the Coast.

H. M. RICHEY, director of exhibitor relations for RKO, returns today from Columbus, O. LOUIS ROUSSEAU, of RKO Pathes news production staff, has left New York for a tour of the country.

FRED ASTAIRE and his wife sailed yesterday on the Georgic.

COSTFREY TEARLE and MARGARET RAWL-ILLINGTON, director of the "Swinging Stream," also sailed yesterday on the Georgic.

BEN KALMENSON, Western and Southern sales manager for Warners, left last night for a three-week trip through his territory.

SPENCER TRACY is at the Sherry Netherland.

N. NAPOLI, Amkino executive, has flown to the Coast for a 10-day stay.

FRANK STICKLING, business agent of Elgin, ill., operators' union, is on the Coast.

HENRY NEWELL, Chicago exhib. has returned there after a vacation trip to the Orient.

12 "Stoneages" for Para. Miami—"Stoneage," series of 12 cartoons, will be presented as part of the 1939-40 Fleischer Studios lineup for Para. release.

**THEATRE**

George Abbott Productions

There have been a number of good glee and music shows in town of late, but this is by all odds the most brilliant of the lot. "In the Trenches, Who-Erro"...George Abbott—Brodies and Hart

The Boys from Syracuse

with Jimmy Ryn Eddie Teddy

BAYNE MURRAY ALBERT HAM

ALVIN, W. 526 St. Mats. Wed. & Sat.

Columbus 5-4114

"The least, roughest, toughest, tenderest, ditziest, most decent, and eer one will ever play for your money put on sale this season..." — George Jean Nathan, Newsweek.

PrimoRd pathway

By Ralph L. Buckner and Walter Hart with Helen Better Mary Russell

WESLEY CARNEGIE MASON HARDY

CORT, 44th St. Mats. Wed.

Bryant 9-046

"Roans of Pleasure"—Atkinson, Times.

What a Life

with Ezra Stone as Henry Aldrich


Circle 6-6460
HARDY LAUGHS
at the Capitol
BROADWAY AND 44TH STREET
HARDY BUSINESSES
HOLD-OVER 2nd WEEK
"Crowned house rocked with hilarity!"
—Bland Johnson, Mirror
"Highly entertaining. Recommended without reserva-
tions."
—Howard Barnes, Herald-Tribune
"A sheer delight from beginning to end!"
—Wm. Backus, World-Telegram
"Thoroughly enjoyable...human, down-to-earth!"
—Roy Velick, Journal-American
"Up to the high M-G-M standard. Hearty comedy."
—Kate Cameron, News
"Audience has plenty of fun watching the Hardys
ride high and handsome!"
—Edith Cressman, In
"What could be a slicker treat...a swell time is had
by all."
—Archer Wintten, Post

Don't Miss!
"The HARDYS RIDE HIGH"
(They became millionaires overnight)
Metro-Goldwyn-Mayer's Springtime Tonic with
LEWIS STONE • MICKEY ROONEY • CECILIA
PARKER • FAY HOLDEN • Directed by George Seitz
Screen play by Agnes Christine Johnston, Kay Van Riper, William Ludwig

Note to Ad-men!
Use this cartoon in your campaign. You can repro-
duce direct from the above.

HARDY
HOLD-OVER
BUSINESS!

2nd Week at Big Capitol, N.Y., is your
tip-off to hold extra time open!
(And the next in M-G-M's Springtime Fanfare of Hits is Myrna Loy, Robert Taylor in "Lucky Night." And more lucky nights and days thereafter!)
During the period, just before and after the release day of the picture, Cecil B. DeMille and a great number of famous Paramount stars, including Ray Milland, John Howard, Patricia Morison and Martha Raye, will make a huge coast-to-coast tour, hitting 30 key cities enroute, on the great Cecil B. DeMille "Union Pacific" special train. Leading this train will be the famous old engine No. 58, a locomotive built in the late 60's and used in the picture. Immediately following this will be the first of the great, new "Union Pacific" super turbine-electric streamlined locomotives showing in one quick glance 70 years of railroad progress. Behind this will come one of the first passenger coaches ever built in the United States, an 1869
stunt in Picture History—
AMERICAN EPIC OF THEM ALL!

B. DeMille "UNION PACIFIC"
special train

baggage car, a civil war period coach and a blacksmith's car. Following these will come the line-up of streamlined pullmans carrying the Paramount stars. You can see the key cities the train will hit.

A special shortwave transmitter, as part of the train equipment, will make possible continuous broadcasts of the train to the cities it is approaching. There will be another big-time broadcast from Schenectady. A Hollywood preview of "Union Pacific" is planned for each city where the train stops. The train will be open to the public and Mr. DeMille and the stars will be available, where possible, for personal appearances at previews.

"UNION PACIFIC" starring Barbara Stanwyck
Robert Preston • Lynne Overman • Brian Donlevy

Based on an Adaptation by Jack Cunningham of a Story by Ernest Haycox • A Paramount Picture
Wednesday, April 19, 1939

**Operators' Strike Prospects Recede**

(Continued from Page 1)

hours and other conditions, business agents of four studio Locals yesterday wired a request to George E. Browne, IATSE president, requesting him to hold in abeyance any further action of the IA in the operators' strike matter pending outcome of negotiations.

Prospect for a quick settlement of the differences between the IATSE and autonomy group of Local 37 was greatly brightened yesterday when Superior Judge Emmett Wilson granted a continuance to April 25 the injunction brought against each other by the two parties, and the grand jury probe of charges of labor racketeering against the IA, was continued to May 2.

**Cine Roma Pickets Removed**

Pickets were removed from the Cine Roma Theater last night by Local 306 when union officials and the theater management reached an agreement on the retiring of a 306 man let go earlier in the week.

**Baird Tele Theater Deals Wait on Arrival of Javal**

(Continued from Page 1)

of technical engineers, who will have to pass on the accommodations of the theater for the installation, it was learned yesterday.

Javal will sail Saturday from England on the Aquitania, bringing with him a line of home receiving sets as well as the theater equipment. Possibility of Baird manufacturing home sets here is not improbable, it was stated. Javal on his last trip said that the only move Baird would make in the American field would be in the theater field for the time being.

First installation scheduled here will be in the Gaumont British home office projection room for demonstration purposes. Transmission cameras and home receiving sets will also be demonstrated at the GB office.

**Erpi's Polyheter draws Execs. to World's Fair**

(Continued from Page 1)

mechanism to be used in General Motors Highways and Horizons exhibit at the New York World's Fair.

Mechanism, known technically as the Polyheter, has as chief component a steel drum, carrying 24 bands of sound film, which are pierced at 150 equally spaced points by brilliant needles of light, and is designed for rotation at constant speeds so that a vocal description of the panoramic exhibits of the highways of tomorrow can be carried to each of the 300 "cars" which transport onlookers.

Following the demonstration, T. Kennedy Stevenson, Erpi president, entertained a line of visitors and other executives at a luncheon on the Fair Grounds. Among those present were Major Albert Warner, vice-president and treasurer of Warner Bros. Pictures; Carl E. Milliken, secretary of MPPDA; Harry D. Buckley, vice-president of UA; E. W. Hammond, GN president; Charles Prutzman, Universal's vice-president and general counsel; Ed Hattreich, head of News of the Day; Ned E. DeQuin, vice-president RKO Radio; D. C. Collins, vice-president and director of corporate relations for Erpi; J. W. O'Connor, assistant to Walter Gifford; J. F. Behar, A T & T treasurer; C. A. Heiss, A T & T comptroller; and W. Bancker, vice-president of WE.

C. F. Kettering, vice-president of General Motors and president of General Motors Research, was demonstration's host.

**Decision Reserved In Suit Over Photo-electric Cell**


Trial has been going on since early March, and plaintiff asks injunction, accounting and damages for alleged infringement of the patent, "Methods of and Means for Optically Recording and Reproducing Sound."

**Chi. Luncheon for DeMille**

Chicago—A luncheon will be tendered Cecil De Mille April 29 at the Blackstone Hotel by the Women's Club and the Film Council. De Mille will be here for the opening of "Union Pacific" at the Chicago Theater. John Balaban will preside at the luncheon and introduce the speaker.
**U" IN THE BLACK; SALES UP 20.43%**

(Continued from Page 1) Universal regional sales meeting

Joseph H. Seideman, foreign

manager, stated that the company's export department shows an

increase of 20 per cent in sales

for last year.

In his address at the meeting at the Blumerg, president, stated

that the past quarter shows Universal

in the black. With the number of

pictures coming for the rest of

the year, he added, the improved

tuition of the company should

continue.

The sales staff attending the

eating expressed the keenest

opinion over the outlook for the

coming season.

**ICKS CALLS OFF COAST TRIP; BALABAN RETURNING**

Early return of Paramount ex-

ecutives from studio confab was

dictated yesterday when it was

learned that John W. Hicks, head

of the foreign department, had

cancelled his projected trip to the Coast.

Icks was due to leave late Monday

day to sit in on the product con-

ferences. Unconfirmed reports say

that Balaban will return here Mon-

day and may go back to Omaha later

the week to attend the opening of

Paramount's "Pacific" on Friday, April 28.

Fred W. Lange, Paramount's man-

ner for Continental Europe, sails

day on the Conte di Savoia for

New York to confer with Hicks on

matters relating to the company's distribution activities in Eu-

**NEW COL. SHORTS SERIES**

Columbia's home office announced

yesterday a new series of six one-

sheet shorts as part of its 1939-40

season.

Subjects, under title of "Fools

to Made History," will be pro-

duced by Hugh McCollum. Jan Le-

ban will write and direct.

Refuses to Vacate Arrest

Judge Aaron J. Levy, Bronx

County Supreme Court, yesterday
denied the motion of Abraham J.
Kindler to have his warrant of

arrest vacated, unless the fine set

by the court was paid and the job

of Joseph Kimmel was immediately

restored as per direction of the

court. Nathan H. Elman repre-

sents Kimmel.

**NEW RCA PHOTOPHONE MAGIC VOICE OF THE SCREEN**

Designed for any theatre—regardless of size.

with Rotary Stabilizer

PLUS SHOCK PROOF DRIVE

**REVIEWS OF NEW FILMS**

"While America Sleeps"

(Crime Does Not Pay Sequel)

M-G-M

11 mins.

Spies Versus America

Highly dramatic and tensely

exciting from start to finish, this new

shorts ranks a real pic as it

shows our ever-alert government

bureaucrats discovering a spy plot and

then rounding up the ring. Cast

with skilled players and directed

smoothly, the film carries a strong

object lesson in addition to its plea

for Americanism by all citizens of

our great country. Plans for a new

plane are stolen, and later recov-

ered when a spy. A messenger is

arrested as he boards a boat for a

country. However, the

message is only a pawn in the

game and the government inspectors

immediately see the operating heads

of the ring. They find out that only a

certain number of men in the air-

craft plant had access to the new

plane and the plans. A trap

is worked out and the men

who worked on the plans are assigned

to work on a new Army bombsight

invention. At last minute, the

ring is revealed but quick thinking by the

government men prevent the spy ring

leaders and the inside man from

escaping from the plant with the

pictures.

Kent, and Schenck were: William C. Michel, executive vice-president; Darryl F. Zanuck and William Goetz, vice-presidents, Sydney Tow-

ell, treasurer, Wilfrid J. Eade, comptroller and assistant treasur-

or, Felix A. Jenkins, secretary, W. S. Bell and R. B. Simonson, assistant

treasurers, and John P. Edmond-

son and George J. Winson, Jr., assistant

secretaries.

Meeting of stockholders was rou-

tine and no one question was asked of the presiding chairman, W. C. Michel, by the stockholders. Michel, following the meeting, stated that although the first quarter earnings were good they would probably be slightly below the comparable period last year due to unfavorable conditions. Earnings statement was not ready

yet.

Of the 2,677,498 shares of common and preferred stock outstanding, 1,441,773-17/24 were voted at the meeting to re-elect these directors: H. Donald Campbell, John B. Dol-

lon, Wilfrid J. Eade, Felix A. Jen-

kins, Sidney R. Kent, Daniel O. Martin, William C. Michel, Wil-


**DISTRIBUTORS—EXHIBITORS—ATTENTION!**

**IMPORTANT REVISIONS IN RAILWAY EXPRESS RATES**

New RAILWAY EXPRESS rates now in effect throughout the nation should bring material savings in your shipping costs. Special reductions apply on shipments of 21 pounds or less regardless of distance shipped and for weights up to 50 pounds to many destinations. Even the slight in-

crease on heavier consignments pays you profits in top speed and careful handling. Conceived RAILWAY EXPRESS pro-

vides complete, dependable shipping serv-

ice to producers, distributors—movie men in every line. Low rates include receipts, insurance, fast express forwarding, and prompt pick-up and delivery—all without extra charge—in all cities and principal towns. For super-speeded AIR EXPRESS—$250 minimum overnight.

Your local RAILWAY EXPRESS agent will gladly show you how to apply the new express rates to your shipping pro-

blems effectively and economically. For service and information merely phone the nearest RAILWAY EXPRESS office.

**3939 . A Century of Service . . . 1939**

1939
20TH-FOX TALKS NEW RKO, WB CIRCUIT DEALS

(Continued from Page 1) her, general manager of distribution. He will attend at the Washington or other company's con-
tinental and U.K. sales conventions.

Wobber said that each situation had been carefully discussed in con-
ferences with the company's division man-
gers, and that he felt nothing had been overlooked in making the deal while the company could present. He stated that the con-
tracts had been printed, with only a few minor changes from last year.

He said that short sales had increased since the first of the year and that a record year was looked for in this department. Wobber was enthusiastic about the company's product lineup, and stated that he confidently expected a rec-
cord year barring unforeseen develop-
ments, as this product lineup has been bolstered by the greatest tal-
ent lineup the company has ever of-
ered.

Wobber attends his first conven-
tions outside of the Sub-Committee, as general sales manager of the company on this trip. He will sail from Eng-
land May 17 on the Queen Mary following the close of the English convention.

No Quick Action on Neely Bill by Senate Committee

(Continued from Page 1) earliest. Senator “Cotton Ed” Smith, chairman of the Sub-Com-
mittee, will then report to the full committee, which usually adopts report of sub-
committee in whole, before Senate floor for discussion and vote when reached on the calendar.

Meanwhile, House Interstate and Foreign Commerce Committee yest-
eryday reported “no action” on the Edmiston companion bill.

The MMPDA reps, here for the hearings returned to New York late yesterday.

WEDDING Bells

Chicago—Ben Bartelstein of the Anita and Elmo theaters was mar-
rried to Miss Hanna Silver.

Baltimore—William G. Mechanic, brother of Mr. Frank, is presi-
dent of the New and Center Thea-
ters here, who operates the Essex House and Warwick Apartments, Miami Beach, Fla., and Miss Ilda H. Marcus, daughter of Mr. and Mrs. Alexander Marcus, of that city and formerly of Baltimore, will be married in the early Summer.

“Wuthering Heights” to Show in Montreal

Montreal—Lifting of the ban on “Wuthering Heights” was indicated yesterday when the Quebec Orpheum Theater, Mon-
treal, to present this Samuel Goldwyn film. What cuts if any were made is not indicated.

SMPE Heirs Lens Making Art in U. S. Is Now Tops

West Coast Bureau of THE FILM DAILY

Hollywood—What amounted to a “declaration of independence” for the lens making art in the U. S. was voiced by W. B. Rayton of Beusch & Lomb, Rochester, N. Y., when he told the SMPE convention yesterday that the American optical industry has now reached the point where its raw materials (optical glass) and its technical skill recog-
nizes no superiors in Europe or elsewhere.

Rayton’s paper was one of 11 presented yesterday; all were essen-
tially technical. The convention also heard reports of the Projection Practice and Exchange Practice Committees, headed respectively by H. Rubin and A. L. Schwabl.

Yesterday afternoon, SMPE mem-
bers visited Paramount studios as guests of Loren Ryder, director of recording. Film engineers saw proj-
cution background shooting.

This morning’s program features a sound session, with J. O. Aalberg presiding. The afternoon program will be the chairman of a second sound session at the Filmart Theater.

Verne’s “FILM TALE”

West Coast Bureau of THE FILM DAILY

Hollywood—“FILM TALE” was the subject of a hearing before the Radio Commission of the American Society of Authors, Lead-
ers, Inc., yesterday. The meeting was held inasmuch as the American Society of Authors, Leaders, Inc., issued a restraining order to stop 200 Fox, Warner and Paramount fires from showing the day-and-date ex-
tracts of the New York Theatres.

The studios have been asked to abide by the agreement and to cease and desist from showing the films.

Death of Cheney May Delay N. Y. Booth Bill Hearing

Albany, N. Y.——The sudden death yesterday of Assemblyman G. W. Cheney, Steuben County, and sus-
pending of the New York sessions by the Speaker, Mr. C. C. Sawkins, this morning may delay consideration of the bill.

Assemblyman Bob Crews, sponsor of the bill, said that the Assembly would not be in session until Monday, and that the bill would not be heard until then.

STORKS!

Clarksburg, W. Va.—A 614-pou-
dughter was born to Mr. and Mrs. Richard D. Marks at St. Mary's Hospital here on April 17. The child, in three hours, became the 34th in a line to operate the Orpheum Theater this town and is vice-president of the Clarksburg Theater Owners West Virginia.
Vigorous Latin-American Expansion Policy for 20-Fox

COMMITTEE NEELY BILL VOTE 'ANYBODY'S GUESS'

Name 4 Principal Committees for GNY Fund Campaign

Moss, Depinet, Robbins and Yates appointed to Chairmanships

All important branches of film and were represented by key executives or their delegates yesterday at the luncheon meeting in the Hotel' where the important per- cepted organization to carry its work for the Greater New York drive of 1939.

Four principal committees were organized, with B. S. Moss, veteran executive operator, selected to head the Exhibitors' Committee, assisted by C. C. Moskowitz, Harry Brandt and Max Cohen; Ned E. Depinet as (Continued on Page 8)

DRAMATISTS APPROVE BASIC ROYALTY PACT

Possibility that the newly pro- moted modification of the Dramat- ists' Guild basic pact covering ro- ults for sale of plays' film rights might be effective by next season seemed last night when the Guild council approved the plan in principle. This was the first time that the plan had been presented in its entirety.

Feature of the new plan is an (Continued on Page 8)

Starr succeeding Morris in Warners MPHC Berth


WB Coincidence

Chalk up another of those amazing coincidences that see Warner pix crash- ing in on each. New movie April 28, day picked by F.D.R. to answer F.D.R.'s peace commu- nications, had already been announced as the premiere date for Warners' "Con- fessions of a Nazi Spy" at the New York Strand.

MILLION DOLLAR ADV.
BUDGET SET FOR "U"

Chicago—Universal will back its 1939-40 pix lineup with a million dollar advertising appropriation, the bulk of it destined for newspapers, William A. Scully, general sales manager, told the closing session of the company's Mid-Western regional convention here yesterday.

Scully on Monday in Cincinnati had disclosed a $5,000,000 increase in the production budget itself. The $1,000,000 for advertising repre- (Continued on Page 6)

Live Music in Theaters Topic at AF of M Confab

Revival of live music in theaters will be one of the main topics at a sectional conference of the American Federation of Musicians to be held at the association's Minneapolis headquarters on April 23-24. Repre- (Continued on Page 7)

Vigorous 20-Fox Expansion Policy Set for Latin-America--Hutchinson

D of J Quizzes Stern on UA's Century Deals

Charles Stern, Eastern district sales manager of UA, was examined yesterday in a continuance of D of J's questioning of company officials in connection with Government's equity action against filmland.

Robert L. Wright, special assist- ant to the U. S. Attorney General, (Continued on Page 7)

Anti-Duals Measure Finds Ill. Favor

Springfield, Ill.—Recommendation that a law be enacted declaring duals bills illegal was voted here by the House Judiciary Committee, 11 to 4. Following committee hearings, action was discussed in the House, with members brandishing duals as physically injurious, inasmuch as they are regarded as excessive strain on the eyes, and a general menace to public health. House is expected to take action soon on whether duals should be mixed or not. Observers expressed chance for further course in light of vote and legislative temper.

FOOTAGE TAX MEASURE
IN WISCONSIN SENATE

Milwaukee—A bill to place $2.50 tax per 1,000 feet on motion pic- film sold, rented or leased for public exhibition has been intro- duced in the State Senate by the State and Local Government Com- mittee.

Cleveland Indians to Drop Giveaway Mention in Ads.

Cleveland—Regarded as the first forward step in a program to elim- inate all types of giveaways, the majority report of the Cleveland Motion Picture Exhibitors As- sociation yesterday agreed to elim- inate copy on premiums, giveaways and two-for-ones from all news- papers.

Accessory, however, is that action must be unanimous on the part of (Continued on Page 7)

Opponents and Proponents Return Confident from Capital Hearings

Fate of the Neely Bill insofar as the Senate Interstate sub-committee is concerned apparently is "any- body's guess," according to in- formation obtained by The Film Daily yesterday, following return of MPPDA contingent and others from that committee hearings in Washing- ton.

Both proponents and opponents of the bill who were in New York yester- day feel that they put up suffi- ciently strong arguments to con- vince the committee that their bills (Continued on Page 8)

"ALEX. GRAHAM BELL" SUSPENDED BY ONT.

Montreal—The motion picture censor board of Ontario has ordered the temporary suspension of 20th-Century-Fox's "The Story of Alex- ander Graham Bell," which, it is understood, virtually ignores the claims of Brantford, birthplace of the telephone.

The picture was to have opened Tuesday in Timmins, Ont., but it did not. It is being held up, pending full investigation. To that end the complete files on the matter, in- cluding all the data gathered in preparation for the film, the cor- (Continued on Page 8)

Zukor, Arriving Today, Will Stay Month in U. S.

Adolph Zukor returns from Europe today on the Queen Mary and, ac- cording to Paramount, he will re- main about a month before leaving (Continued on Page 7)

"Man Bites Dog" Chicago —"Man Bites dog" The Chicago Radio Club has added films to its entertain- ment program, and has employed a twin projector to flash the pix nightly.
Industry Notables Will Attend SMPES'S Banquet

West Coast Bureau of THE FILM DAILY


With the program: those to appear will include Rudy Vallee, Frank McHugh and Hugh Herbert. Arrangements for the entertainment were made by Maj. Nathaniel Levinson, SMPES vice-president.

Today's convention program features a photographic and laboratory session, with C. L. Lootens as chairman and a visit to the Warner lot under Mr. Judson of Major Levinson, where luncheon will be served.

Convention closes tomorrow with two sessions, the first devoted to sound practice and the second to television. Program for the latter follows:


Penn. Tax Program Will Offer Levy on Amusements

Harrisburg, Pa.—The Administration's emergency tax program will be put through "without additional taxes," Rep. Edwin S. Winner, chairman of the House Ways and Means Committee, said yesterday in announcing the Republican leadership in the House had agreed on the program.

Winner's statement is an indication that his one-cent amusement tax on every 25 cents or fraction thereof estimated to yield $7,000,000 a bimonthly will never come out of committee.

"I believe the party leaders have agreed to limit future legislation to only a few main programs," Winner said, "without further tax measures."

Bernard Reported Closing Deal for American Films

Jeffrey Bernard, co-managing director of Grand National Pictures, Ltd., is reported to have closed a deal to bring an American independent product to be distributed in England. He is expected to make an official announcement today. It is understood that he has been discussing a contract with representatives for B. F. Zelman, independent producer.

Record Number of Houses Enrolled for Rogers Week

Will Rogers National Theater Week, of which drive Major Leslie E. Thompson, RKO executive, is chairman, commences on a nationwide scale today with indications pointing to a record number of theaters enrolled as well as a new high for houses making individual contributions.

Campaign headquarters announced yesterday that all Broadway houses are taking part in Will Rogers National Theater Week this year, as well as virtually every theater in the Greater New York area, regardless of size.

Requests for the campaign short were pouring in yesterday from all sections of the country, and no comparative figures for tabulation will be available until late this week, headquarters declared.

Okay for New Rochester Allied Unit Due on Wed.

New York Allied's executive committee is slated to meet at New York City next Wednesday at which time it is expected to approve the application of the new Rochester association for membership in the New York unit. The Rochester unit, however, also will probably take some action on the trade practice proposals.

Meanwhile the Syracuse unit boasts today at the Syracuse House, as to consider legislation, clearance and to receive a report from the grievance committee on print shortages.

The reception committee for the state convention and Motion Picture Exhibition is scheduled to meet tomorrow at 1 p.m. at the Hotel Astor. H. R. Rickey is chairman of this group.

George Schaefer Drive to Set Record for RKO

The George Schaefer Drive will result in the greatest volume of bookings for features and shorts in the history of RKO, it was asserted yesterday by Drive Captain Walter Branson and Harry Michaelson, short subjects sales manager, who are back from a tour of the company's 38 exchanges in the U. S. and Canada.

Michaelson predicted that the field staff would exceed all quotas and expectations during the 18-week drive. Michaelson reported that he found exhibitors consistently lenient to stress shows in lobby space, newspaper advertising and exploitation.

Empire Won't Bid 306

At a meeting of Empire State Operating Union yesterday and Tuesday night a motion to invite executives of Local 306 to attend a future session was rejected.
FLASH TO THE NATION!

Walter Winchell in 139 newspapers:

“M-G-M breaks the tape in Hollywood’s Anti-Dictator race with ‘WHILE AMERICA SLEEPS’ at the Capitol, a two-reel factual spy expose. An eye-opener for people who think the Ratzis are 3,000 miles away.”

Dynamite on the screen!
Sell tickets with showmanship!

WHILE AMERICA SLEEPS
Mr. Samuel Goldwyn
7210 Santa Monica Blvd.
Hollywood, California

Wuthering Heights opened at Rivoli today Friday running even with opening day Saturday of Hurricane which opened at Rivoli January 15th, 1938, and is biggest business in Rivoli since that date. Never such enthusiasm and unanimously excellent reviews on any picture to play Rivoli. Audience reaction and comment entirely comparable to excellent reviews from reaction and type of audience believe that every picture going person and especially women will want to see picture. Believe picture should run at least six weeks to top business.

John Wright
Rivoli Theatre
New York City

"'Wuthering Heights' is one of the fine

"My thanks to the first run theatres where 'Wuthering Heights' is one of the fine

expert handling they have given my picture has been a splendid business, and I

join with me in appreciation to exhibitors everywhere."
WUTHERING HEIGHTS PHILADELPHIA OPENING AT THE ALDINE LAST NIGHT TREMENDOUS SUCCESS. PLAYED TO 2,369 ADMISSIONS. LINE FULL BLOCK LONG AT BOX OFFICE CAUSED MORE THAN TWO THOUSAND TICKET BUYERS TO BE TURNED AWAY. TREMENDOUS CROWDS FORCED 34 REFUNDS AND 200 RE-ADMISSION TICKETS FOR PEOPLE WHO HAD ALREADY PURCHASED TICKETS AND COULD NOT WAIT MORE THAN AN HOUR TO SEE PICTURE. REVIEWS ARE ABSOLUTE RAVES. REGARDS

CHARLES PERRY

SAMUEL GOLDWYN
7210 SANTA MONICA BLVD.
HOLLYWOOD, CALIFORNIA

April 13, 1939

We look forward to the efforts of my staff who

SAMUEL GOLDWYN

Released thru UNITED ARTISTS

"WUTHERING HEIGHTS" has already opened. The

MILDRED MARTIN, Philadelphia Inquirer
20-FOX LATIN-AMER. EXPANSION POLICY

(Continued from Page 1)

—eign conventions before he returns to the United States this summer, with the company's overseas meets this year dedicated to him to signalize his 30th year with the company and his 20th year in the film industry. Last minute cancellation of the plans of President Sidney R. Kent to make the trip were necessitated by pressing business matters, he said.

Appointment of Leslie F. Whalen, manager of foreign publicity, as Drive leader of the seventh annual overseas Kent Drive was announced yesterday by Hutchinson. Drive is scheduled to start in September and run into December, although exact dates have not been set yet by Whalen.

Following in line with the company's expansion policy in South and Central America, Hutchinson disclosed that a fifth Spanish picture will be released this year by 20th-Fox in Spanish-speaking territories. Four pictures are being made by Ramos Cohen, with the fifth being produced by Jack Skirball. It was indicated that continuation of this policy, and a possible expansion, hinges on the reception accorded these films this year.

Hutchinson said that the company had no plans to build or participate in construction of any theaters in foreign countries with the exception of its South African venture. It was also stated that no foreign production plans are contemplated. Hutchinson described company business throughout the world as being good, despite prevailing conditions, and he looked for good returns from the South African market this year, first year the company has operated there.

Program being sold by the foreign branches this year will average around 52 pictures in most countries, with this total boosted in some spots. Majority of these pictures will be sold on a percentage basis.

Hutchinson said that he approved of the recently appointed Conciliation Board in New Zealand.

President Kent expects to attend the Brazilian and Trinidad conventions, he said.

MILLION DOLLAR ADV. BUDGET SET FOR "U"

(Continued from Page 1)

...sent a substantial advance over the 1938-39 ad investment. Lineup of the more than 900 stars and their vehicles for next season warrants the largest advertising sum, Scully pointed out.

President Blumberg told the Universal salesmen that the company delivered more than the agreed-upon number of pictures to exhibitors this season and that, with the film program outlined for the new season, would deliver more than again. The convention closed last night.

Scully will preside at the Western regional convention which open in San Francisco on Saturday. Advertising him will be W. E. Heineman, James Jordan and Tom Murphy. Prexy Nate Blumberg and Lou Pollock are expected to return to New York.

Studio will be represented a Frisco by Cliff Work, Matthew Fo and John Joseph.

FCC Retains Ban on Tele

Commercial Announcement

Washington Bureau of THE FILM DAILY

Washington — FCC yesterday sues regulations covering various types of broadcasting, including television stations. Only change in television standards is allocation of channels for different groups. The ban on commercial announcement still stands whereby program may be televised until announcer is forbidden to advertise sponsor. Only ad vertisement allowed is to state name of sponsor at start of program, put the product in the scene so as to televise it into the homes. Net works are not allowed to charge extra for this.

Film Rental Tax Threat

Subject of Ohio Parole

Columbus, O. — Representatives of distributors and the executive board of the ITO will meet today in special session called by "Pete" Wood. They will discuss methods to be employed by the industry in assisting the defense of the Ohio Tax Commission in its suit on exemption of rentals from sales tax.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Los Angeles—Douglas Fairbanks Jr., and Mrs. Mary Lee Eliot, of Hartford, New York and Virginia society women, have applied for a marriage license. They plan to be married on Sat-urday in a Beverly Hills church.

West Coast Bureau of THE FILM DAILY

Hollywood — Tyrone Power and Annabella film stars, have applied for a marriage license here. Date for the ceremony is pending.
NTARIO ITA TO ACT ON CLEARANCE ISSUE

Toronto—It is expected that a session of the Independent Theaters Association of Ontario will be held during the coming week for the purpose of considering the subject of clearance—particularly in the Toronto area.

Cleveland Indies to Drop Giveaway Mention in Ads.

Cleveland area independents have been advised by星光公司 that they will not mention the Carryover Plan in any of their giveaways, as the company is disavowing all responsibility for it. Stars stresses that the difficulty of the association does not affect direct theater to patron advertising.

Starr Succeeds Morris in Warner MPHC Berth

Paul Starr has been assigned by Harry M. Warner to assume charge of the company's music publishing interests, it was learned last night.

Starr moves from the Warner home office into his new headquarters at Music Publishers Holding Corp. in the RCA building on Monday, when the change takes effect.

Live Music in Theaters Topic at AF of M Confab

sentatives from six states—Minnesota, Iowa, Michigan, Wisconsin, North and South Dakota—will attend.

Joseph N. Weber, president of the AF of M, will deliver the principal address on April 24. James Petrollo, Chicago head of the organization and member of the board of directors, will also speak. Wally Olson, staff orchestra director at WCCO, Minneapolis, heads the arrangements committee.

It's Harold Henderson

Ross Federal Service, Inc., yesterday corrected error in its press release recently which stated that Harold Anderson had been appointed to branch management in Omaha. Appointment was of Harold Henderson, formerly assistant manager in Chicago.

Defer Vote on N. Y. C. Booth Bill

Albany—Two men in the booth bill was put over yesterday by its introducer until next week. It is claimed support is growing for a free clearing bill. Assemblyman Owen's provision to allow 20 per cent of voters in village to seek referendum on Sunday exhibitions, including movies, passed the Assembly yesterday.
NAME 4 COMMITTEES FOR GNY FUND DRIVE

(Continued from Page 1)
chairman of the Distributors' Committee; Herman Robbins, chairman of the Allied Industries and Accessories Committee, assisted by Charles Casanave; and H. J. Yates to the joint committee, assisted by Ralph I. Poucher.
Formation of sub-committees are being planned as auxiliaries to the four.
J. Robert Rubin, chairman of the Motion Picture Division of the Fund, asserted that while the presence of all industry leaders was highly gratifying, and indicated that the quota would be met, nevertheless this goal could not possibly be achieved without the wholehearted support and enthusiasm of the film industry's employees in the local area.
The drive is for the purpose of providing funds for 380 consolidated New York City charities, embracing in one redemptive roll of the diverse Catholic, Jewish and Protestant organizations of the metropolis. None of the 380 participating agency affiliates will approach the streets of any firm or employee group which fulfills its communal obligations through the fund. Rubin pointed out as he asked for the cooperation of the rank and file alike of film workers.
Attending yesterday's organization meeting were Major Leslie Thompson, Ned E. Depinet, J. Robert Rubin, Harry D. Buckley, Joe Seilder; Harry Brandt; Murray Silverstone; W. C. Michel, William Morris, B. S. Moss, Sam Machnovitch, Fred J. Sanabria; John Aliquon; Edward A. Golden, Laurene Bolognino, Max A. Cohen, Ralph I. Poucher, William Bryan; Harold Rosner, Gene Lenane; Leo Breecher; Charles Casanave, Maurice Kann, Joseph Burstyn, Louis J. Barbano, Sam Shain; Al Sent; Arthur Israel, Jr., and George Morris.
Rubin set Thursday, April 27, at 2:30 p.m. for the meeting of chairmen, in his offices at 1540 Broadway.

Full Week for “Love Affair”

“Love Affair” will play over the RKO New York theater circuit for a full seven days beginning today. The chain’s split-week policy was waived.

Stanley Drops Vaude

Pittsburgh—Effective tomorrow, the Stanley Theater, Warner Bros. first-run house in the downtown section, will discontinue stage shows and revert to a straight pix policy.

Pix Unscathed as Minn. Solits Quit

Minneapolis—Minnesota legislature adjourned yesterday without passing any bill affecting the film industry. Measures to die included one calling for theater divorce court and another which would have granted Bank Night a lottery.

Legislative Duties Set

Back Trial of E. M. Brady

St. Louis—Trial of State Rep. Edward M. Brady on a charge of extortion in connection with the alleged collection of $10,000 from pix theater owners in 1936 has been indefinitely postponed on defense motion on the grounds that Brady's presence is needed in Jefferson City where the Missouri General Assembly is in session.

John P. Nick, 1A vice-pretty, and Clyde A. Weston, business manager of Local 143, Operators Union, have filed a reply brief in the Circuit Court in opposition to the latter suit brought against them and General Counsel for 1A and the proxy, by a number of the local's members.

The 162-page brief charged that the agreement whereby the Union took over the affairs of Local 143 was because the local union officers in 1936 speculated in the stock market with the local's funds and "suffered a very substantial loss."

Pix Censorship Forum

at Hotel Astor Tonight

A forum on film censorship will be held tonight at 8:30 o'clock in the Hotel Astor on the subjects of the Theaters Arts Committee.

Speakers who will discuss the subject at the symposium are Edward A. Golden, vice-president of Monogram Pictures; Langdon W. Post, of the American Civil Liberties Union; Maurice Kahn, editor-in-chief of Box Office, Harry L. Goldberg, director of theater publicity for Warner Bros.; James Shelley Hamilton of the National Board of Review; and A. J. Isserman, counsel of the Consumers Union.

Hearing of IATSE Officials

Postponed Until Tomorrow

West Coast Review of THE FILM DAILY

Hollywood — NLRB hearing on petition charging IATSE officials with collusion with producers, scheduled for yesterday, was postponed till Friday. Petition was filed by Jeff Kibre as head of the Motion Picture Technician committee.

The IATSE autonomous group of Local 37 met yesterday to draft details of tentative agreements reached by both groups. Sources close to IA said autonomy group of Local 37 would have to retract all verbal and legal charges against IA in order to recognize that one or more leaders in the group whom IA considered radical would face expulsion.

Rule Sat. in Contempt Case

Chicago—On Saturday Judge Woodward will rule on the appointment of a Master in Chancery. It is expected that the Balaban & Katz contempt case.

Ontario Suspends Showing

of "Alexander Graham Bell"

(Continued from Page 1)
response by the Branch of the RKO theater company and so forth, have been turned over to the censor board for examination.

This action on the part of the censor board follows the steps taken by Mayor R. J. Waterous of Brantford and the city council and by Brantford's representative in the legislature, H. Louis Hagey, M. L. A. It is learned, also, that Premier Hepburn has personally interested himself in the case.

This morning a private showing for examination will be held at the early show at the Toronto by the censor board. Mayor Waterous and other members of the city council will attend the showing and the censor board will make its final decision following this showing and examination of the mayor's files.

Dramatists' Guild Approves

Basic Royalty Agreement

(Continued from Page 1)
agreement whereby film rights are contracted for at the time contracts are closed with an author for a legitimate production. The plan covers a minimum guarantee plus a percentage basis on royalty. Discussions yesterday were general and further meetings are scheduled to analyze the Wharton-Wilk plan point by point.

George S. Kaufman will replace Robert Sherwood at further meetings until Sherwood returns from Europe.

All Tents Name Delegates

To Variety Club Conclave

Detroit—Full list of delegates to the Variety Clubs' national convention opening on April 28 was released yesterday by General Chairman John E. Flynn:

Pittsburgh—Harry Kalmine and Harold C. Lund; Cincinnati—J. J. O'Leary and H. J. Wessel; Columbus—William C. Pullin and Max Stern; Washington—Rodolph L. Berger and Julius Brylawski; Dales—R. J. O'Donnell and J. B. Underwood; Detroit—Charles C. Perry and William Carlson; Omaha—Wal; M. Greenfield; Philadelphia—E. M. Orowitz and Jack Beresin; Indianapolis—Sol Golomb and Fred Greenburg; Buffalo—Robert T. Murphy and Jacob Lavene; Kansas City—R. R. Biechele and Finton H. Jones; St. Louis—Roy Colvin and John Walsh; Baltimore—Frank H. Durkee and Louis Rome; Cleveland—Nat Wolf and Sam Shuster; Boston—Al Steffes and Ben Blotkey; Milwaukee—Sam Sherman and Oscar Olson; Memphis—Harry A. Lightman and Harry C. Small; Dallas—Dr. Dayton R., E. Wells and Everett Bennett.

NEELY BILL VOTE

"ANYBODY'S GUESS"

(Continued from Page 1)
individual opinions should be supported.

Opponents of the bill are of the opinion that one of its strengths is the fact that it does not prevent exhibitors from cancelling pictures with a questionable moral theme. It was pointed out at hearings that pictures are among others of a sexy nature received very few cancellations, while those with words, library and educational values brought floods of requests for cancellations by exhibitors. Actual figures were presented to refute the testimony that exhibitors were forced to show undesirable pictures because of the block-booking system.

On the other hand, proponents of the Neely measure contended that the bill would be of benefit to all branches of the industry. They cite "monopolistic practices of the B & K" and referred to the Government's equity suit as an indication of alleged evil practices within the industry.

B & K Counsel File Answer

in Ford Anti-Trust Suit

Chicago—James B. Kirkland, Fleming Green & Ellis B & K attorneys, filed answer in Judge Wilkerson's Court in the Frank Ford anti-trust case against B & K and major film companies for damages. They made a motion to strike out the demand for damages; also a motion to dismiss the cases and a motion to separate two cases, asking jury trial and damages.

Waive Bridge Toll to Enable

Towans to View "Pacific"

Omaha—Cries for a toll-free bridge across the Missouri River between Omaha and Council Bluffs will bear fruit Friday, April 28, the day of the world premiere of "Union Pacific" here. Ak-Sar-Ben, owner of the bridge, have announced that on that day the bridge will be free to enable Iowans to attend the festivities and return without charge.

Kindler Released

Posting of sum directed in court has been fulfilled by A. Kindler, in case of Kimmel versus Kindler and Empire operators' union. Kindler is immediately released from custody.

Fair Exchange

Oklahoma City—A mutually satisfactory swap has been worked out between the city's two radio stations, KOCY and KOKH, and the management of radio station KOCY has made available one of its studios for the exchange. The KOKH announcer is being shown how the theaters are in return for some of the KOCY programs and features will show on the Widescope Theater and neighborhood Standard houses.
GN Assured Flow of Product by Fine Arts Agreement

FILE COPY

DO NOT REMOVE

(See Column 2 Below)

The Daily Newspaper Of Motion Pictures
Now Twenty Years Old

RCA - NBC Give U. S. Television Industry Its Send-off

PARA. TO DELIVER 60 FOR 1939-40, SAYS BALABAN

Keep Industry's Control Within the Industry --- Zukor

ara. Exec., Home from Eu-

rope, Sees Legislation

as Harmful

By AL STEEN

FILM DAILY Staff Writer

Returning on the Queen Mary

from a four-month tour of the Euro-

pean film markets, Adolph Zukor, para's board chairman, yest-

day revealed the following obser-

vations and opinions at a gen-

eral press conference:

1. The U. S. industry should be

controlled from within and that

legislation would do more harm

than good.

2. There is less money avail-

able.

(Continued on Page 4)

AN PRAAG LAUNCHES

"MOVIE CASH" PLAN

Morton Van Praag has organiza-

tion-Wide Coupon Distributing

Corp, for the sponsoring of "Mov-

ielash," a business stimulating plan

or theaters. Van Praag resigned

from Trailer-Made two months ago

so launch the new company which

(Continued on Page 11)

0% Tax on B. O. Receipts

in City of Quebec Approved

Montreal—Quebec Legislative As-

sembly’s Private Bills Committee

as approved imposition of an

enforcement tax of 10 per cent on

receipts of Quebec City cinemas.

The taxation proposal was con-

tented.

(Continued on Page 3)

Exhibs. Helped to Shape "U"

Program, Blumberg States

Chicago — Universal’s new pro-

gram was devised and arranged

after constant study and con-

ferences with exhibitors as to their re-

vised

(Continued on Page 11)

Second Anti-Duals Bill in Ill. House

Springfield, Ill.—With one anti-duals measure already favorably considered

by the House Judiciary Committee, second bill which would deem double features

in movie houses unlawful was also been hopped by Representative Sabdquist. Latter’s measure would make it unlawful

to present a film show more than two hours long; it has now been referred to the Judi-

ciary Committee.

Fine Arts Will Start Five Pictures

For GN in the Near Future

Grand National is assured of a

flow of product, it was learned yest-

day following a joint announce-

ment by President E. W. Hammons,

Jeffrey Bernerd and Maurice J. Wil-

son, co-managing directors of Grand

National Pictures, Ltd., and Frank-

lyn Warner, head of Fine Arts Pro-

ductions.

Conferences during the last two weeks have resulted in an agree-

ment whereby Fine Arts will re-

sume production immediately and

the negative of PA’s latest picture,

“Panama Patrol,” will be delivered
to GN at once.

It is understood that difficulties which have been facing the organi-

zation have been straightened out

(Continued on Page 3)

Withhold Selling of Pictures in Nova Scotia

Saint John, N. B.—Managers of

film distributing headquarters for

the maritime provinces and New-

foundland yesterday received in-

struction from Toronto headquar-

ters to withhold further selling to

Nova Scotia accounts until corpora-

tion lawyers fully considered pro-

visions of a bill recently passed in

the Nova Scotia Legislature.

Managers said the legislation

might result in exclusion of Nova

Scotia from contracts for the use of

motion picture productions. If

the Nova Scotia business were
dropped, the remaining trade in

films would not warrant a maritime

(Continued on Page 3)

Millions of Tele Receivers Coming,

Sarnoff Declares At RCA Ceremonies

Ohio Film Censorship Bill

Killed in House Committee

Columbus, O.—The Ohio censor-

ship bill was killed in the House

Education Committee upon presen-

tation of a substitute bill covering

newsreels only. Action on substi-

tute bill was postponed, with little

chance of passage.

Position of Roy Reichelderfer

(Continued on Page 11)

15 to be Ready for Release

When Season Opens

on Sept. 1

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Para’s 1939-40 line-

up will approximate 60 features, the

bulk to be made in the Hollywood

studio, with outside pix including

three British productions and Harry

Sherman’s Hopalong Cassidy and

two other big features.

Announcement to this effect was

made here last night by Barney

Balaban, prez, at the conclusion

of two weeks of studio conferences.

Accompanied by Stanton Griffin, ex-

ecutive committee chairman, and

Russell Helman, Eastern produc-

(Continued on Page 9)

MPTOA CODE STAND

DEPENDS ON BOARD

Acceptance of the proposed trade

practice plan by the MPTOA will

depend largely on the completion of

the arbitration clauses, Ed Kuyken-

dall, national MPTOA, said yester-

day in New York. Kuykendall

(Continued on Page 3)

20th-Fox Opens “Lincoln”

in Springfield on May 30

World premiere of “Young Mr.

Lincoln” was set by 20th-Fox yester-

day for Abraham Lincoln’s home

city, Springfield, Ill., pix to bow in

the night of Memorial Day at the

Fox-Lincoln theater. National re-

lease will follow one week later.

Marian Anderson, Negro contralto, 

(Continued on Page 9)

Republic Frisco Regional

Now Scheduled for May 5-6

Chicago—Republic’s Western regi-

onal, originally scheduled for San

Francisco on April 25-26, has been

set back to May 5-6 to coincide with

(Continued on Page 4)
**West Coast Bureau of THE FILM DAILY**

**Hollywood—Frank Stocking and John Gately, who are in charge of Local 37 as representatives of the Motion Picture Technicians' Committee of IATSE, yesterday laid complaints before local postal authorities that the Motion Picture Technicians' Committee, an autonomous group of Local 37, had sent slanderous cartoons and literature aimed against the company through the mails.

They stated they had been active in labor circles for more than 30 years and resisted attacks upon them. They are scheduled to meet today with George F. Hurley and M. F. Steedman, committee investigators who are under the impression of gathering information concerning other labor groups disseminating propaganda in Hollywood.

Sunday Pic Bill Signed
By Governor of Maine

Aug. 22, Me.—The Sunday motion picture bill which permits the showing of plex between the hours of 3 and 11 p.m. was signed by Gov. Lewis O. Barrows. The bill carried two amendments, one permitting municipal officials of a city to sanction or oppose Sunday shows before inhabitants voted on the proposal at a regular city election and the other prohibiting anyone who operates Sunday movies from working employees more than six days a week.

A bill providing that certain holidays be observed in Maine on Mondays to permit long week-ends was rejected by the Senate, 28 to 1.

**Syracuse Allied Unit Lays Plans for N. Y. Exposition**

Syracuse, N. Y.—National and state legislative matters were discussed yesterday at a meeting of the Syracuse unit of Allied of New York for the All-Union exposition and exhibition in New York City were launched and it was indicated that a large Syracuse delegation would attend.

**France Honors Miggins**

Paris (By Cable)—Among those receiving the ribbon of Chevalier de Legion d'Honneur, bestowed by the Minister of Foreign Affairs, was Ben Miggins, European director for 20th Century-Fox, who, for the ten years he has lived in France, has never ceased to be a faithful and active friend of our country.

**Dark Victory** Clicks Big at Music Hall, in New Eng.

"Dark Victory" opened at Radio City Music Hall yesterday to business turning such previous Warner pix there as "Four Daughters," "The Adventures of Robin Hood" and "Jezebel." Viewers have reported that the Music Hall rolled up one of the biggest opening day grosses in its history.

In New England, the film was opened in the state capital, where it is being shown in the Metropol,

**20th-Fox’s Dionne Pact**

**Blocks All-French Plea**

Montreal—Film contract with 20th Century-Fox necessitating the speaking of English, entered into by the guardians of the Dionne quintuplets and likely to block the French-Canadian Educational Society demand that the quins be surrounded with a purely French-Canadian personnel. The point was discussed at a special meeting of the guardians as soon as Dr. A. R. Dafos returns from New York.

**To Appeal N. O. Ruling Preventing Use of Orgs**

New Orleans—Musicians’ Union yesterday effected ruling by the N.O. Ruling practically prevents the use of organs and similar instruments when they will discharge orchestra employment. The ruling requires the use of five men when such instruments are used.

Organists Ray McNamara and Ed Larram have appealed the ruling to the AP of M.

**The “City” for Fair**

"The “City,” four-reel documentary film showing the need of urban planning, is now being edited by Dr. R. J. Pursy at the World’s Fair. It was announced yesterday by Civic Films, Inc. Film is financed by a grant from the Carnegie Foundation.

**Two Suing Local 306**

Trial was started yesterday before Supreme Court Justice Irissorle Wassergol by James L. Little and Milton Loshin who ask $5,000 damages from Local 306, and a decree from the court that they be admitted as members of the Local.

**Col. Signs Warden Lawes**

Warden Lewis E. Lawes has been signed by Columbia to write an original and appear in the film "The Witnesses of the Range," new Charles Starrett western, has been set for April 27.

**Expect Daylight to Win Syracuse, N. Y.—Daylight saving referendum here today is expected to result in a victory for its proponents.**

**SILVERSPOON IN TOWN**

Barney Balaban, Stanton Griffis, Russell Holmes and Hollywood last night for New York following conferences at Paramount studios.

W. J. HENEMAN, WILLIAM A. SCULL
TOM MURRAY and Jim JORDAN of Univer

...wag on via the Airlines from Chicago to

Friday, April 21, 19

COMING AND GOIN

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W. J. HENEMAN, WILLIAM A. SCULL, TOM MURRAY and Jim JORDAN of Univer.

JULY LEVES, RKO sales manager, return

TRUMAN N. TALLEY, Movietone News chief

VICTOR SAVILLE, Metro producer in Er

SPENCER TRACY, GEORGE ARLISS, ROSE E. SHERWOD, MARIA JERITZA, AKTU

JOHN MASON, BERNARD GILLES

ALICE FAYE is here for a vacation.

JOHN W. ALICOTE; : : : : Publisher

DONALD M. MERSEREAU, General Manager

C JERSEY BAHN, : : : Editor

Published daily except Saturdays, Sundays and Holidays at 1501 Broadway, New York, N. Y., by Wid’s Films and Film Corp., J. W. Alicott, President and Publisher; Donal

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N-FA AGREEMENT ASSURES PIX FLOW
(Continued from Page 1)

10% Tax on B. O. Receipts in City of Quebec Approved
(Continued from Page 1)

op Selling Pix in N. S. While New Law is Studied
(Continued from Page 1)

Pictorial in New Field

Gold Medal to “Abe Lincoln”

“Juarez” in Demand

MPTOA CODE STAND DEPENDS ON BOARD
(Continued from Page 1)

said that members of his board had indicated that the proposals were “acceptable substantially,” although some issues had been left out which the directors had hoped would be included.

I personally feel that the theater owners of this country, regardless of affiliation, should welcome these proposals and give them a fair trial,” he said. “But no decision will be made until I hear from the board in full.”

Kuykendall leaves tomorrow for his home in Columbus, Miss.

Buys Pictorial Film Library

Progress Film Library, under the direction of Robert Mathews, has bought the entire Pictorial Film Library, including about 500,000 feet of library shots. Its large stock of library shots already included the Miles Film Library which was started 25 years ago. Progress believes it now has the largest library of stock shots in the world.

Pictorial in New Field

Pictorial Films, Inc., formerly known as Pictorial Film Library, Inc., has disposed of its 35mm library and moved into new quarters at 1650 Broadway. It will hereafter confine its activities to the production and distribution of short subjects in the state right market. In addition, it is releasing a series of shorts and features in the 16mm field.

Gold Medal to “Abe Lincoln”

Robert E. Sherwood’s “Abe Lincoln in Illinois” has been awarded the Commodore Matinee Club’s gold medal as the most popular play of the current Broadway stage season. Film version is scheduled for production for RKO release during 1939-40 season.

“Juarez” in Demand

Three Hollywood theater box-offices in the first hour yesterday sold 500 seats for “Juarez” which starts its roadshow two-day run with world premiere near Tuesday night. Theater reported continuous lines during the day. Ad campaign for the pit started in metropolitan daily a fortnight ago.

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Sax Set to Produce 16 British Features for Warners

New Teddington Studio Head Sails Today to Take Over Duties

Warners revised British production plans for 1939-40 call for 16 features, of which a minimum of two will be "A." It was disclosed yesterday by Sam Sax, who sails on the Queen Mary today to assume his new overseas duties.

Succeeding Jerome Jackson, resigned, Sax will take charge of the Teddington studios as managing director and board chairman of the Warner British subsidiary.

While the Teddington production budget has not yet been determined, it is stated that the coming June season is turning out some 11 features with a $2,500,000 budget. Sax will make his recommendations after a first-hand survey.

The Teddington activities in the future will be directly under the supervision of the Warner Burbank headquarters. Sax will return this week from the Coast where he conferred with Harry and Jack Warner and Hal Wallis on the program he will undertake.

To what extent, Hollywood talent will be employed at Teddington next season is uncertain, Sax indicated. Jack Henley, writer, who was associated with Sax at the Brooklyn Vitaphone plant has returned to England. Cy Wood, another writer, accompanies Sax today. Joe Henabery, director, will sail later to join Sax.

Prexy of Moviograph

Chicago — H. T. Matthews has been made executive and general manager of Moviograph, Inc., succeeding J. B. Kleckner, who was learned here yesterday.

Chi. Holds "Dodge" a Third

Chicago — Warners' "Dodge City" is doing such a big business here that B & K is holding it for a third week.

"Nazi Spy" World-Wide Broadcast

General Electric's stations W2XAR and W2XAD today at 2:30 p.m. will carry a world-wide broadcast on short wave and available to stations for re-broadcasting an interview with Leslie Howard, who played the part of the "Confession of a Nazi Spy." Program will be a feature of Toronto's visit to the Albany pacs on behalf of the film, and he will respond to queries directed to him by George Williams, managing editor of the Albany Times Union.

Keep Propaganda Out of Pix, Zukor's Advice on Return from European Trip

Zukor said he was still convinced that films should be made for en- tire benefit of the people. That definite propaganda background should not be made unless a definite entertainment value was present in the pictures. The newspapers can inform the public about threatened wars and political upheavals, he said, but to make picture propaganda is a mistake.

Zukor will remain in New York about a month before going to the Coast. He plans to accompany John W. Hicks, foreign department head, on a trip to Australia late in June.

Saville Here to Discuss Metro British Production

Victor Saville, M-G-M British producer, arrived on the Queen Mary yesterday and plans to go to the Coast in a few days to discuss future productions with studio executives. Saville said that several series were under consideration and that definite decisions on the material will be reached during the Coast stay. Accompanied by Mrs. Saville, his two children and a governess.

Bela Lugosi Says English Production Is at Low Ebb

Bela Lugosi states that English production is at a low ebb and many of the studios are dark, Bela Lugosi stated yesterday upon his arrival from London on the Queen Mary. Lugosi just completed a role in "Dark Eyes of London," one of Argyle-British's new releases for the British market. He revealed that he now Universal contract calls for eight pictures.

Will Vote on Duals

Hales Corners, Wis. — The Greendale Co-operative Association has closed its new theater in the federal housing project just east here to Erwin Koengieter, former Milwaukee theater manager. Residents of the village will be given an opportunity to vote on number of nights a week the theater will operate. Whether the double features will be played.

"Marne" to Spectrum

Spectrum Pictures Corp. has acquired the French picture, "Her of the Marne," which opens at Little Carnegie on Monday. It is the first French film acquired by Spectrum.

Hoffberg Names Snyder

Appointment of Bob Snyder special sales representative for J. Hoffberg Co., Inc., was announced yesterday. He has left on a sales trip to key cities in the East.

STOKES!

Mrs. Emanuel Frisch, daughter of Louis Frisch, gave birth last Thursday night and a half year daughter this week at the Jewish Hospital.
READY
for every showman who calls himself an American!
It was Warners' America.

It is Your American.

Confessions of a Nazi Spy

Edward G. Robinson

Francis Lederer, Paul Lukas, George Sanders, Harry O'Neill

Directed by Anatole Litvak

Presented by Warner Bros.
You'll find these and 41 other smash ads in the big press-book . . . Get Yours Today!
Book It Now!
Then Stick Your American Chest Out and Show

Confessions of a

NAZI SPY

The Star:

EDW.G. ROBINSON

The Supporting Cast:
FRANCIS LEDERER
George Sanders • Paul Lukas • Henry O'Neill
Directed by ANATOLE LITVAK
Screen Play by Milton Krims & John Wexley
Based on materials gathered by Leon G. Turrou, ace G-Man • A First Nat'l Picture

World Premiere!
WARNER BROS. N.Y. STRAND
Last Week in April!
PARA, TO DELIVER 60 FOR ’39-40—BALABAN

(Continued from Page 1)

tion representative, Balaban trained last night on the Santa Fe Stage, Chief of New York.

Balaban paid a tribute to William LeBaron and Y. Frank Freeman for the progress Para, has made during the past few months, and asserted that the 1939-40 lineup "will reach a new high in entertainment and box-office value."

Balaban declared that the company is "definitely committed to an aggressive policy of developing new and different programs for the summer, utilizing the recently selected "Golden Circle" group of 14 young players.

British pix in prospect are "London After Dark" and "Jamaica Inn," starring Charles Laughton, and "Gero-" with Ray Milland and Ellen Drew, Balabaconfirmed.

He stated that the studio is further ahead with next year's production program than it has ever been at this date. Already completed are "Beau Geste," "What a Life" and the two Laughton features, while in work are "Ruler of the Seas," "Heaven on a Shoestring," "Disputed Passage," "Gorinno" and "The Cat and the Canary."

Balaban said that by Sept. 1, Para, will have a backlog of at least 15 important productions completed and awaiting release, including, in addition to those named, "Dr. Cyclops," and "The Light That Failed."


When the conclusion is reached, Balaban will bring its entire sales force to the Coast for the June 12-14 convention.

"Three Waltzes" to Start


Monroe Theater Burns

Monroe, N. C.—State theater here, operated by Wheeler Smith, was gutted in an early morning fire which burned several adjacent buildings.

Frisco Biz Picking Up

San Francisco—Local houses report a pickup in receipts the first half of this month.

Doyle in British Films

West Coast Bureau of THE FILM DAILY

Hollywood—Jack Doyle leaves for England May 2 to make two pictures.

$176,000 Asked for U. S. Latin-American Project

Washington Bureau of THE FILM DAILY

Washington—The Latin-American United States film project recommended by the State Department has been included in President Roosevelt's recommendations to Congress to improve relations in the Western Hemisphere. He recommended the full $176,000 approved by the State Department.

The project calls for: Utilizing six films of United States Government activities, to be gutted and translated in Spanish and Portuguese, producing one film on the American republics to be shown throughout the United States and the other five in the United States to be shown throughout Latin-America, equipping the United States Embassies with permanent projection equipment.

CA Reports $18,344 Net

Montreal — Confederation Amusements, Ltd., for the 10 months ended Dec. 31, report gross receipts amounting to $413,904 and net profit of $18,344.52. Dividend of $5,362 ($1 per share) was paid on the company's preferred stock in December, 1938, the balance of $12,982.52 being added to surplus account.

Hitler Kin in "Mad Dog"

West Coast Bureau of THE FILM DAILY

Hollywood—Al Rosen who will produce the "Mad Dog of Europe," has signed Bridge Hitler, ex-sister-in-law of Adolph Hitler, to play a part in the picture. She will also furnish technical advice for the production.

RKO, FWC Book Fight Film

West Coast Bureau of THE FILM DAILY

Hollywood—RKO and Fox West Coast have booked the Joe Louis-Jack Boper fight picture now being distributed by Henry Sonenshein and Irving Jacobs. Fight is also photographed in slow motion.

Decker Pix to EP

Detroit—Distribution of 35-40 pictures on which S. K. Decker, now of Hollywood, but formerly head of Criterion, has held the rights, is being taken over by Excellent Pictures.

Special "Nazi Spy" Dates

Twenty-three special key city simultaneous dates have been set in date on Warners' "Confessions of a Nazi Spy," prior to its national release on May 5.

French Television Hampered by Monopoly, Yet Progresses

Paris (By Cable)—Television development in France, although hampered by being a state monopoly, has progressed enough to presage its early commercial use. M. Barthelmy of the French Television recently gave a demonstration at studios at Montreouge at which images, flashed on a screen approximately two by three and a quarter feet, were brilliant, quite clear in the center but lacking sharpness around the edges. Images were transmitted from the studio to a small theater in the same building. Telecast included a dance, singing, and a motion picture, "Quo Vadis." Images were televised at 440 lines, but to obtain the clearance of a sharpness of motion picture projection, observers believed that 800 lines would be necessary.

Mexican Producers Talk Adjustment of Salaries

Mexico City—Seeking to effect a reduction in the salaries of technical workers of the film industry, native producers are holding friendly conferences with executives of the Union de Trabajadores de Estudios Cinematograficos de Mexico (Union of Motion Picture Studio Workers of Mexico). Although picture makers are acting on their own in this, their efforts are being bolstered by the organization of de Productores de Peliculas (Mexican Association of Motion Picture Producers) in an unofficial way.

Drive-in to Re-open

Cleveland, O.—Drive-In Theater reopens tonight with a policy of two shows nightly, rain or clear. There is no charge for the car and children are admitted free. Programs are changed on Sundays and Thursdays.

O. C. Nabe Biz Gaining

Okahoma City—An upturn in nabe and subsequent run business has been noted in most sections of the state with second city running the healthiest improvements at the box-office.

Sell Tele Sets in Iowa

Des Moines—First telef folks to be sold locally will be introduced by Gimberg department store, which has closed with Stewart-Warner.

Bowling League to Dine

Pittsburgh—The Film Row Bowling League will hold its eighth annual banquet at the Carlisle Club on May 6.

20TH-FOX'S "LINCOLN" OPENS IN SPRINGFIELD

(Continued from Page 1)

a national figure as a result of the D. A. R. controversy, will sing a group of songs at the premiere which will have an invited audience of Governors, university presidents, legislators and other trade pix critics from the East and Mid-West.

Governors invited include those of Illinois, Indiana, Iowa, Kentucky, Missouri, Wisconsin, Ohio, Michigan and Kansas. Others bidden include the U. S. Senators from Illinois and members of the Illinois Legislature, courts and bar.

Special cars will be added to regular trains from New York and other key points to carry the premiere guests to Springfield. They will reach Springfield May 29th, and leave the morning after Memorial Day.

Northern Pa. Golf Tourney To Aid Film Relief Fund

Pittsburgh—A "Get-Together of Good Guys" dinner and golf tournament, sponsored by the film salesmen and exhibitors of the northern Pennsylvania territory, will be held at the Conneaut Hotel, Conneaut Lake Park, on Tuesday, May 16. All Pennsylvania distributors and necessary dealers, theater owners and managers throughout the territory have been invited. Jack Judd is general chairman of this affair, the proceeds of which will be turned over to the Film Row Relief Fund. Reservations are being taken by James H. Alexander of the local Republican exchange.

Appeal Va. Censor Issue

Richmond, Va.—The Virginia State Supreme Court has announced that it will grant an appeal to the city of Lynchburg in the case involving censorship rights. Question is whether a city can ban a film after it has been okayed by the State Board of Censors. Picture involved is "The Birth of a Baby."

Brown Named Tax Prober

Pittsburgh—William L. Brown, owner of the Palace Theater, Tar- sent, and one of the oldest exhibitors in the territory, has been appointed a special tax investiga- tor in the 4th district in the next biennium. Operation of the theater has been taken over by his son, William R. Brown.

Gregory Circuit Meeting

Chicago—Annual spring meeting of the Gregory circuit managers and exhibitors was held Monday at the Chicago headquarters.

Hungarian Pix to Open

"Fekete Gyeromantok," new Hungarian pictures, will have its pre- miere tonight at the Modern Play- house.
“Women in the Wind” with Kay Francis, William Gargan
Warners 65 mins.
POP APPEAL WITH FEMALES IN AIR DERBY THAT CREATE GOOD SUSPENSE AND THRILLS.
A routine air derby story with females as the competitors has been donebefore, but this time the action and suspense are well handled and the human interest angle is very adequate. Kay Francis is the heroine who re-enters racing in order to try to win a big money prize to take care of her crippled brother. Her romance is with William Gargan, who has just won the round-the-world flying record. She is to use his plane in the women’s air derby from Burbank to Cleveland. But in spite of the interference of Sheila Bromley, who informs her that their Mexican divorce is illegal and she is still cutting in on everything, and insists on taking over the racing plane, Gargan flies it to New York, but in this type of a pop sports thriller, it goes on and the two females are pitted against each other, flying neck and neck with some exciting incidents, and one carries a kick. At the Cleveland airport with the crowds on edge, they are coming in together, when Bromley notes her rival has lost her landing gear. She loses her chance of winning by signaling to Kay Francis, and the latter thus warned, makes a landing on the field without making a comedy contributed by Maxie Rosenbloom as Gargan’s mechanic, and Eddie Foy, Jr., as the flyer who has loaned his plane to the heroine, and gets slightly buffeted between the pal’s wife and his present heart interest. Kay Francis as usual reflects glory and charm on a role to which she is superior. Selling angle: Females competing in air derby, with flying thrills piled on heavy.
CREDITS: Director, John Farrow; Author, Francis Walton; Screenplay, Lee Katz, Alfred DeMond; Cameraman, Sid Nickson; Editor, Thomas Pratt.
DIRECTION, GOOD. PHOTOGRAPHY, Good.

**SHORTS**

“One Armed Bandit” (Waller Lantz Cartoon)
Universal 7 mins. Meller Flavor
A modern version of the old villain-and-the-mortgage theme, Popp-shorty’s a mug for gambling, and loses all his money in a slot machine run by the villain. Then he mortgagess the house and loses that. His daughter comes along and pleads with the villain, but no dice. Then the hero enters, and takes the villain’s measure, saves the house, and wins the gal.

Imperial Prepares First
Original script entitled “Bigtown Mayor” is now being prepared by Imperial Pictures as the first film it will produce this year on company’s 82-picture schedule. Film goes into work in June.
EXHIBS. HELPED SHAPE UNIVERSAL'S PROGRAM

(Continued from Page 1)

requirements, Nate Blumberg, president, told delegates at the Midwest ern convention here yesterday. The program then was sent to the studio for confirmation, he said.

The salesmen present went on record as saying that they never had received such complete information on equipment as this year's exhibit.

Lou Pollack, Eastern advertising manager, told the representatives that an analysis of theater receipts on "The Mikado" showed that it was a "mass" and not a "class" picture.

Mansfield Thea. Loss $33,527

Montreal-Manfied Theater Co. Limited, which owns the building in which the Loew's Theater is built, reports a loss of $33,527 for the year ended December 31, against net loss of $15,421 in 1937. Current assets were $35,851 and current liabilities $43,854 leaving net working capital of $83,267 against $88,243 a year ago.

Gabriel Acquires Rights

Edward Gabriel of Capital Film Exchange, Philadelphia, has acquired the state rights for the two Lenauer International Films Inc., releases, "North Sea" and "Frosty Frolics." "North Sea" has been booked for all the Trans-Lux houses in New York.

Coal Strike Cancellations

Cincinnati—Cancellation of a dozen theaters in W Va., were received at Film Row exchanges this past week, due to the strikes in the coal mines. Kentucky cancellations are also coming through due to the strike in the Harlan area.

U. S. to Buy Belasco?

Washington Bureau of THE FILM DAILY

Washington—Federal purchase of the historic Belasco Theater, now playing pix, is called for under terms of a bill introduced in Congress by Rep. Howard W. Smith of Virginia.

Open House for Kreisler

Washington Bureau of THE FILM DAILY

Washington—Universal holds "open house" at its exchange next Monday to introduce the trade to its new branch head, B. Bernard Kreisler.

Kalich Rites Today

Funeral services for Mme. Bertha Kalich, 64, well-known actress who died on Tuesday night in Beth Israel Hospital, will be held at noon today in Granemore Memorial Chapel, 152 Second Ave.

Pix Ticket Plan Urged for Legit

Adoption of the film theaters "first come first served" plan for ticket holders was urged this week for legitimate theaters by Nat Gillum, president of the AAAA. Gillum stated that this move would prove to be a lesson to the big brokers and further asserted $500,000 annually by exorbitant prices.

"Dr. I. Q." Program Set

For Chicago Theater Run

St. Louis—The Dr. I. Q., The Mental Banker, program at the Fox Theater, Fanchon & Marco's 5,000-de luxe, in conjunction with KWK (NBC), will be repeated on April 24 and May 1 and 8 and will then move on to Chicago for origination at the Chicago Theater for a period of several weeks. Program is aired 9:30-10 p.m.

Audience participation program, which is bankrolled by Mars Candy, Inc., through the Grant Advertising Co., is carried in addition to KWK by 15 other Southern, Midwestern and Western stations on NBC's blue network.

Dr. I. Q. remains on the stage while five stations a day, portable mike's are spotted in various parts of the theater. Lew Valantine, as Dr. I. Q. selects various sections for answers to his questions announcing the price to be paid for correct answers. Individual awards ranged from $1 to $25. Capital award of $200 goes to the person who correctly answers a series of questions.

In Chicago the program will originate at the Chicago Theater and will be fed by Station WENR for several weeks. Later it will be transmitted from Stations WOW, WOWO, WTCN, WREN, WGBF, WPRO, WEBE, WAVE, WSM, WSB, WDAY, WFKB, KOA and KDYL.

"Heights" High In N'Haven

New Haven—Sam Goldwyn's "Wuthering Heights," released by Twentieth Century-Fox, broke every house record for money and attendance in the history of the Roger Sherman Theater here, according to Dan Finn of Warner Brothers.

Samuel Perlman Dead

Newark, N. J.—Samuel Perlman, 31, former treasurer of the Stanley Theater, Jersey City, died here after a short illness. His home was in Maplewood. At time of death, Perlman was treasurer of Motor Club of N. J.

Reorganize Clark Firm

Peter Clark, Inc., designers and manufacturers of theater stage equipment and effects, has been reorganized under the same name to settle the late Peter Clark's estate.

Herbert Willis Dead

Milwaukee, Wis.—Herbert Willis, 68, a stagehand at local theaters for more than 40 years, died. He is survived by his wife and a sister.

Court Urges Settlement

Try in Byrne-Laow Suit

Charlotte, N. C.—Judge E. Yates Webb in Federal Court here urged counsel for both sides in the $250,000 suit of LeGette Blythe, Charlotte author, against M-G-M and Loew's to get together and work out a settlement out of court, and thus avoid trial of the case.

At the same time Judge Webb sustained defendants' objection to answering questions in an interrogatory submitted by plaintiff, answers to which his counsel said were necessary to the preparation of the case. Defense counsel took exception to eight of the 31 questions submitted.

The eight dealt with revenue derived by defendant companies from exhibition of the short subject, "The Bravest of the Brave," which plaintiff contends infringes copyright of his book, "Mar shal Ney: A Dual Personality."
B'WAY ROLLING UP HIGH FIGURES; 'HEIGHTS' SMASH $50,000

'HIGHTS' NICE $13,500 K. C.;

OBERON, $13,500, PROVIDENCE TOPPER.

'HIGHTS', $6,500, TOPS INDIANAPOLIS

FILM SHOWMAN
By John C. Flinn

"Wuthering Heights" stands as a fine example of courage and skill. Tee-off at the Rivoli in New York for a highly profitable engagement. It is a novel written and produced more than a century ago. It violates all the accepted rules of

evangelization, skillful direction, excellent musical accompaniment and technical perfection in film making contributed chiefly to the

SHOWMANSHIP.

That "Wuthering Heights" warran... and will stimulate discussion, may at the coming months and perhaps years. Nowhere in the world is capable of writing a splendid image to the novel..."
PHILLY SLOWS UP, BUT 'HEIGHTS' $15,000. EXCELLENT

'HEIGHTS', $9,500 BRIGHTENS BALTO

'HEIGHTS' $6,000 HEALTHY IN PORTLAND

'WUTHERING' HITS HEIGHTS, $16,000 IN LOOP!

SAMUEL GOLDFryn presents

WUTHERING HEIGHTS

co-starring

MERLE OBERON • LAURENCE OLIVIER • DAVID NIVEN
with FLORA ROBSON • DONALD CRISP • GERALDINE FITZGERALD

Screenplay by BEN HECHT and CHARLES MacARTHUR
Directed by WILLIAM WYLER
RELEASED THRU UNITED ARTISTS
MYSTERIOUS RIDER, THE: Douglas Dumbrille, Sidney Toler, Russell Hayden, Weldon Heyburn, Charlotte Fields. If I think the industry owes producer Harry Sherman a vote of thanks for keeping the “Western” average so high. This film will please any audience and we need more casts such as the excellent selections made in this Zane Grey story. Highly exciting. Excellent plot. Swell scenes. A-1 class. Played March 18-19-20-21.

W. E. Lewellen
UPTOWN THEATRE, PUEBLO, COL.
"The appeal of the great outdoors, plus romance and action, are the essentials of HERITAGE OF THE DESERT. This version is pictorially beautiful. A fast moving screenplay and tactful direction contribute much to the entertainment."

Motion Picture Daily

"Superior outdoor picture, praise-worthy in every department. Should score decisively at the box office."

New York Film Daily

"Here is a picture whose production manifestly, from the outset, was aimed at a new approach in the western theme, the injection of a quality of depth and significance. So thoroughly was this achieved that it emerges as an outdoor drama of the top rank."

Reporter

"HERITAGE OF THE DESERT is not an ordinary western picture. Appealing love story, plenty of dramatic instance. Sometimes the film has a spiritual quality but comedy has not been neglected. Action, suspense and surprise have been included in abundance, and all elements have been intelligently welded. Well turned performances make the plot and its amplifications believable, understanding and entertaining."

Motion Picture Herald

"Combining believable drama with an abundance of thrilling action, the whole mounted against natural beauty of Arizona wastelands, HERITAGE OF THE DESERT will more than satisfy."

Variety

"Producer Sherman and Paramount can well be proud of this well-made and highly entertaining Zane Grey story. It is beautifully photographed and most capably directed. In the matter of direction Selander has really captured the spirit of author Zane Grey's novel."

Motion Picture Review

"Drama, action, thrills and well-written screenplay, plus expert trouping, direction and production, make this picture one of the finest in Producer Harry Sherman's long list of successes."

Showmen's Trade Review

SPEAKING OF CASTS...

DONALD WOODS, EVELYN VENABLE, RUSSELL "LUCKY" HAYDEN, SIDNEY TOLER, ROBERT BARRATT, C. HENRY GORDON, WILLARD ROBERTSON, PAUL GUILFOYLE, PAUL FIX

AT THE NAME Paramount IMPLIES!
U.S. Tele Industry Bows In Under RCA-NBC Auspices

$175-$200 for Attachments, $300-$600 for Sets May Be Range

(Continued from Page 1)

and other invited guests, in a phrase
awkward in its simplicity.—"The Birth of a New Industry, April 20, 1930."

Seated in 15 sections, each of which
was provided with a receiver in the TRK-12, reproducing an image
7% by 9% inches, the audience saw and heard the ceremonies
attending dedication of the RCA
exhibit building at the New York
World’s Fair which were televised in the local area via NBC’s mobile television
radio sets.

Images Well Defined

Following introductory remarks
by Graham McNamee, who func-
tioned as emcee for the television
program while seated before the
cameras in NBC’s studio, exterior
scenes of the Fair locales were
shown. Although the early
afternoon sky was overcast, the images
came over with a clarity which
evoked comment from the audience
which recognized that the image
compared very favorably with a
televised film, “Television,” which
RKO had produced in collaboration
with NBC and which was then
shown on the program.

Back again at the World’s Fair, the
camera picked up the speeches of
Lenox R. Lohr, NBC president, who introduced David Sarnoff, RCA
president; and Mayor John H.
Harrigan.

“It is with a feeling of hum-
bleness that I come to this moment
of announcing the birth in this
country of an art, so important in
its implications that it is bound to affect all soci-
ety. It is an art as old as the material
welfare. In less than two decades,” he added, “sound broadcasting provided work for
hundreds of thousands of men
and women, and aided the coun-
try and its citizens economically
by causing the flow of millions of dollars annually. Television again bids fair to
follow in its youthful parent’s
footsteps, and to inherit its
vigor and initiative. When it
does, it will become an impor-
tant factor in American eco-

The NBC to Televisel Back M of T Reels
Coincident with yesterday’s RCA-NBC television debut—although April 30 is set
as date for inauguration of regular teletours to the public—it was announced
that the March of Time documentaries
will be released this week. Re-
elease of the reel will be used.
Several such releases have been
used heretofore on NBC experimental teletours.

Sarnoff Asks “Reasonable” Pix-Radio
Co-op in Development of Television

NBC to Televisel Back M of T Reels

By RALPH WILK
West Coast Bureau of THE FILM DAILY

Hollywood—David Sarnoff, RCA
president, today issued an urgent plea for ra-
dio-pix co-operation in television’s
development as far as may be prac-
tical and reasonable; in a mes-
gram to E. A. Will-
ford, SMPE
board
member, he
states:

“Please, therefore, I ask
you to forget other
matters,
just as
well as
your
collective
co-operation
in
this
campaign, with
the
aim
of
en-
November
30
and
I
will
be

in
New
York.

The
future
will
probably
see
the
pre	ent
entertainment
offered
by
motion
picture
theaters
augmented
by
special
television
services,
which
will
bring
current
events
to
the
theater
screens.

In
due
time,
the
foremost
progressive
theater
operators
will
wish
to
step
forward
with
installations
de
projection
apparatus,
as
soon
as
services
become
available
which
may
be
expected
to
enhance
the
value
of
the
entertainment
which
the
motion
picture
industry
will
continue
to
provide.”

Pledging RCA’s continuance as a

tele pioneer, Sarnoff stated that “The
RCA Mfg. Co. has further completed
developments of certain special ap-
paratus that may be useful in the
study of the technique necessary
to the production of films for

tvision use.”

The significance of this sugges-
tion that the film industry consider
the production of films specifically for television was not lost to the pix

tops present at the banquet as the

DAILY<br>

Oster Sees U. S. Menace to Brit, Tele Leadership

London (By Cable)—Unless the
Government, through the Postmaster
General, sanctions independent tele-
transmission, the U. S. soon will
pass Great Britain in the television
race, Isidore Oster, GB chairman,
warned yesterday.

Meanwhile, BBC has disclosed
that it is on the verge of undertaking
tele on a nation-wide scale; at
present, there is London diffusion only.

If BBC goes through with the
expansion program, Oster says GB
will install Baird equipment in all
theaters in every district served by
a BBC transmitter.

Home television is definitely a suc-
cess in England, Gerald Gock, direc-
tor of television at the British
Broadcasting Corp., stated yes-
terday, in an exclusive interview with THE FILM DAILY.

The GB site, which declared that
approximately 12,000 sets are in use
day to day, and that manufacturers are still
thread in filling orders. He stated that
tvset television is still, however,
in the experimental stage. Im-
portant events, such as major prize
fights, have attracted large crowds
but the difficulty of showing a 400-
line picture on a screen on which
800-line pictures are ordinarily
shown, as well as the fighting problem, are still confronting the industry.

Manufacturers as well as the Brit-
ish government are cooperating with the Government on television
operation from the film industry
has not been, it was stated, very en-
thusiastic as theater men see television as a potential rival.

The recent statement of American
manufacturer Commander E. F.
MacDonald, Jr., president of Zen-
ith Radio Corp., that television was not ready for the market was de-
clared by British manufacturers, Cock
of the Walk, which firms are said to be convinced that home television is
satisfactory and that the demand is
increasing.

Chas. Giegerich to Handle
“Devil Feasts,” 13 Short

Charles J. Giegerich has taken over
exploitation and sales of “Mi-
maroh” (“Devil Feasts”) a four-reel
featurette filmed in the Island of Co-
olubang, the Philippines, production
stories by Dr. and Mrs. J. H. Bekke
of Batavia, Java.

Giegerich has also closed a con-
tact for exploitation of a series of
15 two-reel historical subjects
dealing with early Am-
tician and personali-
ties, but will be handled from Giegerich’s o-
field in the Powers building.

gineer and inventor of many of the
science’s important instrument-
ties; and Frederick Ullman, Jr., vice
president of Pan American News and Pat
to Film Corp.

Among others at the dedic-
ations were Cornelius N. Bliss, Edw-
Lasker, M. H. Aylesworth, Thomas
Beck, Dr. Walter Dannrosh, D.
Witt Millhausen, Robert Lehman,
Herbert Bayard Swope, Henry
Luce, Major Albert Warner, D.
James R. Angell, and Charles
Townes.

In order to demonstrate to{}
press representatives the possibili-
ties of the sport event, a three-round bout was staged in the
118-pound class between Jack Per-
ridge, Golden Gloves champ, and
Kenneth M. Davis, former Ame-
teen golden Gloves champ, with Baer,
former heavy weight title holder as referee.
New Adaptor Opens Way for Tele Use of Day's Films

United Artists Will Establish Own S. African Setup

By HOLLIS KENNAN

WORLD FAIR SETTING FOR 5-REEL AD FILM

Westinghouse, through Fuller & nitch & Ross, ad agency, will pro- ceed a Technicolor feature, "The Middleton Family at the New York world's Fair." Signing of contract by the five-reeler was announced at the week-end by Audio Productions' ex Ray, Frank K. Speidel, and shoot- ing will start in three weeks at the

New Devices Enable Use of Today's Pix Standards for Tele - Engstrom

By RALPH WILK

West Coast Bureau of THE FILM DAILY
Hollywood—As a result of devel- opment of both a new television adapter equipment and simplified telecasting "modern" system, there are now no serious practical diffi- culties in the way of utilizing pres- ent-day pix standards for tele pur- poses.

Assurance to that effect was given by E. W. Engstrom, RCA research director, who addressed the closing

New Devices Enable Use of Today's Pix Standards for Tele - Engstrom

Expect Turnout of 800 At National V.C. Banquet

Detroit—With approximately 800 guests expected to attend the fifth annual National Variety Club ban- quet here Saturday night, plans for the three-day Variety Clubs' get- together, starting Thursday, were completed over the week-end.

Dinner for the directors will be held Thursday and Friday nights,
**The Broadway Parade**


**Patrons in Review**

**Picture and Distribution**

**FOREIGN LANGUAGE FEATURES**

**FUTURE OPENINGS**

Wilcox, Anna Neagle Sell To Start “Dawn” in H’wood

London (By Cable)—Herbert Wilcox and his star, Anna Neagle, are on board the Aquitania sailing for New York on route to Hollywood to begin production on the Edith Cavell picture, “Dawn,” to be made in association with RKO Radio Pictures.

Wilcox stated before sailing that arrangements were being completed for Douglas Fairbanks, Jr., to play the featured male role and that Wendy Barrie would play the chief supporting female role.

“Ecstasy” and “Sunset” Bans Remain in New York

State Board of Regents, following appeal screenings in New York Friday, upheld the New York censor ban on Eureka Pictures’ revised “Ecstasy” and Grand National’s “Sunset Murder Case.”

Bon Voyage for Sax

Among those who saw Sam Sax off as he sailed for his new British post at Warners’ Teddington plant on the River Thames were Jules Brulatou, Hope Hampton, Phil Quinn, Mr. and Mrs. Sam Schneider, Mr. and Mrs. William Brandl, Mr. and Mrs. William B. Kneeland, Mr. and Mrs. Barney Klawans, Mrs. and Mrs. Joe S. Hecht, Maxine Rosner, Ralph Biddle, Harry Bernstein, Mrs. and Mrs. Louis Payne, David Block, Mr. and Mrs. David Mondon and Edgar Forman.

Court Jails in Milwaukee $500 Bank Night Fraud Case

Milwaukee—Municipal Judge E. P. Agnew at Janesville sentenced Howard Johnson, assistant manager of Steve Jeffries Theatre here. Agnew Gerek and Theodore Lesky to one year each in county jail in connection with a $500 Bank Night fraud, sentences to be reduced to 45 and five days each for latter two on condition restitution is made.

Hold Funeral Services For Young, Ascap Exec.

Funeral services were held yesterday for Joe Young, 49, lyracist, who died on Friday, Young was secretary and board chairman of Ascap. His wife, father and five brothers survive.

Montgomery Rites Today

Chicago—Funeral services will be held today for Steve Montgomery, 65, manager of Star Pictures, who died suddenly on Friday while on business visit to the local Capitol Exchange. A brother and a sister survive.

Yes, Hardys Ride High

In its first openings throughout the country, “The Hardys Ride High” is topping all the previous Hardy hits, M-G-M reported over the weekend. Exceptional box office was recorded in Philadelphia, Detroit, St. Louis and San Francisco, while at the Capitol, N. Y., the film is in its second week.

**COMING AND GOING**

Ed Kuykendall, MPTO prexy, left last week for New York to visit a number of cities before returning to New York.

S. Charles Einfeld, Warners’ director of advertising and public relations, leaves for the coast this week following the opening of “Conspirators of生產 of the Hollywood money.

Cecil F. Mason, general manager of Columbia Pictures Property, Ltd. Australia, arrived in New York by train from the— that will take place on Friday.

Jack Skirball plans in from the Coast at the week-end.

Leon C. Turrill, former G-man who was technical advisor for Warners on “Confessions of a Nazi Spy” arrives in Cleveland today on his lecture tour in behalf of the picture.

Virginia Kerrill, film player, sailed Saturday on the Rex for Europe.

Penny Singleton, star of Columbia’s Blondie series arrives by plane at the Newark airport today from the Coast to attend Blondie convention for publishers and editors now in convention in New York.

Bela Lugosi is due here from Hollywood today.

Toni Martin and Alice Faye are a White Sulphur Springs, Va. couple. H. C. Apple, Columbia’s assistant staff editor, planned out of Hollywood Friday for three-week vacation in New York.

Pollack is due here from the Coast.

Arthur Byon, tax ex-priester, is spending several days in Hollywood.

Theodore Cott, joint managing director for U.A. in England, will arrive here shortly after attending the-Convention of the Film Editors.

Pfaff Bros. asked on the Queen Mary to make pit for British International.

George Arliss returns to Europe on the Queen Mary.

George Jessel arrives from the Coast to.

David Butler and William Consmann are here for “U” home office confusion.

**THE THEATRE**

George Abbott Productions

“The Invaders,” written, directed, ten- derly, dry, most decent, and cer- tainly funny for your money put on sale this season.”—George Jean Nathan, Newsweek.

**PRIMETIME PATH**

By Ralph L. Backner and Walter Hart with the New York Equity Garage.

Westley Garde, Benjamin Hardie Court, West 48th St., Mats. Wed. & Sat. Columbia S-8143.

“Raro de Placere”—Athens, Times.

WHAT A LIFE

With E. S. Stone as Henry Aldrich.

NANSFIELD—47th St., Mats. Wed. & Sat.

Circle 65460.
FRANK LLOYD’S "RULER OF THE SEAS" starring Douglas Fairbanks, Jr. Will Fyffe Margaret Lockwood FRANK LLOYD Producing and Directing PARAMOUNT FOR 1939-40 For Theatre Men by Theatre Men
WORLD FAIR SETTING
FOR 5-REEL AD FILM

(Continued from Page 1)

Long Island Studios and on location at the Fair.

Film is to be released in midsummer and is intended to take the Fair to the stay-at-homes. Westinghouse has been featuring the Midleton family in series of magazine copy plugging its Fair exhibit. Westinghouse is the first firm to seize upon the Fair as a background for a commercial pix; casting is underway.

Robert R. Snody of Audio will direct the story being prepared by G. R. Hunter, agency v-p, and Reed Drummond. Technicolor-in-the-East unit at Audio will photograph. Both 35 mm. and 16 mm. prints will be distributed.

Expect Turnout of 800
At National V. C. Banquet

(Continued from Page 1)

and business sessions will be held during those two days. Expected at the banquet are Ethel Shutt, George Jessel, William Knudsen, Walter Chrysler, Harvey Campbell and a host of state and civic execs. Norman Frascott will be toastmaster at the banquet and the national president, John Harris, of Pittsburgh, and Chief Barker Charles Parry, of Detroit Tent five, will preside at the business sessions.

The Detroit Tent has recently undertaken a plan to purchase a home for homeless boys here that is creating a great deal of comment. About 300 boys will be taken care of by the home and it will be run by Father Markay of Trinity Parish if the plans are completed.

Among those attending from out of town will be Al Sheffes and Bob O'Donnell who bring large groups from Minneapolis and Texas. From New York, Neil Agnew, Charles Regan, Joseph Unger, Ned Depinet, Jules Levy, H. M. Richie, Edward McCoy, William F. Rodgers, E. K. "Tud" O'Shea, Tom Connors and Eddie Saunders are expected as are Dave Palfreyman, Max Cohen, George W. Weeks and "Chick" Lewis.

ALONG THE RIALTO
with PHIL M. DALY

- - - WATCHDOGS of the industry......the exploitation men in the field......the percentage selling of today calls for a close partnership between producer, distributor, exhibitor......that extra effort that the exploitation expert on the spot can put in back of a picture is the only system yet found for bringing in additional revenue which totals millions a year......revenue that would never have come to the box-office without the specialized work of the field exploitation man......

- - - IT TOOK some years for this simple truth to catch on......now the producers have seen the light......the exploitation field force is becoming increasingly important......Metro pio neered with Billy Ferguson's permanent field staff......which has been functioning successfully for years......and today is bigger and better than ever......

- - - TELEVISION......states an expert on the inside......will start off as a News Event proposition......but will wind up as an Advertising Outlet......opening up a new vast field for getting over graphically an Instantaneous Advertising Message......it will make Radio as an advertising medium look amateurish......so says our inside informant......who adds that the picture house has nothing to fear from television......rather, it will supplement the regular screen fare with important and sensational news flashes......

- - - WIRE from President Lazaro Cardenas of Mexico to Jack L. Warner......on the occasion of the world premiere of "Juarez" at the Hollywood theater tomorrow night......"I wish all kinds of success to Juarez...hoping that your work will have the right compensation and your efforts will duly honor the moral and social work of the great Mexican, Benito Juarez"......

- - - FOR the first semi-monthly broadcast of the "Gateway to Hollywood" aspirants......held last Sunday eve......the judges were S. Barrett McCormick, ad chief of RO Radio......George Stevens, director of "Gunga Din"......René, ROK Radio's fashion expert......and Joel McCrea and Frances Dee......W. C. Fields was the guest star......

- - - CELEBRATION marking the fortieth anniversary of the National Arts Club will be climaxed with a Union Pacific Costume Ball......on May 6......to tie in with the "Union Pacific" theme of the Ball and the costumes of the guests, the clubhouse at 15 Gramercy Park, New York, will be decorated to represent a gold rush town of the period......guest of honor will be Cecil B. DeMille......

- - - FRENCH Academy Award of 1939 was presented to "Quai des Brumes," the Grégoire Ratibovich screen production starring Jean Gabin and Michele Morgan......this picture will soon be released here by the Film Alliance of the United States......(the Harry Brandt side line, we understand)......under the title of "Port of Shadows"......the production was directed by Marcel Carné......the scenario by Jacques Prevert was founded on Pierre MacOrlan's French novel of the same name......


PARAMOUNT TO BUILD
$12,000,000 STUDIO

(Continued from Page 1)

completion of engineering detail
Two sound stages, dressing room and sectional part of a mill will first units erected

Sound stages will have total floor space of 600,000 square feet.

Prexy Barney Balaban before telling New York said that the new financing is contemplated connection with the plans for the new studio, which will centralize of Paramount's activities on a p of ground one mile long and one a one-half miles wide. The plant will be known as Paramount City.

North African Production
Center For Movietone News

(Continued from Page 1)

chietain revealed when he said Friday on the Queen Mary.

Talley foresees the Mediterranean area as the real "hot spot" in European situation, and he plans to staff the territory completely with crack men, either withdrawn from other posts or new additions to company's forces. While he is abroad he will plan the reopening of the Spanish office and it is expected that he will assign William Marr North African forces will be led by Ettore Villani, former Italian head, it was learned.

Reopening of the Spanish office is planned with a view to establish a production center there if the rest of Europe is embroiled in war.

New setup for company's South American reel was also disclosed, production center will be established in both coast for printing, and the reel will feature more South American news with U. S. World-wide news being suppressed, instead of past practice, S. A. news being added where possible to the reel. Survey of which has recently been completed by several Movietone men, and offices will be established in Rio, Buenos Aires and six Lima or Santiago on the Pac Coast.

Paris convention of Movietone foreign forces will be held May 16. Walter J. Hutchinson, Henr Werther, Francis L. Harle, Sir Gordon Craig, R. Sutton Dawes and number of other execs, will attend in addition to the newsreel force.

"Information Please" Series
ROK Pathe News will bring a "Information Please" to screen in a series of 15 one-reeh

STORKS!

A seven-pound boy was born to Mrs. Al Steen, wife of Al Steen, film publicity staff writer, at Murray Hill Hospital Saturday.
NVEST $12,000,000 IN 13 20TH-FOX PIX

By RALPH WILK
West Coast Bureau of THE FILM DAILY

Hollywood — 20th-Fox has more than $12,000,000 invested in 13 films before the cameras or in the cutting room; seven are on the 1939-40 lineup, due on the 20th-Fox schedule. The investment is $2,500,000 allocated to "The Rains Came." Company is spending $500,000 on sets and an equal amount of the flood and earthquake sequence for the latter.


As a portent of such big screen musicals, Darryl Zanuck has ordered that the $75,000 Madison Square Garden set be made permanent at Western Avenue studio. The set was built for a sequence in "20th of Washington Square," the studio's biggest musical of the year, made with a $2,000,000 budget.

Union Pacific Special Off for Omaha and Film's Bow

West Coast Bureau of THE FILM DAILY

Hollywood—Para's Union Pacific special pulled out today for Omaha where Cecil B. DeMille's "Union Pacific" debuts next Friday. Aboard are Barbara Stanwyck, Joel McReynolds, George Raft, Lynne O'Grady, Robert Preston, Lloyd Nolain, Brian Donlevy, Anthony Quinn, Katherine DeMille, Betty Grable, Clifton Webb, Van Johnson, Evelyn Venable, Judith Barrett, Evelyn Keyes, Janice Logan, Judith King, Margaret Roach, Sheila Darcy, Evelyn Luckey and Luana Walters with possibilities that Madeleine Carroll and Fred MacMurrary may join the group in Omaha later.

DeMille, himself, will leave immediately after his broadcast tomorrow entertaining the people outside the Union Pacific building to proceed to Salt Lake City and proceeding the rest of the way to Omaha with the Hollywood group.

In DeMille's private party will be Mrs. DeMille, Mr. and Mrs. John Blewett, Miss Jeanne DeMille, Miss Associate Producer William H. Pine, Arthur Rosson, William Hebert, G. L. Richardson, Don English and Glady Rosson.

Following the premiere DeMille

Zanuck Gets 'Grapes'

West Coast Bureau, THE FILM DAILY

Hollywood—In active competition with the big MGM and Warners companies, Darryl F. Zanuck, purchased the rights from "The Grapes of Wrath" for 20th-Fox at what was said to be a record price.

REVIEWS OF NEW FILMS

"The Return of the Cisco Kid" with Warner Baxter, Lynn Bari, Cesar Romero 20th-Fox

(\texttt{HOLLYWOOD PREVIEW})

EXCITING ACTION-CRAMMED WESTERN SHOULDN'T GO WELL WITH ALL AUDIENCES.

"The Return of the Cisco Kid," a sequel to the original O. Henry story "In Old Arizona," is the biggest special of the year, made for $2,000,000 to appeal to the new generation of audiences, exciting the most adventurous of the old Cisco Kid fans, and new to the screen, the film is directed by Associate Producer Kenneth Macgowan. Herbert I. Leeds did a fine job of direction and of work in their respective parts. The screenplay by Milton Spiller is filled with hok, but is very amusing and good entertainment. The gay banter of the Cisco Kid, the way that he speaks his lines, the way he makes his entrance and the way he drives them off with a few careless shots. The girl is impressed and Baxter falls in love with her. The Cisco Kid meets Lynn Bari and Henry Hull, her grandfather, on the stagecoach in which they are riding. The Cisco Kid is held up by Baxter's henchmen and he drives them off with a few careless shots. The girl is impressed and Baxter falls in love with her.

Gov't to Continue Quiz of UA Execs. Wednesday

Seymour Krieger, special assistant to the U. S. Attorney General, conducted the examination on Friday of Charles Stern and Edward Mullin in connection with UA's defense position in the Government's equity action against film producers.

Queries were directed as to how theaters were selected for first-run, how clearances were established, and also details pertaining to former anti-trust suits. There was asked in particular why Paramount-Publix got first-run in Middletown, N. Y., and why Loew's Century in Brooklyn got the "break" over other houses, including the Patio.

Adjournment was taken to April 26 at 10:30 a.m., when Harry Gold, UA's sales manager for the Eastern division, is expected to be examined.

Vetoes Sunday Pix Bill

Dover, Del. — Bill which would have permitted Wilmington to hold a Sunday pix referendum was vetoed at the week-end by Governor McMullen.

will also make p.a.'s in Chicago, New York and Washington while the special train makes a swing around the country.

Metro Sending Montgomery To England for 2 Pictures

West Coast Bureau of THE FILM DAILY

Hollywood—Metro is planning to send Robert Montgomery to London, to star in "The Earl of Chicago," by Brock Williams, and "A Busman's Holiday," both pictures to be made at the Denham Studios.

Moyo Signed to Direct "House Across the Bay"

West Coast Bureau of THE FILM DAILY

Hollywood — Archie Mayo has been signed to direct "House Across the Bay," adapted by Sarah Y. Mason and Victor Heerman from the original story by Myles Connolly.

"Sorority House" with Anne Shirley, James Ellison RKO Radio

PLEASING LITTLE STORY OF COLLEGE LIFE HAS STRONG HUMAN APPEAL.

A very sincere and human little story of a girl who is typical of the average American college-age youngster in modern circumstances, this is an out-and-out illusion about the importance of certain things in college life. Anne Shirley is the arrival of her dad and his discomfiture when he rows money from the bank to send her to college. She arrives in time for "rush week," when every girl is eagerly hoping that some sorority will make the coveted nod in her direction. She meets James Ellison, a popular man on the campus, and he determines to make his new love important. So he tricks all the sororities into believing her father is a wealthy chain store man, and the girl is swamped with attention from all the houses, and she finds herself in a round of parties. Meanwhile she has written her dad that she is moving to a small house for new popularity. He sells his store, and journeys to the distant college town, determined to mend the fences and open up a store in the neighborhood. Then comes disillusionment as she mingles at a party as "sorority man," realizes that she cannot compete with these wealthy and important people. The final blow comes when she realizes it was all a misunderstanding, that they were not favoring her because they thought her family rich and socially prominent. The story in the telling has a lot of loose ends, but its general sincerity and appeal are its chief virtues. It wins support. Selling angle: The inside story of what goes on in snooty college circles.


CREDITS: Producer, Robert Stone; Director, John Farrow; Author, Mary Coyle Chase; Screenplay, Dalton Trumbo; Cameraman, Nick Musuraca; Editor, Harry Marker.

DIRECTION, Fair. PHOTOGRAPHY, Good.

Mons' "Streets" Clicking, Says Johnston on Return

From present indications, Mons' "Streets of New York" will outstrip "Boy of the Streets," W. Ray Johnston, noted New York filmologist, said with regard to New York regional premiers of the pix in Oklahoma City and Atlantic City.

Johnston said Mons' production was moving steadily forward; "Wolf Call" is being edited and "Girl from Nowhere" and "Down the Wyoming Trail" are before cameras.

Mons' 1939-40 lineup is expected to be ready for announcement at the Chicago convention May 4-6.
TATSE SPURS PEACE PLAN OF AUTONOMISTS

(Continued from Page 1)

Report Equity Suit Talked as U. S. Prosecutors Meet

(Continued from Page 1)

off process" for 90 days, with both sides to modify demands.

Proposal was submitted to a conference called by Dr. Towne Ny-

ster, Regional Director of NLRB, and which was also attended by at-
torneys for producers.

John F. Gatelee of IA declared that "the Group's sitdown, which called for a showdown by

noon Saturday and said they are no longer paying any attention to it. Autonomy

Group leaders, stated the Group had re-

ceived a letter from Assistant At-
torney General Thurman Arnold &

Department of Justice would visit

Hollywood in connection with group

charges of collusion between ex-

heads and producers. Autonomy

Group leaders said they had started

a "war chest" and that 500 mem-

bers had pledged $10 each for a "lis-

tic" for Autonomy.

In a statement in which Gatelee bit-
terly attacked the Autonomy Group was this statement that the Auto-

Group leaders termed a victory for their cause: "What is next? Simply thi-

—TATSE from now on will recom-

mend that the various Hollywood

locals seek their own agreement

with the producers and the IA wi-

stand by and assist them in every-

way possible at their request."

However, Gatelee emphasized th-

fact that IA will continue its fight

with the Group leaders with whom IA considers "Communist and trou-

ble-makers."

MPPDA Committee Meets To Set Instructional Pi

(Continued from Page 1)

of the Advisory Committee on th

Use of Motion Pictures in Education.

Discussion centered on the film

which are proposed for inclusion in

the 1939-40 list, which are to be supplied from the archives of

MPPDA member companies.

Present at the session were Dr.

Mark A. May, counsel and direct-

or of the Institute of Hu-

man Relations, Yale University; Dr.

Gillette, a representative of MPP;

Dr. William Gilder, executive sec-

Jury of the National Educa-

tion Assn.; Royal B. Farnum, execu-

tive vice-president of the Rhode Island Art Institute; Dr. J. B. Nash, direc-

tor of physical education, N.Y.U.,

and Dr. Edmund Day, president of

Connecticut College.

Absent were Dr. Isaiah Bowman

president of Johns Hopkins Univer-

sity; Dr. Robert R. McCormick, su-

perintendent of schools, Bronxvil-
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**Tele Adaptor “Preview” System Enable Use of Films**

SMPE Aims to Avoid Film and Radio Conflicts Over Television

(Continued from Page 1)

session of the SMPE Spring convention here Friday.

Significance of Engstrom’s announcement is found in the fact that it immediately corrects two important film sources for one television station — first, pix already made for theater audiences and second, films made especially for telecasting purposes need not deviate from existing movie standards, nor need they require special processing.

Engstrom, for the first time, supplied details of the BCA apparatus which automatically adapts the 24 frames per second speed of films to the 30 interlaced pictures per second standard speed of tele scanning.

The “preview” apparatus, which, according to Engstrom, solves producer problems of adaptation, advance the films most suitable for tele transmission, is contained in a compact console, 32 inches high, 21 inches wide and 21 inches deep. A standard "iconoscope" tele pickup camera and film projection equipment are used in conjunction with it.

Close Radio-Pix Alliance

Close alliance between radio and films in the development of television was the keynote of the report of the SMPE’s television committee, headed by Dr. Alfred N. Goldsmith. The committee, it was said, “will endeavor to cooperate, formulate, clarify and disseminate useful information” to the film industry as to the film and pictorial requirements and to the radio-tele groups as to pix capabilities and availability.

"It is hoped to avoid conflicting standards or practices in the two arts," Dr. Goldsmith emphasized. Objectives, he said, are: To collect existing information; to guard against misunderstanding, misstatements, unnecessary conflicts of arts or opinions, and to obviate or reconcile whenever possible; to act as a clearing house in various processing technical activities common to pix and radio, and furthering interchange of mutually helpful data.

The committee has two sub-committees at work, O. B. Hanson, NBC chief engineer, heading one on production and technical lines, and O. Sandvik of Eastman heading the second on film properties and lab practice.

Pix Standards Acceptable

Declaring it was now impracticable to report specifically on some phases, Dr. Goldsmith said, "As a basis of cooperative and compatible policy for the motion picture industry, the opinion appears to be that the film standards are acceptable for television, and that television will try to work within that framework, but differences between the requirements of the tele art and those of the motion picture art." Elaborating upon his references to differences, Dr. Goldsmith said:

"There are differences as to set construction, scenery, and limits as to details, size, and coloring. There are also limitations of systems in relation to the sensitivity of the television camera, types of light sources, floor and overhead lighting, long shots and close-up, mouding and air-conditioning. The subject of lenses is closely connected with those of film and lighting. Very little is now known, in a final sense, with regard to mobile equipment, and further developments must be awaited. Problems of background projection are similarly not specifically defined, though television projectors use standard sizes of film, they are not as yet adapted to accommodate the different rates and methods of projection."

**RMA Television Recommendations Draw Criticism of Allen B. DuMont**

West Coast Bureau of THE FILM DAILY

Hollywood — Sharp warning against the adoption of tele standards that might hinder the future development of the art and industry was voiced before the SMPE convention here Friday by Allen B. DuMont, head of the Paramount-affiliated DuMont Laboratories of Pasacc, N. J.

DuMont took exception to the tele standards set up by the Radio Manufacturing Association, now awaiting FCC action.

"It is obvious that at some future date a present-day so-called high-definition television will compare only with the crystal detector, headphone days of radio," DuMont said.

"At that time, however, there will be a tremendous investment by the public in television receiving equipment, and the obsolescence of such an investment will not be cordially received. It is necessary, however, that such changes take place, and the problem of the present day engineer is to design his receiving equipment in anticipation of such changes."

DuMont Files Amendment To Pending SEC Statement

Washington — Allen B. DuMont Laboratories, Inc., of Passaic, N. J., filed an amendment to its pending registration statement before the SEC. The amended statement calls for 750,000, $1.75 per share, within 10 years, 12% convertible notes, due 1949, to be reserved for rights at $100. The issue is to be sold first at $100, then at market price. Statement also calls for 30,000 $1 par class A common stock, reserved for convertible notes.

11,000,000 Feet of Film Telecast on West Coast

West Coast Bureau of THE FILM DAILY

Hollywood—More than 11 million feet of film have been telecast locally by the Don Lee transmission, WAXO, which operates on the ultra high frequency of 443 megacycles, dedicated to telecasting at the SMPE tele session. Station shows pix twice weekly, "live" talent four times a week.

**Film Production Technical Needs Speed Up for Tele**

West Coast Bureau of THE FILM DAILY

Hollywood—Satisfactory tele studio programs make mandatory split-second co-ordination and timing of players, noiseless, swift shifting of scenery, and preserving the "live" look of the picture and camera angles. A. W. Protzman, of NBC, told the SMPE convention Friday night.

Protzman emphasized that the whole tech of pix production must be speeded up immeasurably and gadgets changed in many respects to meet tele's more exciting requirements.

**Moss Expands Exhib. COM. for GNY Fund**

(Continued from Page 1)

been formed via invitations extended to the present membership which now includes Harry Brandt, Charles Schwartz, Leo Brecher, Jean Heyau, Major Leslie E. Thon, Jr., Joe Seider, Joseph Katch, George Skouras, Howard Goldenson, Herman Becker, Arthur Rapf, Samuel Strasserberg, Walter Reade, Harold Rodin, Sam Rinzler, Marvin Schenck, Laurence Bolognino, and Si Fabian.

Expressing his own enthusiasm and that of his fellow committee members, with respect to the unusual worthiness of the cause at hand, Moss said: “We are hopeful that the exhibitor interests of the New York area will be able, through sincere co-operative effort, to alleviate the problems of the needy, the handicapped, and the underprivileged, as becomes us all who live fortunate lives under spiritual and democratic ideals and ideas.”

He pointed to the fact that the station operators derive their income from the public, which is made up of all ages, races, creeds and colors, and that the Greater New York Fund drive is an opportunity for the exhibitor to support that portion of the public which needs helping hand.

At today’s meeting, he added, the hopes not only to perfect organization, but install a realization of, an enthusiasm for, the inestimable good which the drive will accomplish.

Charles Cassanave, chairman of the Allied Industries and Activities Committee for the drive, scheduled a meeting of his group for the afternoon. Invitations to accept capencies have been sent to Joe Hornstein, Sam Steinberg and Al Zempf, to assume the chairmen of the entertainment, valence, and sign shop interests.

**Hold Tele Until It Pays Own Way, Urges McDonald**

Chicago — Eugene F. McDonald, Jr., Zenith Radio Corp. president, has carried his campaign to keep television out of public’s hands until it can support itself commercially to Neville Miller, NAB president.

In a letter to Miller, McDonald asserted that NAB “can play an important part, if not the leading role, in undoing the injury that has reared its head, and is further injuring, if NAB cares act. This reference in McDonald communications, he said, with reference to the alleged harm that has resulted from "premature introduction, ballyhooing and exploitation by civic, departmental, civic, motion departments and stock salmen."
Pix Industry Gets the Breaks in State Legislatures

MAJORS COLD TO TELEVISION'S PLEA FOR PIX USE

Self-Regulation Effective in Australia, Says Mason

Moral Issue
... pix and the kids

BY CHESTER B. BARNHART

WITH the moral issue again raised by proponents of the Neely measure and the effect of films upon children at least inferentially a factor, it might not be a bad idea this Tuesday morne to turn the columnar spotlight on the results of a recent "Youth Goes to the Movies" symposium conducted by the Youth Forum, youthbuilders, Inc., juvenile organization with a New York public school pupil membership.

Strictly unheralded, the youngsters between the ages of 10 and 15 were asked such questions as "Should children be allowed to see all movies?" "What effect do crime pictures, horror pictures and pictures with gun-play have on the minds of children?" and "Should propaganda be permitted on the American screen?"

If you consider such inquiries beyond the mental capabilities of the average American 10-year-old, you simply have fallen behind the procession—way, way behind.

STENOGRAPHIC transcript of the symposium establishes that, upon a vote after extensive debate, a single girl held out for the view that children should not be allowed to view all movies. It was the consensus that only "kids who hate'sy any sense anyway" would be influenced in any way by so-called crime pictures. Indeed, there was some frank juvenile criticism of the occasional Hollywood over-romanticization of the historical villain-hero.

As for horror pictures' effect, the youngsters' normal reaction was that their "unbearable suspense is just swell fun," hardly to be taken seriously.

In the matter of propaganda on the screen, there was unanimous agreement that the films should be left free to reflect the record of past and present, to point indications for the future, that they should take precautions to see that the record was accurate and unprejudiced, historically and socially sound, and that films dealing with past history and crises of the day should be presented from a variety of angles.

"Show both the good and the bad, and

New Zealand Film Board of Control Becomes Operative This Week

Film production will continue to remain in its present static state in Australia unless the British Films Act is amended to permit the Commonwealth's product to enter on a preference basis, it was declared yesterday by Cecil F. Mason, general manager of Columbia Pictures Proprietary, Ltd., who is currently visiting the home office where he will remain until mid-May.

ALLIED UNIT FORMED FOR CAL., ARIZ., NEV.

West Coast Bureau of THE FILM DAILY

Los Angeles—A new Allied unit has been organized here with headquarters at 1908 S. Vermont Ave.

Intentions are to embody independent exhibitors in California, Arizona and Nevada in the new organization.

Archbishop to Officiate at Cocalis Rites Today

Funeral services will be held at 2 p.m. today for Soteros D. Cocalis, 51, president of Cocalis Enterprises and representative of Springer-Goodyear.

MOSS GROUP PERFECTS GNY FUND DRIVE PLAN

Exhibitors' Committee, under chairman of B. S. Moss, at a luncheon session yesterday at the Hotel Astor perfected organization for raising of funds for the Motion Picture Division of the Greater New York Fund. Committee also saw the M of T's Fund pic "Neighbors in Need."

RKO'S SALES PARLEY HERE

June Sessions at Westchester Country Club

RKO's national sales convention has been slated for mid-June in New York. It was learned yesterday, sessions will be held at the Westchester Country Club, marking the first time a sales convention has been held in such a setting. Last year RKO passed up a convention, owing to the fact that the sales executives had contacted the field forces constantly during the Depinet Drive.

Fear of Adverse Exhibitor Reaction Said to be Influencing Factor

By GEORGE H. MORRIS
FILM DAILY Staff Writer

Major film companies have issued a terse reply of 'No!' to NBC's requests that they make some footage available for television broadcasts in the metropolitan area which are scheduled to commence with the launching of the New York World's Fair Sunday.

Sources close to NBC told THE FILM DAILY yesterday that the pix companies refused to co-operate for fear that exhibitor interests might protest.

It is understood that NBC asked

GOVT'LL FILE BILL IN EQUITY SUIT WED.

Bill of particulars will be filed in Federal Court here tomorrow in connection with the Government's equity action against filmmakers, it was indicated yesterday by sources close to the D. J. of J.

The bill, which is now ready in

Music House Suit Against

Erpi Upheld by Judge Knox

Decision was handed down in Federal Court yesterday by Judge John G. Knox upholding the suit of John C. Knox against Erpi, a music publishing house, against Electrical Research Products, Inc. According to the decision no fixed

Call Meeting to Organize

Film Co. Office Employees

The American Federation of Bookkeepers, Stenographers & Accountants' Union has called a meeting of all film industry office workers to

571 Bills Affecting Pix Hoppered

But Film Industry Gets the Breaks

Mexico Seriously Weighs Backing Film Production

Plans are now being seriously discussed by the Mexican Government to create a banking setup under Federal control to finance smaller indie producers there, it was learned yesterday with the arrival of Quin

A total of 571 bills affecting the motion picture industry have been introduced in the legislatures of 40 states which have held regular sessions since Jan. 1, a Hays office check-up yesterday revealed. No measures on censorship, theater divestiture, reel tax or admission tax have been passed to date.

Twenty-five of the state legisla-

(Continued on Page 8)
Salisbury Named President of Filmaca Internazionale

New officers of Filmaca Internazionale, S.A., Inc., company producing Spanish films for RKO release, are as follows: president and treasurer, J. W. Salisbury, chairman, Robert H. Hasler, vice-president, Thomas A. Moore, secretary, Sidney Preitchberg. Company recently completed a picture entitled "Perfilia" for RKO, and is now making plans for a new picture which will be made in Mexico City. Election was held last week.

Joe Gallagher Retiring as Box-office Gen. Mgr.

Resignation of J. H. "Joe" Gallagher, general manager of Box-office for the last eight years, was announced yesterday, effective at the next week-end. Gallagher, who plans a vacation, will announce his future plans shortly. It is understood that the post will not be filled.

Testimonial for Kauffmann

Pittsburgh—Joseph R. Kauffmann, universal branch manager who was recently transferred from the local exchange to the Cleveland office, last night was tendered a testimonial banquet, under the auspices of the Variety Club, exhibitors and exchanges.

Harry Hender was general chairman of the banquet committee and C. C. Kellenberg, treasurer. Affair at the Roosevelt Hotel was largely attended.

Abrahams Opens Crest

Chicago—Sam Abrahams, pioneer theater manager, has opened the Crest Theater.

Metro, First Major to Sign for Exposition Booth Space

M-G-M is the first major company to contract for both space at the Allied of New York-sponsored Motion Picture Exposition to be held next month at the Astor Hotel. M-G-M has reserved two booths.

Talk New Dionne Short

Plans for a new reel show featuring the Dionne Quintlets are now being discussed by Frederick Ulman, Jr., Pathe News chief, and Dr. Allen Roy Dafoe, the narrator who will handle the picture. It is expected to be ready for release in late June.
MAJORS COLD TO TELEPLEA FOR FILMS' USE

(Continued from Page 1)

ily for outdated one-reel shorts, it even was announced, R.C. firms now stand NBC will present telecasts only so-called industrial plus Government films.

Further, it was asserted, even WOR's Radio, a corporate "relative" NBC, has joined the ban, which evidently extends as well to CBS, vice-latter's president, William S.

aley, is understood to have approached MPPDA with the proposal that network and some companies make a "reasonable servitor" of films available for tele-

asting, and no active disposition to meet the request was manifested.

Newspaper Publishers See
television Demonstration

Newspapermen were given a spe-

al television demonstration yesterday at the opening session of the American Newspaper Publishers As-

sociation convention. Program by

BC and Associated Press was com-

posed of film and live talent from the NBC studios to the Waldorf-

austria Hotel. NBC's tele mobile unit transmitted from the AP news-

room.

Universal Winds Up Final
Sales Confab in San Fran-

San Francisco—William A. Scul-

Universal's general sales man-

austed to the third and final

regional sales convention here last

ight after a three-day session at-

ended by J. Cheever Cowdin, board

hairman, and a large delegation of

Radio executives and producers.

Attending the meetings were Cliff Mok,

york, studio general manager: Jolly Fox, vice-president; Milton

old, production executive; Dan

erickson, president; John Joseph,

ctor of advertising and publi-

Joe Pasternak and Harry Ed-

ation, producers; Walter Lantz,

mar producer; William Hein-

am, Western division manager; Al

Keefe, West Coast district man-

James Jordan and Tom

urr, home office executives.

ALONG THE

DIAL

WITH PHIL M. DALY

• • • A SHOWMAN'S manual among the best the industry has

seen for a long time—Paramount's press sheet on "Union Pacific"

...in three sections...Advertising, Publicity, Promotions...the

sections are in a handy pocket folder...and each one of them is

chock full of boiled-down material for the busy exhibitor...

• • • PROMOTIONS on this picture are practical and cover

a wide field of tie-ups...some of the concerns represented are

the U. P. Railroad, Lipton's Tea, Pennzoil, Sunkist Oranges, Screen

Romances, Montgomery Ward's 584 stores, Hamilton Watch, Model

Craft Magazine, Lux, Pan-American motor oil...ADVERTIS-

ING section contains a wealth of various types of ads which carry

width appeal...nice diversity of copy for all types of theaters

...these attractive ads are arranged in such a variety of sizes

that showmen have an unusual selection...PUBLICITY has

been intelligently written for the newspaperman's critical approval

...all stories carry different and unusual angles designed to

get top space in newspapers everywhere...

• • • PRINCIPAL speaker at the AMPA luncheon on Thursday

at the Astor will be Dr. J. S. List...consultant psychologist of NBC

...his subject will be "The Psychology of Motion Picture Adver-

tising"...

• • • WINNERS in the Uncle Don Hollywood Child Talent

Contest will be picked at the Mutual Playhouse in the New

Amsterdam theater building...this Thursday between three

and six p.m. a committee of the following judges will choose

the contestants and pick the winners on a "point" basis...

Jimmy Scribner of the "Johnson Family" sketch...Jerry Law-

rence, announcer...C. J. Ingram, radio editor of the Jersey

Journal...Tommy Hamilton and Harriette Heller, Uncle Don's

1938 Hollywood winners...Walter Thornton, model agent...

Frank Crumit and Julia Sanderson, of the "Battle of the Sexes"

...Dorothy Benson of "Leave It to Me"...Al Mitchell,

WOR's Answer Man...Martin Wainick, publisher...Stan

Lonan, sportscaster...Joe Holton, talent scout for 20th

Century-Fox...Billy McCune, Mutual band leader...Dorothy

House, Vilma Kuryer, Judy Dolan, Mabel Drew, all personable

and talented females...John S. Young, radio division of the New

York World's Fair...Jack Rosenthal, Palisades Park operator

...Bob Neff of United Airlines...chances are such a load of

judges will get balled up and start picking each other as winners

...and first thing you know some of 'em will find themselves

on the United Airlines plane (free ad) headed for Hollywood and

name as child talent contest winners...

• • • THE GUY is usually Very Dignified...referring to

George Kann, the Loew manager of the Willard in Queens...then

"Circus Screeno" arrived...it is put over with gags...one gag

has a loud pistol-like report when "Jackpot" is hit by a lucky patron

the announcer then says: "Ah, the manager has just committed

suicide!"...the pop comes from a paper bag, which Kann blows

up and busts with Great Glee as he sits in the back row...and

you should see George hang on to his stet when some other guy offers

to relieve him...

MOSS GROUP PERFEKTS

GNY FUND DRIVE PLAN

(Continued from Page 1)

praising in addition to Moss, the Mendelsohn and Davis of the GNY Fund's headquarters; Major Leslie E.

Thompson, Harry Brandt; Har-

old Redmon, Lawrence Morris of the

Moss offices; Sidney Deneau, repre-

senting S. Fabian; Leonard Goldens-

en, of Paramount Public; Laurence

Bolognino; Fred Seidel; William W.

White, representing George Skouras;

William Orr of Loew's; Samuel

Straussberger and Stanley Colbert.

Harry Brandt disclosed that all

house managers of Brandt Theaters

will meet at 10 a.m. today at the

Aiden Theater at which time each

will be designated a captain to carry

the drive to subordinate employees.

Brandt also said the total was at

the AIDA meeting at 1 p.m. tomor-

row at the Hotel Astor will be de-

voted in part to the drive.

Another development was an-

nouncement that the staffs of the

Bolognino theaters would huddle on

Friday at 10 a.m.

Moss declared the Exhibitors'

Committee will strive to complete

its fund-raising duties as quickly

as possible, but again stressed the

fact that success will be propor-

tional to the cooperation of cap-

tains of the individual worker in

each metropolitan theater.

Nick and Weston Will

Fight Ouster by Court

St. Louis—John P. Nick, IATSE

international vice-president, and

Clyde A. Weston, business manager

of Local Number 145 operators

union, will appeal the decision of

Circuit Judge Oakley ousting them

from control of the theatrical Publicity

James A. McKeown, an attorney,

receiver for its assets, books and

records.

A formal motion for a new trial

filed citing 15 assignments of

errors including contentions ruling

was against the evidence and the law

broader than prayer of the plain-
tiffs, that the court was without

jurisdiction to hear the case, the
decree is in violation of the State

and Federal constitutions and that

the defendants were denied a trial

by jury. When the motion for new

trial is denied by Judge Oakley,

the way will be paved for an

appeal to higher State and Federal

courts.

STORKS!

Universal counsel, Adolph Schi-
mel and wife Muriel Schimmel, be-
came parents of a seven pound, 8

ounce boy, a girl, Jane, Saturday.

Their first child, daughter was born

at the Lenox Hill Hospital.

Mrs. William Chambless, wife of

Bill Chambless, 20th-Fox assistant

exploitation manager, gave birth to

a six pound daughter Sunday night

at the New York Hospital.
The topmost triumph of the two most distinguished stars in screendom...the peak of motion picture perfection!

In brilliant support are 1186 players, including

**BRIAN AHERNE**

CLAUDE RAINS • JOHN GARFIELD • DONALD CRISP

Joseph Calleia • Gale Sondergaard • Gilbert Roland • Henry O'Neil

Directed by WILLIAM DIETERLE


Music by Erich Wolfgang Korngold

**JACK L. WARNER**

In Charge of Production

**HAL B. WALLIS**

Executive Producer

**HENRY W. BLANKE**

Associate Producer
IS MIGHT!

Warner Bros.' World Premiere at the Hollywood Theatre, N.Y.
Twice Daily Thereafter at $2 Top

DAVIS in "JUAREZ"
Coast Casting
West Coast Bar, THE FILM DAILY

Hollywood - New assignments: Greer Garson to star in Metro's "Susan and God"; Hunt Stromberg producing; Osa Massen as Belle Westing in Selznick's "Gone With the Wind"; Joan Bennett to star in Wanger's "House Across the Bay"; Pat O'Brien in Warner's "Dead End Kids at Valley Forge"; Basil Rathbone and Donald Crisp in Warners' "Knight and Lady"; Anne Nagel and Warren Hull in Monogram's "Girl from Nowhere."

Variety Club Convention
Will Elect on Saturday

Detroit - Program for the National Variety Club convention was released yesterday by John E. Flynn, general chairman, with four days packed with activities for visiting delegates and guests. The day-by-day schedule:
Thursday, 1 p.m. Meeting of National Officers only; Friday, 10 a.m., Opening session; Saturday, Closing session, with election of national officers and designation of 1940 convention city; 6:30 p.m., banquet, Sunday, visits to points of interest. John B. Kennedy, news commentator, will be a speaker at the Variety banquet Saturday.
Henry and Edsel Ford will personally conduct convention guests through the Ford Factory Friday afternoon.

Pittsburgh Sending 25
To Variety Club Parley

Pittsburgh - Twenty delegates and five alternates from the local Variety Club will attend the National Variety Club convention opening in Detroit Thursday, headed by Chief Barker Ira H. Cohn. National delegates from this city are Harry M. Kalmine and Harold Lund; alternates, Dr. A. I. Wise and Mark Goldman, together with the following national officers: John H. Harris, Chief Barker of Variety Clubs of America; John J. Maloney, national chairman, Heart of Variety committee; James G. Balmer, national Dough Guy; John T. McGeevey, national Canvassman.

Chicago Group Will Seek
Charter for Variety Club

Chicago - Charter for a local Variety club will be sought at the Detroit convention this week, according to Johnny Mednikow who will head a delegation including Manny Gottlieb, Peck Gombersall, Jerry Mack, Bill Bishop, Eddie Brunell, Gene Rich and Dave Dubin.

Massey Will Portray His
Abe Lincoln on Screen

Raymond Massey, now portraying the title role on Broadway in "Abe Lincoln in Illinois," has signed with RKO Radio to star in its picturization of the Robert E. Sherwood stage hit. Massey will leave for Hollywood this summer, when the screen version gets under way.

As usual, The Year Book deserves unstinted commendation and I join with the multitudes both in and out of the industry in praising you for its achievement.

Irving Lesser
Roxy Theatre
New York City

45 BEFORE CAMERAS;
PARA, LEADS WITH 9

West Coast Bureau of THE FILM DAILY

Hollywood - Forty-five pictures are in production with Paramount heading the list with nine. M-G-M, 20th Century-Fox and RKO are making five each; Warner Bros. and Columbia, four each; Republic, three; Universal, Goldwyn and Monogram each two. Selznick, Warner, Goldwyn and Arcadian Pictures are down for one each.

"Deede of Antwerp" Will
Be Third Morros Feature

Hollywood - The third picture scheduled by Boris Morros Producers will be a French remake of "Deede D'Anvers." This will follow "The Aviator" and "Around the World in Eighty Days," and will be released in the United States under the title of "Deede of Antwerp."

"Miracle of Main Street"
Started by Skirball for GN

Hollywood - Jack Skirball has started production on "The Miracle of Main Street" with Steve Sekely directing. The cast headed by Mar- go, includes Walter Abel, Wynn Gibson, Lyle Talbot, Veda Ann Borg, Patricia Henshaw and William Collier, Sr. Picture will be released by Grand National.

Mills Explains Ascap Method;
At Arkansas ITO Meeting

Little Rock, Ark. - E. C. Mills, chairman of the administrative committee of Ascap, was the principal speaker at the annual ITO meeting held here yesterday. He explained the purpose, workings, and results of Ascap and said that his organization was the most serviceable agency in the film industry dealing with the problems of the film industry.
Dr. D. R. Milsten, counsel for Ascap for the States of Arkansas and Oklahoma, spoke briefly, declaring that Ascap came into being as a necessity. Speeches of both Ascap representatives were enthusiastically received.
Col. H. A. Cole, Allied release answering questions of exhibitors pertaining to various legislative matters and film problems. More than 100 exhibitors and Allied representatives attended.
O. G. Wren of Little Rock, was elected president; R. K. King, secretary, and W. E. Mall of Augusta, vice-president.

Mrs. Finke Interred

Chicago - Mrs. Ida Finke, sister of the Gumbiner Brothers, veteran film theater owners, was buried here Friday in Roswell Cemetery. Her husband and five children survive.

Sam Asher Dead

Boston - Sam Asher, veteran productionist and brother of Harry Asher, indie film distributor, died yesterday in Chelsea Service Hospital.
“Stolen Life” with Elizabeth Bergner and Michael Redgrave

“Streets of Missing Men” with Charles Bickford, Harry Carey

**Reviews of the New Films**

**“Calling Dr. Kildare”**

with Lew Ayres, Lionel Barrymore, Laraine Day

G-M 86 Mins (HOLLYWOOD PREVIEW)

Swell Kildare Pix with humor, NELDERNESS WILL DO BIZ FOR ALLحواض

This “Dr. Kildare” need never have been sequel, it can well stand on its own merits, has all the humor and tenderness that any sequel would require. Lew Ayres, as young Kildare, and Lionel Barrymore, as Dr. Gillespie, did excellent jobs in their respective parts. Harold S. Bucquet did a fine job directing, with a good piece of story material in the original by Max Brand and screenplay by Harry Ruskin and Willis Goldock. Lew Ayres, as the young doctor, has the right stuff—tenderness, humor, and a young, sticky, hum unto Barrow’s old soft-hearted but hard-crusted patient. He can go to work again, the older man to teach the younger man the tricks and the importance of human nature and the diagnosis of a patient’s illness. Samuel Hinds and Emma Dunn, as Dr. Gillespie’s parents, do a very creditable job as the doctor’s parents. This particular picture deals with a suspected murderer, whom the young doctor catches up with and reveals no report of, because he has a feeling that the kid is innocent. Ayres gets involved with the kid’s sister (Lana Turner) and with the aid of Max Brand, Barrow can prove the real murderer and finds out the machinery of Barrow that the picture is a rather close with an easy opening for the exit in the series. Lynne Carver, George Herman Jr., and Babs Watson, Walter Winchell, Alma Kruger, Harlan Briggs and her husband and the cast contributed excellent support. The photography by Alfred Gilks and the entire cast of this picture will please all who see it and there is no doubt at the theaters that book it will do business. G-M-G has a good piece of property here.


CREDITS: Director, Harold S. Bucquet; Author, Max Brand; Screenplay, Harry Ruskin, Willis Goldock; Cameo, Alfred Gilks, Lester White; Art Director, Cedric Gibbons, Associate, Gabriel Scognamillo; Cinematographer, Robert J. Kern; Musical Score, David Selby.

DIRECTION, Fine. PHOTOGRAPHY, good.

Arthur Block Dead

Arthur Block, producer of the Warner Bros. Theater and producer of the Yiddish film, “Cantor’s Son,” died Sunday. He is survived by his widow, a son, two sisters, and a brother, Jesse Block.

Syracuse Falls in Line

Syracuse, N. Y.—This city, a oldduo for years, joins the daylighters Sunday as a result of an official referendum.

Caluinated at Warners’ Vitaphone plant, in keeping with company’s recently announced policy, studio nevertheless is by no means ceasing operations altogether, as has been rumored. Current shorts production will be carried on at least until the middle of May, and perhaps longer, it is indicated.

Present program there embraces completion of the Floyd Gibbons shorts, “Your True Advocates,” plus some 10 shorts in the “Color Parade” group, the latter being turned out by Ira Genet’s unit. Additionally, two directors are continuing on the lot, as is the cutting room staff.

The laboratory as announced, continues operations.

**“Plain Miracle”**

CHICAGO—"We were playing to a good business on a Tuesday matinee in the Olympia Theatre, when for a reason we couldn’t find, the sound went dead on our No. 1 machine," said Doc Rafalski, General Manager of Bland Bros. Theatres.

“We called Altec, and C. G. Bosworth promptly arrived at the theatre. He immediately discovered there was no voltage in the photo-electric cell, resulting from a broken connection in a coupling unit.

“Bosworth had the No. 1 machine functioning normally in a few minutes. It was only necessary to double up on the No. 2 machine twice from the time he got to my theatre.

“The uncanny way the Altec man instantly puts his finger on what is wrong may be the result of engineering ability, but it’s just a plain miracle to me.”

... 

**Exhibitor Finds Quick Diagnosis**

“Plain Miracle”

**Exhibitor Finds Quick Diagnosis**

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**“Plain Miracle””
Self-Regulation O.K. in Australia

(Continued from Page 1)

turning then to Australia via the Coast.

Self-regulation for the industry in both New Zealand and New South Wales has been developed in the policy being pursued by their governmental bodies. In former, exhibs and distr. are operating under a new standard form of contract, and the recently organized New Zealand Film Board of Control is expected to become operative this week, the personnel comprising four exhibs. and four dists.

In New South Wales, the institute Films Committee is effectively handling trade problems, including arbitration and the controlling of building licenses. There and in Victoria the 25 per cent rejection clause in former will, exhibit interests apparently well satisfied, the boost having been made from the former. A proposal to eliminate all arbitration, Mason believes, may be extended shortly to embrace the other states of the Commonwealth.

British product is to be assured playing time via a regulation which provides for compulsory showing of British pix on a 15 per cent basis, and as and when proclaimed, this measure will be in force. In other words, regardless of the rejection percentage, the exhibitor must show 15 per cent British.

Business in Australasia is holding up well in face of the adverse psychology of the public which has been suffering from war "fitters," Mason said. However, he believes, the approximately $300,000,000,000 expenditure has benefited chiefly by boosting public purchasing power through employment on this program.

U. S. films remain supreme in that part of the world, he declared, and the market will be an increasingly important 1929 portion of the Hollywood product.

Greater Union Theaters' expansion program has been progressing nicely, he stated, with the chief points of building being Sydney, Melbourne and Adelaide.

New Allied Unit Organized For Calif., Ariz., Nevada

(Continued from Page 1)

ization which already has affiliated with the national body, according to an announcement issued yesterday.

Officers and members of the board are Seth Perkins, president; Jules Wolf, vice-president; Fred Hershorn, treasurer; James C. Quinn, executive secretary, and L. L. Bard and B. L. Leavitt, directors.

Archbishop to Officiate at Cocalis Rites Today

(Continued from Page 1)

calls Circuit at the Greek Orthodox Cathedral, 313 W. 74th St., of which he was a trustee.

Until 1:30 p.m. today his body will repose in the Universal Chapel, 597 Lexington Ave., and at the subsequent church services Archbishop Athenagoras, ranking prelate of the Greek Orthodox faith in North and South America, will officiate.

Deceased, one of the outstanding exponents of the movieland area, died on Saturday in Mt. Sinai Hospital, following an operation. The first pix house two miles was the Royal in Elizabeth, N. J., and from this modest beginning he built up theater holdings which included at his death with the Springer-Cocalis Circuit and 19 houses under the banner of Cocalis in New York.

Surviving are his wife, Mrs. Chresanthe Cocalis; three sons, George, James and Alexander Cocalis, and four daughters, the Misses Virginia, Ethel and Betty Cocalis, of Deal, N. J., and Mrs. Mary Campouris of Athens, Greece.

Proposed Odeon-GB Merger

"Postponed," Says Deutsch

London (By Cable)—Following the return of Phillip Hill from the U. S. where he conferred with Joseph M. Schenck and Sidney R. Kent concerning the proposed merger of the Odeon and Gaumont British circuits, Oscar Deutsch, head of Odeon, stated that the "international situation" at this time makes it not exactly propitious for a big financial transaction of the kind." He added that any deal "was postponed—at least"

Gusanovic/Shore Theater

Case Is Amicably Settled

Cleveland — Injunction charging contract violation brought by Paul Gusanovic, owner of the Shore Theater Co., operating the Shore Theater, to restrain 20th Century-Fox and Vitagraph from serving the new Shore Theater, has been granted, pending trial, by Judge Lee E. Sklar.

Settlement involved price reduce to the LaSalle and a guarantee that the product become simultaneously available to both theaters.

N. H. Frowns on Bank Night

Concord, N. H.—In answer to a question from one of the state department's, the attorney-general's office here has ruled that "bank' days" are "in violation of the law against lotteries and constitute a gambling practice."

Music House Suit Against Erpi Upheld by Judge Knox

(Continued from Page 1)

damages were set, but an accounting was called for with damages expected to reach approximately $170,000. Suit was filed in 1936 and hearing was held last June. Pacific asked damages of $700,000 and asked for an interpretation of licensing agreements between the music publishers and Erpi made in 1927 and 1929. These agreements gave Erpi full rights for the use of songs in recording sound tracks for motion pictures. Pacific claimed that agreement was violated by Erpi's refusal to pay royalties on presentations in foreign countries regardless of whether in these countries the songs were in the public domain. Plaintiff stated that by withholding permission it was assessed against Pacific and unable to market the films in foreign countries.

Judge Delano upheld Erpi claim that rate of payment on recordings made before 1929 was excessive. Amount involved was approximately $40,000.

Mexico Seriously Weighs Backing Film Production

(Continued from Page 1)

tin Rueda, head of the Mexican government office of general information of the Department of Press and Propaganda.

Rueda and Pablo Prada, prominent exhib, who is the oldest living descendant of Benito Juarez, are here as the guests of Warners for the world premiere here tonight of "Juarez."

Facilities in Mexican studios are open to foreign producers, but direct interest has been slight. He asserted that European plex were not popular and amounted to less than 10 per cent of the American imports. More than 90 per cent of Mexican theaters are wired for sound, it was said. Rueda and Prada will return to Mexico City in a week.

Government Will File Bill in N. Y. Equity Suit Wed.

(Continued from Page 1)

Washington, will be brought to New York in the county. Erpi, would have been the subject of a special $2 showing of Warners' "Juarez," for one performance only at 9 P.M. tonight.

"Juarez" Once on Coast

West Coast Bureau of THE FILM DAILY

Beverly Hills, Calif.—The Beverly Hills premiere is only fl from a special $2 showing of Warners "Juarez" for one performance only at 9 P.M. tonight.

IX GET THE BREAKS IN STATE LEGISLATURES

(Continued from Page 1)

tures have adjourned, and there are about 325 bills pending in states that have not finished their session. Thirteen bills affecting the industry in another house have passed since Jan. 1. They are:  

Arkansas: Sunday motion pictures legalized.

Delaware: Sunday openings legalized after 2 P.M. in cities of more than 25,000 population.

Kansas: Sales tokens eliminated, an action favorable to exhibitors.

Maine: Sunday shows legalized between 3 and 11 P.M.

Maryland: Sunday shows legalized in Wicomico County.

Nebraska: Anti-marathon bill passed.

North Carolina: Sunday closing of law repealed in Johnston, Hyde and Yadkin counties; a 95 annual Association for place of entertainment with more than 25-cent admission charge; permits of dog racing passed in Orange and New Hanover Counties.

North Dakota: Licensing authority to pass, will pass on building of new theaters in towns where one or more shows are operating constitutionally quashed.

Tennessee: Bill passed allowing majority of citizens of municipalities to vote on Sunday openings, instead of the formerly required 4 ½ vote.

Vermont: Sunday shows legalized after 9 P.M.

States in which the legislation are still in session are: California, Colorado, Connecticut, Delaware, Florida, Illinois, Maine, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas and Wisconsin. Alabama convenes in special session on March 15 a a a adju tted March 31. It will recon vene in regular session July.

Special sessions are contemplated Georgia and Idaho.

Call Meeting to Organize Film Co. Office Employ

(Continued from Page 1)

be held. Friday night in the G. Room of the Manhattan Cent. Efforts will be made to organize the film workers and obtain a contract similar to that signed between the union and Universal.

Chi. Triples Down

Chicago — Exhib, use of triples and premiums is down slightly, week-end clearing in the Western area is showing features, but triple-fee tax is up. Trend at the moment seems to be towards silverware.
Metro to Talk New Pix Deals With FWC, WB Houses

W. F. Rodgers to Also Inaugurate Negotiations With Publix Groups

Discussion of new product deals with Fox West Coast, Warner Bros. Theaters and certain Publix circuits will be started shortly by William F. Rodgers, M-G-M general sales manager.

Not all commitments where revivals will be negotiated are explained this year, it is understood.

While duration of the new contracts will be the subject of individual negotiation, it is understood that short rather than long-term deals will be the rule.

1,500 ATTEND RITES FOR SOTEROS COCALIS

At funeral services yesterday, conducted in the impressive ritual of the Greek Orthodox faith, Albert and paid a notable tribute of respect to Soteros D. CoCarlos, 61, one of the metropolitan area's most prominent exhibitors.

Rites were held in the Greek Cathedral, 319 East 74th St., commencing at 2 p.m., and were attended by more than 1,500 persons, the (Continued on Page 5).

20th-Fox to Spend $400,000 Advertising May-July Films

With product being released by 20th-Fox during May, June and July representing an increase in investment of approximately 50 per cent over productions released during (Continued on Page 4).

Expect N. Y. Assembly Will Pass Booth Measure Today

Albany — Chances for Assembly passage of the two-men-in-a-booth legislation today boomed with receipt of additional support by As-

expect "Union Pacific's" Debut to Attract 150,000

Omaha-Ballyhoo attendant upon the world premiere here Friday of Cecil B. DeMille's "Union Pacific" starts today, with the observance of the first of four "Golden Spike Days." Omaha and Paramount ex-

New York Circuits Agree to Halt "Excessive" Cash Giveaway Plans

The games and giveaway situation among New York City neighborhood theaters has flared up again as a topic of discussion among the affiliated and independent circuits.

It is understood that a meeting of circuit heads was held Monday in the RKO offices to discuss "excesses" practiced by certain theaters in giving away premiums and in

Distributors Committee Will Meet to Consider Suggestions

Trade practice code draft submitted to exhibitors, organizations by the seven majors may be finalized insofar as arbitration setup and withdrawal clause, left incomplete when the draft was forwarded March 30, within the next week, it was learned yesterday.

Meeting of the distrib. committee at the call of William F. Rodgers, Metro sales chief and pivotal figure in the code negotiations, waits on the availability of its personnel.

Suggestions made by committee members already have been turned (Continued on Page 4)

STUDIO UNIONS PLAN M. P. TRADE COUNCIL

West Coast Bureau of THE FILM DAILY
Los Angeles — Motion Picture Trade Council will be set up by seven studio unions which have drafted a "steady work-steady pay program" for producer presentation.

Unions affiliated in the move will (Continued on Page 4).

Whitney Enters Tele thru Pioneer's DuMont Note Buy

Entrance of John Hay Whitney into the television field was learned yesterday when it was disclosed that Pioneer Pictures, Inc., controlled by the Whitney family, has acquired $50,000 worth of 10-year convertible notes of the Allen B. DuMont Laboratories.

New offering of DuMont notes (Continued on Page 8)

Baird Television May Be Installed in the Roxy

Possibility that Baird Television might be installed in the Roxy loomed yesterday when it became known that the theater management (Continued on Page 8)

KAO NET, $987,587;
KEITH'S, $773,729

Presiding at the annual Pathe Film Corp. stockholders' meeting yesterday, O. Henry Briggs, president, reported that Pathe Laboratories, new operating company set up under the recently enacted reorganization plan, had made a definite profit in its first month of operations and that a dividend on the (Continued on Page 6)

Diseny and NBC Talking Donald Duck Tele Deal

Donald Duck may shortly commence a television career if a deal, understood to be currently under discussion between Disney interests (Continued on Page 6)

Para. to Change Sales Meet Dates "If at All Possible"

Paramount will change the dates of its annual convention in Hollywood "if at all possible" in order to comply with Allied's request, Neil (Continued on Page 6)

It's "Viva! Viva!" as "Juarez" Opens to Swank Audience at N. Y. Hollywood

With formal dress prescribed and the rule, Warners gave "Juarez" the swankiest world premiere the Main Stem has seen in many an eve at the Hollywood Theater last night. Pix, a brilliant prestige builder, rich in b.o. qualities, is in for World's Fair $2 roadshow run.

Premiere attracted enough Latin-American diplomats to hold a Pan-American Congress, enough of the "400" to fill a Cheesy Knickerbocker column, and a formidable array of pin industry tops.

For color story of opening, which was broadcast by WMCA and national hookup in the U. S. and by CBS by short wave to Mexico and South America, see Along the Rials. page 4.

For review of "Juarez," turn to page 7—BAHN.
Trade Eng. Budget Provides Bigger Tax on Film

London (By Cable)—Sir John Simon, Chancellor of the Exchequer, in presenting the government's budget for $6,500,000,000, included blank film among the commodities to be taxed. The increased duty is expected to yield an additional $4,682,500 from films.

Schwartz Heads Brandt
Circuit GNY Fund Drive

At a meeting of all unit managers of Brandt Theaters yesterday in the Alden Theater, a sizeable strike was made by the circuit to raise its quota for the Exhibitors' sub-committee of the Greater New York Fund.

Following the session, Harry Brandt announced Arthur Schwartz of Brandt Theaters booking department head, had been appointed central captain of his organization's campaign. Brandt asserted that a 100 per cent response is indicated.

At today's meeting at the Hotel Astor at 11 a.m., Brandt will outline a campaign to that exhibit body.

Leon Schlesinger Signed to New WB 1-Year Pact

West Coast Bureau of THE FILM DAILY

Leonard Schlesinger has had his option as producer of cartoons taken up for another year by Warners. He has been with studio for past nine years. His 1938-39 schedule of 26 "Merrie Melodies" and 16 "Looney Tunes" starring Porky Pig will be completed and shipped to New York by June 1. "Old Glory," a special patriotic cartoon, will be included in this group.

The production already has 15 pictures in production in 1939-40 schedule which calls for 42 subjects.

RKO Completing Four Major Attractions, Levy Reports

RKO will complete four major attractions within the next six weeks, Jules Levy, general sales manager, stated yesterday following his return from a pre-convention trip to the east. The productions in the 1938-39 program will either form or rival the company's previously released attractions such as "Camera D'or," "Love Affair" and "The Story of Vernon and Irene Castle," Levy said.

Ermiri Joins Dufaycolor to Develop Movie Field

Dufaycolor Company, Inc., has appointed Aldo Ermiri, color photomechanic expert, to its staff where he will be in charge of the development and introduction of the new Dufaycolor process in motion pictures. Ermiri formerly was with Technicolor in Hollywood and London and is said to be a veteran in the field.

Jack Goldhar's Arm Injured

Detroit—Jack Goldhar, UA Eastern District Manager, received undetermined right arm injuries in a fall while riding a horse.

British Production Costs Up Under Sharp Numerical Drop

London (By Cable)—Not only was there a falling off in British features during the first quarter under the new Films Act, but the total of all films registered was the lowest in a number of years. The total was 658 instead of 842 for the previous year (in both cases the year ending on March 31).

Total number of British features registered was 108, a decrease of 125 from the total of 228 the preceding year. But 78 of the 103 British features received renter's quota, and 25 registered for exhibitor's quota.

The Economist, British publication, estimated the total cost of the British features at $17,500,000, although Oliver Stanley, in his state ment in the House of Commons, stated that the average footage cost for the first full quota year was three pounds, five shillings (approximately $10,500), which would bring the total year's expenditure to $22,500,000.

Increase in average cost of features for the year was $150,000, according to the Economist, having risen from $125,000 to $275,000.

Hold "Wuthering Heights" for Indefinite Run Here

"Wuthering Heights" is being held for indefinite runs at the Rivoli, New York, and the United Artists, San Francisco, after establishing records for initial weeks at both houses, United Artists announced. "Wuthering Heights" has an all-time high for the first week at the Rivoli where it starts a third week tomorrow, 15-week record at the San Francisco engagement. "Heights" also is an indefinite holdover at Warner's Alhambra, Philadelphia.

Additional playing time and moveovers for the picture have been recorded at the Downtown and Hollywood, Los Angeles; Roger Sherman, New Haven; United Artists, Chicago; Palace, Washington, and the Orpheum, Montreal.

Lulu Belle, Scotty Wiseman to Make Two for Republic

Chicago—Lulu Belle and Scotty Wiseman of the WLS National Barn Dance have been engaged for two years with Republic, deal being set by Herbert J. Yates for Republic and E. W. Kurtz, head of WLS Artists. The pictures will be based on the new WLS series, "Hometown" and will go into production in July on the Coast. The pictures will be done with Roy Rogers "Time on Harvest Moon" last year.

COMING AND GOING

HERBERT J. YATES leaves for the Coast.

JAMES R. GRAINGER, Republic president general manager, and distribution, leaves for Hollywood Sunday.

ARALD HENDEES, research director CLAYTON, was in Chicago yesterday.

HILL REISMAN, director of foreign distri bution for RKO, sails from England today on a round-the-world trip.

CHARLES ROBERTS, Columbia home of supervisor for the Latin American trip arrived yesterday on the Orizaba after a month tour of the territory.

A. J. HERMAN, eastern district manager Universal, returned yesterday from a trip in Boston; leaving for Washington soon hours later.

THEODORE CARE, manager and director at United Artists in Great Britain, sails New York today on the Normandie.

FRANK C. WALKER, head of the Comer's Staff, has returned to the office after a trip in the West.

A. W. HACKEL, head of Supreme Pictures in the East.

WILLIAM BRANDT returns this week f a vacation in Cuba.

JOAN BENNETT arrives from the Coast late tomorrow.

LEON G. TURRO, author of Warners' "C Nassi" picture, is visiting Washington.

Film Production Stint

In Prospect for Sid

West Coast Bureau of THE FILM DAILY

Hollywood—Louis W. Sidney, w has been here for some time to put the "Good News" radio show for Metro, will take on picture production in addition to his radio at later in the year.

THE THEATRE

George Abbott Productions

"There has been a number of good girl and music shows in town of late, but this one is the only one of its kind in the lot."—Watts, Her.Trib.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Wyman Eddie Trowdy
SAYO MURRAY ALBERT HART

ALVIN, W. 528 St, Mat. Wed. & Sat.
Columbus 5-4414

"The lowest, roughest, toughest, ten
direct, dirtiest, most decent, and es
tardest funniest play for your money
put on sale this season."—George
Jean Nathan, Newsweek.

PRIMROSE PATH

By Bob L. Buckner and Walter Hatt
Alfred Betty Mary Russell
WESTLEY GARRE MASON HARDIE

COMP. WEST 40th St, Mat. and Wed.
Satoshi 9-9496

"Rears of Pleasure"—Atkinson, Times.

WHAT A LIFE

with EZRA STONE as Henry Aldrich.

MANSFIELD W. 47th St, Mat. Wed. 
Sats. and Sats.
Circles 6-6640

"The lowest, roughest, toughest, ten
direct, dirtiest, most decent, and es
tardest funniest play for your money
put on sale this season."—George
Jean Nathan, Newsweek.

"Rears of Pleasure"—Atkinson, Times.

WHAT A LIFE

with EZRA STONE as Henry Aldrich.

MANSFIELD W. 47th St, Mat. Wed. 
Sats. and Sats.
Circles 6-6640
Last night was the brilliant First Night of the outstanding screen event in a year memorable for the accomplishments of Warner Bros.,

**PAUL MUNI and BETTE DAVIS**

in **JUAREZ**

*Assisted by 1186 other players*

$2 Top at the Hollywood Theatre, N.Y.
ARBITRATION SETUP
READY IN A WEEK?

(Arbitration Committee)

over to Rodgers, and will be discussed at the meeting. The
committee was represented yesterday by exceedingly
anxious to complete its job at the earliest possible date, although
mitting it was one that could not be high-pressured. The committee
at its coming meeting will also tackle specific objections and
criticisms voiced by exhib. groups, including the ITOA.

In the latter respect, it was said that if any individual or organiza-
tion could come up with a code embodying the maximum that the organized
industry can give. While certain of the concession
find expression in 1939-40 sales polici-
es, others, contingent upon arbitra-
tion, are now included in the license agreements for the new
season. In all probability, the license
agreements will be permitted to stand, code signature being deemed
sufficient to make the concessions ap-
plicable and effective.

While the code pledges each distri-
trib. to "use its best efforts to sim-
pify" its license agreement, and these
efforts will be made, it was said yesterday that radical simpli-
cication was very unlikely, and any-
things approaching a uniformity out of the question. It was pointed out
that when simplification has been
ought in the past, longer, not shorter, agreement usually nated along
suggested by the legal framers.
As for uniformity, it is ruled out
by the conspiracy factor.
Question of extending the code to
Canada has not as yet been tackled
ormally by the distribs., it was
learned yesterday. If and when it
is adopted on this side, it will be
time enough to consider the Domino
dition, situation, is the general view.

Schroeder Rites Held
Detroit—Carl Schroeder, 63, vice-
and secretary of the Ma-
jestic Theater, Wyandotte, and its
active manager for a decade, prior
to 1929, was buried yesterday at
Woodmere Cemetery, Detroit. His
widow and four children survive.

Fair Helps “Juarez”

First reported instance of an attrac-
tive outdoor event from the New Y-
ork World’s Fair is Juarez’s “Juarez,”
which is two years slower than last
ight at the Hollywood. With advance
sale for the $2 roadshow pot double
the previous advance of “The Life of Emile
Zola” at the theater for a similar
period, Joel Madding and Fair visits are rated an important fac-

STUDIO UNIONS PLAN
M. P. TRADE COUNCIL

(Continued from Page 1)
seek a basic agreement with the pro-
ducers without requesting IATSE
aid, it is understood. This action
is believed prompted by the fact
that the IA was reported to have
prepared a notice informing produc-
ers that technical workers need not
belong to IA to obtain studio em-
ployment.

The program formulated by Elec-
tricians, Carpenters, Theatre Utility
Employees, Machinists, Plasterers,
Painters and Studio Technicians
unions for minimum six
hour day, five-day week, with six-
day pay, six hours a day hourly rate
and daily rate pro-rated accordingly,
Monday to Friday inclusive; over-
time from midnight Friday to 6
A.M. Monday, and in excess of six
hours in any one day; time and
one-half between six P.M. and 12
P.M.; double time between midnight
and 6 A.M.

Program also provides for hourly
rate men shall work for more than
40 hours a week except on location;
and regular employment list shall
be established at each studio. These
men are to be guaranteed not less
than 40 weeks per year, and all
other men to be called through unions at
10 per cent additional wage.

All men on regular employment
list who have worked 2 years or
more are to receive two weeks an-
nual vacation with pay. All travel

time except to distant locations shall
be computed as regular working
time. Hours of key and flat salary
are to be limited to coincide
with wage and hour bill.

20th-Fox to Spend $400,000
Advertising May-July Films

(Continued from Page 1)
the same months last year, more
than $400,000 is being expended in
advertising and exploiting these
films by Charles E. McCarthy’s de-
partment, it was learned over the
week-end. Several of company’s
most important pax will be released
during these three months.

THE Film DAILY

THE ELBOW

ALONG THE RIALTO

WITH PHIL M. DALY

• • • AMID swank and splendor such as has seldom been seen
at a picture premiere in New York…….WARNERS launched their much
vaunted "JUAREZ" at the Hollywood theater amid the glare of flood
lights on Broadway…….as a continuous line of cars pulled up to
the entrance for over an hour discharging expensively gowned women
and their escorts in tails or tux……it was SWANK in capes……
and Charles Einfeld must be given credit for staging one of the most
impressive world premières that the industry has ever known……

• • • A LISTING of the celebrated guests is the best way
we know to convey the importance of the occasion……the picture
is reviewed elsewhere, so this chronicle is being confined
to the opening itself……the running time is over two hours
and the audience set enthralled as the magnificent spectacle
of the tragedy of Maximilian unfolded in all its regal splendor
and the star of the Indian patriot Juarez rose to bathe his
beloved country in its effulgent glow……for this, you must
remember, was before the days in Texas they were shouting
"Remember the Alamo!"

• • • NAMES…….Names…….Mr. and Mrs. Winthrop Ald-
rich, Alvare del Vayo, Mr. and Mrs. Jules B. Sache, Miss Diana Barry-
more, Mr. and Mrs. J. G. Barrowghanth, Mr. and Mrs. E. B. Brulatour
……George Gordon Battle, Howard C. Brokaw, Count and Countess Bouet-
Williams, Wm. A. Brady…….Ely Culbertson, Mr. and Mrs. Anthony
Drexel Cassette, Madame Alma Clayburgh, Mr. and Mrs. Weddil Catch-
ings, Mr. and Mrs. John W. Davis……….Alfred De Largy, Jr., Mrs.
James P. Donahue, Mr. and Mrs. Wm. T. Dewart, Mr. and Mrs. Walter
Damosch, Irene Delroy…….Cobina Wright, Mr. and Mrs. Byron G.
Foy, Mrs. Frances Gallatin, Jules Gleasoner, Mr. and Mrs. Bernard F.
Gimbel, Mr. and Mrs. James W. Gerard……….Mrs. Dorothy Gallatin
Prince Gouraln, Mrs. Olivier Harriman, Mrs. Benjamin Harrison, W. H.
Harkness…….Mr. and Mrs. Wm., Randolph Hearst, Jr., Mr. and Mrs.
Walter Hoving, Mr. and Mrs. Jack Harding, Fraser Jelke…….Mr.
and Mrs. Robert R. Young, Dr. and Mrs. Truman L. Saunders Mrs.
Alfred A. Knopf, Mr. and Mrs. Messmore Kendall, Prince Vladimir Koudachil,
Mrs. George Washington Kavanagh, Mrs. Philip Zip Rhinelander, Mrs.
Leonard Warner…….Mr. and Mrs. John L. Lewis, Prince Hubertus Von
Loewenstein, Mr. and Mrs. Alfred J. McCooker, Raymond Moley, Count
and Countess Morner…….Ira Nelson Morris, Conde Nasti, Prince Alexis
Obolensky, Brock Pemberton, Mr. and Mrs. Clendenin Ryan, Jr., Mr. and
Mrs. Stanley A. Rinehart, Jr., Granland Rice, Gen. and Mrs. Lewis
Stotesbury, Arthur Hays Sulzberger, Mrs. Wm. Dick Sporberg, Deems
Taylor…….Frank Tannenbaum, Lady Susanne Wilkins.

• • • THE ENTIRE Mexican delegation, headed by Dr.
Ramon Beteta, undersecretary of Foreign Affairs of Mexico,
came from Washington……a group of almost 50 persons……
Industry names included Major Albert Warner, graduated L.
Sears, S. Charles Einfeld, Joseph Bernhard, Mr. and Mrs. Carl
Laserman, Sam Morris…….Joseph Hummel, Doris Warner
LeRoy, Jack Alleoite, B. S. Moss, Sidney R. Kent, Jack Cohm……
Major Edward Bowes, George Skoratas, Lyna Lyn, Moe Silver, J. J.
Hoffman, Harold Roden, Mort Blumenstock and Willard Petter-
on…….

Fair Helps “Juarez”
First reported instance of an attrac-
tive outdoor event from the New Y-
ork World’s Fair is Juarez’s “Juarez,”
which is two years slower than last
ight at the Hollywood. With advance
sale for the $2 roadshow pot double
the previous advance of “The Life of Emile
Zola” at the theater for a similar
period, Joel Madding and Fair visits are rated an important fac-

Best wishes from THE FILM DAILY
to the following on their birthday: APRIL 26
Guinn Williams
Dorothy Sebastian
Noel Madison
Jerome E. Olenick

Wednesday, April 26, 1939
In ARE THEY CATHOLIC, JEW, PROTESTANT?

(Think of this when you read tonight's headlines!)

You'll be proud to be part of this. You'll be glad that in this topsy turvy world there's some sanity left and it's working right in your own city. You'll agree this is Americanism in its truest sense and you'll get a tug at the heart to think that the brotherhood of man touches you closely today.

Whatever you give to the GREATER NEW YORK FUND goes to a united effort of all races and creeds to take care of the sick, the needy, the troubled. As you glance at the headlines in your newspaper tonight, think deeply what this means. Protestant, Catholic, Jew in the world's greatest city join hands for the common good, to help all of its people now, to "build for tomorrow" a healthier, happier city. 380 allied groups are benefitted, covering all communal obligations in one annual solicitation.

Some who read these lines may have great wealth ... each should give in proportion ... but everyone who bears the name of American should contribute at least a day's pay a year to the GREATER NEW YORK FUND ... a united gesture whose significance will roar across America and the world.

The Fund Chairman of your company will communicate with you. Others kindly send contributions direct to Motion Picture Division, Greater New York Fund, 1540 Broadway, New York City
KAO NET, $987,687; KEITH'S, $773,729

(West Coast Bureau of THE FILM DAILY)

Hollywood—At a hearing before Superior Judge Emeret H. Wilson at which the film today looking at the World's New Fair by exhibit interests on or about the opening day, next Sunday, and additional footage is in prospect check-up disclosed yesterday.

"Cavalcade of America," the film industry's contribution to the Fair, may contain substantial Technicolor sequences, it is reported.

The National Biscuit Co. intends showing action material, made in both New York and Hollywood, comprising a single-reeler titled "Around the Clock with the Cues," and additionally, a 400-ft. subject which Walt Disney produced, called "Mickey's Surprise Party."

The Petroleum Industries' exhibit includes a two-reel puppet pix produced by Joseph Losey, Tentative title is "Pete Roleme and His Cousins."

State of Texas has a five-reel trilogy set for showing. Industrial sources say that two large corporations are planning respectively a three-reeler and a one-reel color subject, while the Metropolitan Life Insurance Co. is currently contemplating the showing of a pix, "Once Upon a Time."

Louis B. Myllt Dead

Detroit—Louis B. Myllt, 68, industry veteran died at his home here. Early associated with production, he managed the Mack Avenue Uptown Theater here in recent years, and was more lately with Eastwood Amusement Park. Former alma Hanlon, survives. Burial was at Woodmere Cemetery.

On Special Assignment

Budd Gletsch has taken on a temporary special assignment in Lou Lipton's publicity and advertising department at Monogram.

Paro. Signs Skolsky

West Coast Bureau of THE FILM DAILY

Los Angeles-Joseph Paro, well-known pioneer pix star, and Julia C. Cabbee, also a screen player, have applied for a marriage license here. Couple plan to wed on May 7.

Chicago—Al Goldson, manager of the Plaza Theater, was married to Miss Ruth Severson. The couple are on the West Coast on their honeymoon.

WEDDING BELLS

WENITLR SCHEDULE TO STARTING DATES

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Starting dates 6/5/39

P. K. Herrmann Dead

Richmond, Va.—A seven- and a half pound boy, Harold Raymond Herrmann, 96, who was the orchestra leader at the Nixon Theater here for 22 years, is dead.

STOKES!
**REVIEWs OF THE NEW FILMS**

**FOREIGN**

**"Per Uomini Soli"**
(For Men Only)
with Carlo Buti, Fanny Marchio
Esperia Film Distributing Co. 78 Min.

HIGHLY AMUSING COMEDY WITH EXCELLENT CAST MAKES PIX ONE OF BEST RECENT IMPORTS.

Highly amusing and well knotted, this release will please Italian moviegoers hugely. The acting by the entire cast is excellent and Carlo Buti, Fanny Marchio, Adriano Gasdusio and Paola Barbera stand out in the lead roles. Buti sings charmingly, storybookish on the visit to Italy of an American movie actress. To create interest, her agent makes a deal with Buti to make love to her. Buti has a sweetheart of his own, a naive young girl who ensues before everything is satisfactorily adjusted for a happy ending.


CREDITS: Produced by Lupa Films; Directed by Guido Borelli. Screenplay, Luciano Doria. Presented at the Teatro Roma with Italian dialogue and no English titles.

DIRECTION, Good. PHOTOGRAPHY, Good.

**Heroes of the Marne**
with Raimu, Jacqueline Porel
Spectrum Pictures 68 Min.

HUMAN DRAMA OF FRENCH FAMILY CAUGHT IN WORLD WAR WITH FINE PEEL FROM DRANGEN BY CREDIBLE ACTORS.

This French production, "La Famille Lefrançois," rechristened with a pop American title for box-office purposes, tells the story of a little French family who are caught up in the World War. Raimu, as head of the Lefrançois family is a prosperous farmer on the River Marne, and his neighbor Bardin is impoverished. A romance develops between the son of Raimu and the daughter of the poor neighbor. War breaks, and young Bardin goes to the front, while the girl is left an unwed mother. From this situation develops a very human and gripping drama, with the girl securing vital war information and conveying it to the French headquarters, being condemned as a spy, and saved as the French troops sweep back through her native village. The threads of the lives of the various members of the family are followed, resulting in a moving and emotional screen document. Of course, Raimu, the celebrated French actor, carries the picture with his superb portrayal of a father trying to adjust the conflicting emotions as he becomes reconciled to the girl who has betrayed him, a grandson without benefit of church ceremony, realizing it was his own hard pride that kept them in secret love. Then into a powerful and poignant climax, with the death of the son shot down in air combat at the moment the armistice is announced, and the news being kept from the father blinded in battle, who is looking forward to the marriage of his son to the girl who has also served her country as a spy. Raimu gives a splendid performance, and the entire production is well handled.


CREDITS: Producer, Andre Hugon; Direc- tor, same; Author, same; Musical score, Jacques Ibert.

DIRECTION, Very Good. PHOTOGRAPHY, Good.

(Continued from Page 1)

**N. Y. CIRCUITS HALT "EXCESSIVE" GAMES**

(Continued from Page 1) carrying Screeno and Bank Night to extremes.

While no statement was given out and nobody who attended the meeting would discuss any decisions made, it is reported that several offending exhibitors agreed to cut down on giveaways and retreat closer to picture business.

Following the big circuit-wide Bank Nights staged by the larger circuits more than a year ago, there was an understanding that such efforts would be abandoned. However, last week RKO houses in The Bronx united in a combination Screeno and Bank Night plan similar to those that had been banned. Five houses were in a telephone hookup. They were the Fordham, Franklin, Chester, Royal and Empire. However, instead of giving the profits that they were carried over until the following week if not claimed by patrons in the theatre.

It is understood that RKO has agreed to discontinue this phase of their games.

Loew's, it is said, also agreed not to launch another combined-circuit Bank Night if competitors refrained from them, although it is believed that Loew's had planned, following RKO's action, to put on a huge $10,000 competition in connection with the opening of the World's Fair.

**"Juarez" Re-Broadcast**

Broadcast of Warners' "Juarez" premiere in New York last winter by the NBC network was re-broadcast throughout all Latin America by the radio station owned by La Nacion, Buenos Aires paper.

**Heads Chi. "U.P." Delegation**

Chicago—Will Hollander, B & K publicity director, and Jay Rubens, of Great States circuit, head the Chicago delegation going to the "Union Pacifie" premiere in Omaha, leaving on a special train tonight.
aggregating $750,000 has been made by banking interests, with one-third of the notes reserved for the stockholders. Paramount has recently exercised options on an additional 42,000 shares of DuMont "B" common to boost its holdings considerably, and has taken $108,000 of the notes.

The DuMont company now has a backlog of orders for its television sets up to three months of pressure activity, with orders fast pouring in as was learned. No further issues of DuMont shares are contemplated at this time, it is understood.

CBS to Incite Public's Criticism of Telecasts

Taking a leaf from the book of the BBC, CBS will solicit public criticism of listeners when it launches active tele transmission about June 1.

Bloomingdale's To Show Fashion Show Via Tele

Inaugural of tele sales in department stores this week-end will get added impetus tonight via a special Millinery Fashion Television Show in the Green Room at Bloomingdale's. It's said to be the first demonstration of tele's practical application as a commercial media.

Philco Demonstrates Tele for the Chicago Press

Chicago—First public demonstration of high definition electronic tele in this sector was made yesterday before the press by the Philco portable unit. WLS provided the talent for the show.

Loew' State Books "Names" For World's Fair Visitors

Loew's State is lining up "names" to headline shows during the World's Fair. Eileen Powell will be featured for the opening week of the Fair and will be followed during successive weeks by Ben Bernie, Benny Fields, Arthur Treacher and Duke Ellington. Other headliners are in negotiation.

Geo. Lefko to Cleveland

Pittsburgh—George Lefko, for the past six years branch manager of the local RKO exchange, is being transferred to that company's Cleveland office. His successor here has not yet been appointed.

DAILY
nearly
the
heavy
interests,
weekly
was
Voted
es-
land
be
made
education
added
CBS
DuMont
backlog-
the
stockholders.
Inaugural
The

Fair
State

All
Commercial

of

CBS

said

laboratory stock could be expected this year, barring unforeseen events.

Herrl J. blood, Allan P. Kirby, Robert M. McKimney, Robert E.
Young, Louis Phillips, Charles A.
Stone and Kenneth M. Young, directors, were re-elected unanimously.

Briggs disclosed that the DuPont Film Co. earnings for the first two months of this year were $165,707 as against $116,000 for the two month's period last year. He also stated that company's prospects for the year had been considerably enhanced by its entering the novelty field, achieving excellent sales with a small and cheaply made "viewer" which showed 25 scenes on a small strip of film.

It was stated that company's only liability was its bank loan and that the book value of the new laboratory company stock was approximately $85 per share at this time. The company also expects to make a considerable amount of money with a new device for photographing checks. An offer of $250,000 and a 25 per cent of the profits has been refused. Briggs stated that the company had decided to develop the device and is negotiating for outside financing.

Briggs also reported that operation of the telecast, based on recent negotiations for the sale of DuPont stock owned by Pathe had been held, it was learned. Meeting of directorate will be held this week to name officers Price, Waterhouse & Co. were named as auditors.

Expect Attendance of 600 at Visual Education Meet

Chicago—National Conference on Visual Education at the Public Works Administration (DeVry Foundation) will be held at the Francis W. Parker School here, 300 Webster Ave., June 17, 18 and 19 inclusive, it is announced.

Meeting, which is expected to bring together upward of 600 visual educators from all sections of the country, will be the ninth annual such gathering.

An extensive program has been arranged and will be devoted to general discussions relative to this field of activity, and showing of outstanding non-theatrical productions.

THREE-DAY BALLYHOH
FOR "U. P. STARTS"

(Continued from Page 1)

pect 400,000, including 150,000 vis-
tors, to participate in some of the celebra
tions which climax Week when the pinwheels in simultane
ous flight from the Paramount house.

Today sees the arrival of the Go
den Spike from Frisco, opening the his
torical museum in the old Auditorium, opening of the Sing
Indian village on the Court Hous
grounds, unveiling of stockade at the U. P. station and of the 186
atmosphere store fronts along to

Tomorrow's program calls for a visit of both U. P. execs, and other guests by special train, military parade and arrival of De Mille at the Hollywood party from the Coast, all by special train which will go to a dedication ceremony. Friday evening the tele
tional parade will have 45 float and 30 bands in line. De Mille will attend the first show, with parade seating at the head. Civic luncheon at the Fontenelle Hotel will follow.

Permiere festivities at night will have radio coverage via NBC, CBS and Mutual. Latter also will air special program over 141 station from 8:30 p.m. tonight.

Regular run of "Union Pacific" starts Saturday with final plug, band and drum corps contest an grand costume ball.

Omahas generally will be in costume; $7,000 in bonnets and, 7,0000 beavers hats a ready have been purchased; 340,000 members of 226 chartered Whiskers have sprouted beards of all colors.

Para. to Change Sales Meet Dates "If at All Possible"

(Continued from Page 1)

F. Agnew, Paramount's general sales manager, said yesterday Paramount's convention had been set for June 12-14, while Allied was holding its annual meeting in Minneapolis June 13-15. As several Paramount executives had been invited to attend the exhibitors' con
dention, Al Steffes, head of North
west Allied, asked for a change in the film convention.

Agnew said yesterday that if the convention date were changed, he would have to be moved ahead the annual stockholders' meeting scheduled to follow the convention. He said the decision to move the meeting up would rest largely with the studio executives, but that he was willing to co-operate if the change did not conflict with existing plans.

TOOTHPASTE GIVEAWAY

Racine, Wis.—Latest giveaway being plugged by the Rux Theatre here is a 25-cent tube of toothpaste.

WHITNEY IN TELE
VIA DUMONT NOTES

(Continued from Page 1)

Baird Television May Be Installed in the Roxy

(Continued from Page 1)

was interested in the English set-
up, and with 20th-Fox a heavy
shareholder in Gaumont British,
parent company of Baird, informed
sources believed that if the theater
is suitable Baird may make its
American bow in this spot.

Arthur Lee, GB vice-presy and
general manager, stated yesterday
that no final decision could be made as to where the first installation
would be made until Baird engine-
ners and Jan Javal, commercial di-
c rector, return here late today or
yesterday, survey the theaters interested in the television apparatus.

Some several theater Broadway houses including the Roxy and Embassy
Newswelc have evinced interest in
Baird, Lee said. GB is erecting a
television aerial on the roof of its
New York headquarters to facilitate
receipt for demonstrations there
of theater and home equipment.

Disney and NBC Talking
Donald Duck Tele Deal

(Continued from Page 1)

and NCS representatives, is closed.

Revelation of the deal came in the
wake of a check by THE FILM DAILY
to ascertain whether there might not be impending a rift in the unit
from which the majors are present-
ing against the supply to NBC and
CBS of pix for telecasts in the met-
ropolitan area.

Check followed reports that the
March of Time's new issues are be-
ing considered for telecasting by
NBC's evening programs. It esti-

PATERSON NEWS

Pat O'Brien Murders Dad
West Coast Branch of THE FILM DAILY

Hollywood—William J. O'Brien, a number of whom here are dead here. He apparently suffered a heart attack. Surviving also are his widow and a sister.

Pathé Labs. to Sell Stories

All story properties owned by Pathé Laboratories will be sold to producing companies in the near future, it was announced yes-
terday.
Intimate in Character
International in Scope
Independent in Thought

NEW YORK, THURSDAY, APRIL 27, 1939
TEN CENTS

Distrib. Consider ITOA Arbitration Clause Changes

NEW BRITISH PRINT, STOCK TAXES HIT U. S. FIRMS

Warners Increasing, Not Selling, Holdings in Muzak

"Juarez"

By CHESTER B. BAHN

"The amazing Warner faculty for injecting the box-office element of timeliness into stories of another day is again strikingly instanced in "Juarez," now current at the New York Hollywood Theater as a $6,000,000 attraction.

By something akin to sheer genius in treatment of story and theme, "Juarez," historical romance of the Sixties, has reached the screen by a pictorial incursion into the costumed and gory past, but as a biting arraignment of despotism, whether benevolent or otherwise, and a testing preachment of Democracy.

The approach is essentially Warner-ian, or those brilliantly written and powerful stories which focus attention upon clashes of ideologies by conspicuous by their presence in the Franz Werfel play, largely the thesis of the Paul Muni-Bette Davis-Ahern picture.

THE sweeping scope of the Warner achievement—and achievement it is—will be further summarized in this extract from Howard Barnes' intelligent analysis of "Juarez" in yesterday's New York Herald Tribune:

"Not only is imperial despotism clearly aligned against democratic idealism; the whole question of racial prejudice is raised through the fact that Juarez is an Indian; repression is given savage statement; the Monroe Doctrine is weighed in the scales of the hypocricies and double-crossing of power politics are envalued. For once a historical photoplay has gone behind the husk of external events to dramatize the deep currents of human beliefs, activities and aspirations."

It might be added, that the picture achieves all this without resort to demagoguery or pseudo heroics; its careful avoidance in favor of honesty and fairness indeed gives the story a startling vitality. In permitting monarchs, through the words of Maximilian, to have its say, the cause of Democracy has been well served.

WHAT does all this mean to the showman who later will play "Juarez"? Well, the times being what they are, this, (Continued on Page 2)

Current Disposition Reports Scotch by President Catchings

Warners has no intention of withdrawing from Muzak, despite reports to that effect finding credence in some quarters, it was established yesterday.

Flatly denying that Warners was preparing to turn back Muzak control to the North American Corp., Waddell Catchings, Muzak presy, told THE FILM DAILY that instead

(Continued on Page 6)

LAST MINUTE CHANGES TO EQUITY SUIT BILL

D of J will file today its bill of particulars in the Government's equity action against the majors, it is virtually certain.

Bill was brought here yesterday from Washington by Paul Williams, (Continued on Page 8)

N. Y. Assembly Turns Down Booth Measure, 81 to 33

Albany—Stunning defeat was suffered by two-men-in-a-booth bill in the N. Y. Assembly yesterday by 81 to 33, upsetting advance predictions. Assemblyman Crews claimed his

(Continued on Page 6)

PARA.'S MEET ON JUNE 8-10

Sales Parley Dates Switched to Oblige Allied

Paramount has changed the original dates of its annual sales convention in Hollywood from June 12-14 to June 8-10, Neil P. Agnew, general sales manager, announced yesterday. Change was made at the request of Al Stoffes, Northwest Allied president, whose unit is to be host to the national Allied convention in Minneapolis, June 13-15. Decision was made following a board meeting on Tuesday when the directors announced that estimated earnings for the first quarter ended April 1 were $1,500,000, after all in

(Continued on Page 8)

GNY FUND CHAIRMEN MEET WITH RUBIN

Chairmen of the four sub-committees of the Motion Picture Division of the Greater New York Fund drive will meet today at 2:30 p.m. in the office of J. Robert Rubin, division's head, at 1540 Broadway, to further co-ordinate and in

(Continued on Page 8)

Distrib. Tackle Proposals of ITOA

For Arbitration Clause Clarification

Eastman Biz for Quarter Shows Advance of 11.9%

At annual meeting of stockholders in Jersey City, Thomas J. Harr grave, vice-president of Eastman Kodak Co., declared company and wholly owned subsidiaries for the

(Continued on Page 8)

U. K. Levies Expected to Net British Government $5,000,000 Annually

London (By Cable)—British and U. S. film interests here were deeply concerned yesterday as rapidly computed estimates of the new tax scales on imported films and domestic and imported raw stock showed that the Government will derive approximately $5,000,000 per year from these taxes.

New scale classifies both negative and positive first prints in same category with new rate of six pence per foot on each foot of film on the first print, supplanting old rate of five pence per foot. Additionally, a

(Continued on Page 8)

3-4 MILLIONS MAY BE TAX COST TO MAJORS

New British levies on imports and raw stocks was estimated yesterday by foreign department execs, to represent an increased cost between $3,000,000 and $4,000,000 in operating expenses to American companies doing business in the U. K. A close study of the new levies was made by all foreign execs, yester

(Continued on Page 8)

UA's Convention Special to Leave N. Y. on May 4

A special transcontinental train will carry the United Artists delegation to the company's annual convention in Hollywood. The train leaves New York next Thursday and (Continued on Page 8)

Para. to Ask Dismissal of Stockholders' Action

Paramount, as defendant in stockholders action brought by Frank Jablow and Sam Acker, yesterday filed a notice of motion, to be heard May 5, seeking dismissal of the com

(Continued on Page 6)
HOLIDAY SCHEDULE

SUNDAY, April 27, 1939

COMING AND GOING
BARNEY BALABAN, Para, proxy, NEIL F. AGNEW and CHARLES REAGAN fly to Omaha today for the "Union Pacific" premiere.

MONROE GREENTHAL and AL MARCOLIS leave tomorrow for the Coast by air; SAM COMENZI leaves today by train and "FARNO!" flies Monday—all bound for the convention.

WILLIAM J. KUPPER, Western division manager, leaves today for a swing through his territory.

W. C. GEHRING, 20th-Fox central division man-
ger, returns tomorrow from Toronto.

A. S. DOYLE, manager in Japan for 20th-Fox, arrives in Los Angeles on the President Coolidge next Sunday.

C. F. MURNO, director of Hoyt's Theater in Australia, will visit Sydney tomorrow or Monday for Los Angeles.

RALPH B. AUSTRIAN, RCA assistant vice-
pressure, arrives tomorrow to consult with company executives on the Coast.

LYA LYS left for Hollywood yesterday follow-
ing the premiere of "Confessions of a Nazi Spy" in which she appears.

BORS MORROS planes Eastward next Tues-
day to consult with his firm's attorney, L car, on rental agreements.

JOE HEPNER of Metropolitan Photo Service, MAL HORN and DICK CONDON leave for the East tomorrow.

RUSC CUE, general Latin American manager for RKO, will return to the U. S. May 1 after an extensive tour of the East. He will take the President Coolidge to Honolulu and land at Los Angeles.

GEORGE BERTRAND HARDING, author of "The Phantom Crown," the story of Juarez which formed the basis of the Warner picture now at the Hollywood Theater, is stopping at the Waldorf-Astoria.

GEORGE BURNS and GRACIE ALLEN leave the Coast tomorrow for an eight-week visit to New York.

THE THEATRE

George Abbott Productions

"There has been a number of good girl and music shows in town this season but this is by all means the best of the lot."—Watts, Her-Trib.

George Abbott—Rodgers and Hart

Savo Murray Albert Hart

ALVIN, 5214, Sat. Mts. Wed. & Sat. Columbus 6-4214

The Boys from Syracuse with Jimmy Wynn Eddie Taddy

"The least, roughest, toughest, tenderest, dilliest, most dandiest, and cer-
tainly funniest play for your money yet on this season."—George Jean Nathan, Newsweek.

PRIMROSE PATH

By Bob L. Burker and Walter Hart with Helen Betty Mary Russell

WESTLEY CARLSON HARRIET

CORT, West 48th St. Mts. Wed. and Sat.

BRAND 5-0646

"Bows of Pleasure"—Atkinsons, Times.

WHAT A LIFE

with EZRA STONE as Home Aldrich

MANSFIELD W. 47, Wed. and Sat.

Circles 6-0640
HARDYS
RIDE
HIGH
WIDE
AND
HANSDOME!

Hold Extra time for the Season's Sensation!
Look at the first S.R.O. results!

HOUSTON NEW HIGH! Biggest grosser this season; leads "Test Pilot", "Boys Town", the New Year's week of "Sweethearts".

PHILLY PHENOMENAL! Second day beat first day; far ahead of all Hardy Family releases.

DETROIT DANDY! Opens ahead of such pictures as "Idiot's Delight", "Rosalie", "Captains Courageous" and "The Great Ziegfeld".

FRISCO FABULOUS! Sensational! Tops "Maytime", "Rosalie", "Good Earth", "Captains Courageous" and other hits!

BEAUTIFUL BUFFALO! Nearly double the Christmas holiday opening of "Out West With The Hardys"; tops everything this season except "Too Hot To Handle" and the New Year's business of "Sweethearts".

MILWAUKEE MAGNIFICENT! Excellent! Only three better openings since this entire season started.

ATABOY ATLANTA! Equals Thanksgiving business of "Out West With The Hardys"; even with "Too Hot To Handle"; substantially ahead of "Boys Town".

Hardy good wishes for your engagement too!
A凝RL 28

Paramount releases the best racing picture of the year!

George Raft • Ellen Drew
Hugh Herbert • ZaSu Pitts in

"THE LADY'S from KENTUCKY"

Directed by Alexander Hall • Screen Play by Malcolm Stuart Boylan • Based on a Story by Rowland Brown

tremendous Derby racing interest
WARNERS INCREASING ITS MUZAK HOLDINGS

(Continued from Page 1)

the picx company was increasing its interest.

Muzak is regarded as a good investment; while activity now centers in New York, expansion in Philadelphia recently has been seriously considered.

N.Y. Assembly Turns Down Booth Measure, 81 to 33

(Continued from Page 1)

bill was a safety precaution, mentioning recent death of booth occupants as his example.

Strong indie fight against the bill north of the Bronx city line makes it evident legislation will not pass although further effort to pass the bill in the Assembly was forecast when Assemblyman Crews laid the measure on the legislative table from which it may be taken for a reconsideration at any time.

Para. to Ask Dismissal of Stockholders’ Action

(Continued from Page 1)

plaint because of failure under Federal rules on part of plaintiffs to separately state each cause of action.

In the alternative, Paramount will ask a court order directing plaintiffs to file amended complaint and a bill of particulars, with permission to answer amended complaint 20 days after filing.

TMAT Files WMT Squawk With Mass. Labor Com.

Springfield, Mass.—A complaint against Western Massachusetts Theaters, Inc. of this city has been filed with the State Labor Relations Commission by Motion Picture Division No. 3 of Theatrical Managers, Agents and Treasurers.

The complaint charges the Goldstein circuit management with refusal to bargain collectively with the employees represented by the union, as required by Federal and state labor laws.

The Commission expects to set a date for a hearing on the charges in this city in about a week.

Gatelee Testifies at Local 37 Injunction Hearing at Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Testifying at injunction hearing of Local 37 by order of International President Browne, said Attorney A. Brigham Rose had been paid $1,100 in legal fees in the past four months by the autonomy group. He also said that President Joe Carpenter, one of the deposed officers, had been paid $50 a week and the remaining financial secretaries each $100 a week, and that the board of governors of Local 37 had met every day and each had been paid $5 per meeting.

Developed also was that the minimum paid to secretaries as provided by the constitution of Local 37 was $75 per week. Gatelee admitted that he had suspended Lew Blix as business manager of Local 37 when on March 13 he suspended all officers of Local 37. He had reinstated Blix at a salary of $250 a week.

Attorney Hartke, representing IA, submitted a scurrilous letter which he said was circulated by the autonomy group to confuse the orderly administration of affairs of Local 37 by Gatelee and Sticking by emergencies. Carpenter, brought back to stand the Wednesday, admitted that there was nothing in the bylaws or the constitution of Local 37 to provide for withdrawal of $10,000 but said that the officers drew a check for $10,000 on the advice of counsel to protect the funds of Local 37. This check was later cashiered by back because of the injunction gained by IA.

Morros Here to Discuss World’s Fair Proposal

Boris Morros, film producer, arrived in New York yesterday by plane, accompanied by Herbert T. Silverberg, to discuss with Louis Nizer, attorney for Boris Morros Productions, various company matters. Among latter is the proposal by the New York World’s Fair that Morros stage at the exposition a cavalcade of South American folklore and music from the time of Columbus.

Morros said last night his acceptance of the Fair’s offer will depend upon whether such a program will interfere with his production plans in Hollywood, where on July 1, he expects to launch the feature “The Aviators.”

Will Yorkville See Two Fox Pix?

Will Lowr’s play “While American Sleeps” in Yorkville? Will RKO plan a musical based on “Spooks”?

So far those questions haven’t been definitely decided by either circuit. Yorkville, just in case you didn’t know, is the Sudetenland of New York City. “While American Sleeps,” as a two-reeler described that blandly economic in the three months in Eastern airplane plants, is based on actual incidents and pulls no punches. William A. Seiter’s “Spooks” are not however. Home tests will be taken in Yorkville, where they even hired Lindbergh during the Hauptmann kidnap trial, is a problem for the bookers to decide.

Nick-Weston Re-hearing Motions Decision May 1

St. Louis—Circuit Judge Ernest Oakley yesterday postponed until May 1, his decision on defense motions for rehearing in the John P. Nick-Clyde A. Weston IATSE exec trial. Receiver James McKeown reported yesterday that the average weekly income of Local No. 148 for first 16 weeks of 1939 was $1,290. He was authorized by court to move the local’s offices from IATSE headquarters at 4 S. Eighth St., but will wait until court rules on motions now before it.

GTE Reports $145,544 Not for Three Months

General Theaters Equipment Corp., and subsidiary companies, excluding Cinema Building Corp., J. M. Wall Machine Co., Inc. and Zephyr Shaver Corp., report consolidated net profit, after provision for depreciation and restated normal Federal income tax, for three months ended March 31 of $145,544. This compares with consolidated net profit of $18,394 for the corresponding period last year.

Pathé Film Corp.’s Board Meets Today to Elect

Board of directors of Pathé Film Corp. meets this afternoon to elect directors. Decided pressure of activities, O. Henry Briggs, president, and T. P. Loan, vice-president and treasurer, relinquished their posts on the new board. The directors are expected to devote their entire time to the newly organized Pathé Laboratories, Inc.

Five “Hardy” Holdovers

Metro’s “The Hardys Ride High” is being held over in five of its first engagements, home office said yesterday. At the State, Houston, the pix recorded the season’s highest gross. The film’s first week at the Grand, Atlanta, equaled the Thanksgiving holiday business of “Out West With the Hardys.”

St. Louis Dallas Groups Off for V. C. Convention

St. Louis—Dallas contingent bound for the Detroit Variety Club convention will be guests of the local Club at luncheon today, and will travel with the locals to Detroit, leaving by special car tonight.

Clark Upson Dead

Chicago—Clark Upson, veteran chief operator at the Devon theater, is dead from pneumonia.

DISTS. TACKLE ITO ARBITRATION CHANGE

(Continued from Page 1)

the suggestions made by the ITO on April 10.

Among the proposals made by the ITO was the suggestion that distributors be given voice in the choice of the panel on the arbitration board. Other changes recommended involved the compensation of exhibitors for breaches of contract on the part of distributors and a move to prohibit a distributor from allocating pictures for any reason, such as re-designating a B picture or a C picture as an A picture.

The ITO, through its public relations department, the Independent, stated yesterday that the ITO “will not fight with exhibitors unless the arbitration clause are revised so that “there is no limitation on what may be arbitrable,” so that there’s a not hamstrung in their efforts to secure equitable adjudication of their complaints.

It is understood that the distributors will resume their sessions today.

Dipson-Bail Interests Acquire Three Shea Circuit Theaters

Buffalo—Transfer of three 3B Circuit leases, on the Century, 300 seat downtown house; Bailey, 1,90 seat East Side community theater and Riviera, 1,400-seater in North Tonawanda, to the Nikitas Dipson-Bail Brothers interests was a pronounced yesterday by Max Yez of Greater Buffalo Theaters Co., owner of the Century property. The Bailey theater property, including 10 stores and a second floor bowling alley, was acquired outright. Century and the Riviera were leased to life improvement leases that were planned for the Century.

Current leases on the theater with life improvements that are Vincent R. McFaul, president of general manager of Buffalo Theaters, Inc., the Shea opera corporation. He offered no further comment.

Addition of the three houses will give the Dipson-Bail Interests eighteen theaters in the Buffalo area.

Edwards at Mayo Rochester, Minn.—In poor heat for several months, Gus Edwards will undergo treatment at the Mayo Clinic here.

Bingo Worries Bakers

Newark, N. J.—Bingo has the baking industry worried too. The Essex County Board of Trade and the N. J. Bakers Board of Trade have gone on record as favoring a certain investigation of the game, on the grounds it is “taking away money and would ordainatically be spent for the home and for harmless and inexpensive pleasure such as the movies and the dance halls.” Reportedly weekly take of $10,000 in one suburban community was the support of the investigation demand.
THE MIGHTIEST DRAMA SINCE "CIMARRON" STORMED THE SCREEN!

MAN OF CONQUEST

with RICHARD DIX • GAIL PATRICK • EDWARD ELLIS • JOAN FONTAINE

THESE IMPORTANT KEY CITY ENGAGEMENTS FOLLOW IMMEDIATELY

WARNER MEMPHIS, TENN. ELANAY EL PASO, TEXAS NORVA NORFOLK, VA. POWER KANSAS CITY, MO. HUBERT CINCINNATI, OHIO COLONIAL DAYTON, OHIO BLUEBIRD PETERSBURG, VA. FOX SPOKANE, WASH. ALVIN PITTSBURGH, PA. PARAMOUNT SAN FRANCISCO, CAL. KEITH'S BALTIMORE, MD. FOX PHILADELPHIA

HIEHLER PARKERSBURG, W. VA. CALIFORNIA SAN JOSE, CALIF. CALIFORNIA STOCKTON, CALIF. PALOMAR SEATTLE, WASH. SENATOR SACRAMENTO, CALIF. EMPIRE BIRMINGHAM, ALA. CAPITOL MARSHALLTOWN, IOWA METROPOLITAN WASHINGTON, D. C. PARAMOUNT ATLANTA, GA. ROOSEVELT CHICAGO, ILL. ORPHEUM TULSA, OKLA. DOWNTOWN AND HOLLYWOOD LOS ANGELES, CALIF. SAENGER NEW ORLEANS, LA. STATE OKLAHOMA CITY, OKLA. IMPERIAL CHARLOTTE, N. C. MAJESTIC WICHITA FALLS, TEXAS PARAMOUNT AND FENWAY BOSTON, MASS. ORPHEUM WATERLOO, IOWA AZTEC SAN ANTONIO, TEXAS CENTURY ROCHESTER, N. Y. LAFAYETTE BUFFALO, N. Y. IOWA CEDAR RAPIDS, IOWA MAJESTIC DALLAS, TEXAS WORTH FORT WORTH, TEXAS EARLE AND AMBASSADOR WASHINGTON, D. C.

AWARDED THE PARENTS' MAGAZINE MEDAL FOR THE BEST PICTURE OF THE MONTH FOR FAMILY AUDIENCES!

Republic — THE INDEPENDENT MAJOR COMPANY
NEW BRIT. FILM TAXES
HIT U.S. COMPANIES

(Continued from Page 8)

new scale, that of 2 pence per foot on all sub-
sequent prints is specified in place of old scale of one pence per
foot. These increases amount to 20
percent on the gross receipts and 100 per cent in the second.

Domestic raw stock will be taxed a half-penny per foot and imported
raw stock will be taxed one pence per
foot. Fact that importers avoided
the previous tax rates to a cer-
tain extent by sending in positive
prints in most cases, which then
were taxed at the rate of one pence
per foot, is held to have prompted
consideration of a new classification as positives in new lea-

dy schedule.

However, film containing only
sound tracks and, sub-standard
films, will be eligible for a lower
rate of two pence per foot whether
first films or not, a reduction of three pence per foot in the case of
the sound tracks.

The amusement tax has been cut
by one pence for legit. theaters, but
does not apply to film houses which
continue under old rate.

Greatest concern is felt over new
raw stock taxes as most American
companies do practically all their
printing here of prints for distribu-
tion in the U.K. and some other
countries. A company sending in
50 pictures a year and making an
average of 50 prints here thus will
have its negative costs increased
approximately $125,000 per year
using domestic raw stock and dou-
ble that if they use imported raw
stock.

Informed circles here see a boost
for domestic raw stock business by
the passage of the measure, but an-
ticipate a curtailment of the num-
bere of pictures produced here by American
companies and a possible shortage
of product in the case that fewer
pictures are sent over. It is pointed
out that the American companies in
all probability will only ship one
master negative or master positive
from which subsequent prints will
be made here.

A heavy toll is expected to be
levied from the newsreel companies
under this measure with what im-
ports and the large amount of raw
stock used for printing the reels here.
It is possible that all negative
for export will no longer be print-
ed here to beat the raw stock tax,
although imported reels cannot be
cut to any great extent as they now
are shipped in mostly in edited
form.

Davis, GE Exc., Dead
Albert Gould Davis, 67, patent
attorney and for 14 years vice-pres-
tident of General Electric Co., in
charge of patents, died on Tuesday
at his home, 550 Park Ave. fol-
lowing a short illness.

D of J Makes Last Minute
Changes in Equity Suit Bill

(Continued from Page 1)
special assistant to the U. S. At-

torney General.

Certain last minute changes, in
conformity with rules in the U. S.
District Court here, precluded its
being filed yesterday, it was learned.

Gold and Multin Quitted by
D of J In Gov't Suit

Harry Gold, U.A.'s eastern division
sales manager, and Edward Multin,
were examined yesterday by the
D of J in connection with the Gov-
ernment's equity action.

Counsel for the company raised
objections to all questions which
sought to find out why certain the-
aters were favored over others, and
why negotiations were held exclusively
with others; also whether efforts di-
rected toward other outlets could
have enabled U.A. to increase reve-


Edward C. Raftery, U.A.'s secre-
tary and general counsel, in oppos-
ing answers, declared that U.A. had
always had the right to contract
freely.

Seymour Kreiger, special as-
stant to U. S. Attorney General,
conducted the probe and additionally
sought testimony regarding choice
which U.A. had made between Loew's
and RKO as to first-runs, on road-
shows, methods via which admiss-
ion prices are reached, and specific
instances in New York City as to
what houses were selected as first,
second and third run. Multin also
had a list of the houses which fall in
these respective brackets.

Examination was adjourned with-
out a date set for continuation be-
cause of U.A.'s scheduled sales con-
vention in Hollywood May 11 in-
cluding, but shortly thereafter probe
will continue.

Day Quits GN Post

St. Louis—Bert Day, manager of
Grand National Pictures local of-

cice, has resigned from that post to
rejoin the local Monogram Pictures
sales force under Manager Robert
Taylor.

Chairmen of GNY Fund
Will Meet With Rubin

(Continued from Page 1)
tensify the campaign and discuss
accomplishments to date.

At 8:30 a.m., Committee
chairman, and the leaders of
the other groups consisting of Ned E.
Depinet, Producers' Committee;
Charles Casanave, Allied
Industries and Accessories; and Ralph I.
Poucher, Laboratories, will attend the
confab.

Yesterday, Harry Brandt, presi-
dent of ITOA, reported in the wake
of that exhibit body's meeting at the
Hotel Astor the determination of the
organization and its united

members to support the Greater
New York Fund by contributions
representing 100 percent of all units
and their respective employers.

Today, the Interboro Circuit, un-
der Jack Hattom, will hold an or-

dination meeting at the
distant Theater, 785 De Kalb Ave., Brook-
lyn, at 10:30 a.m., at which Greater
New York Fund speakers will ap-
pear—Tomorrow, at the Linden
Theater, 114-46 Merrick Road, St.
Albans, Interboro will hold another
meeting at 10:30 a.m. Stanley Col-
bert of the circuit is taking an ac-

tive part in circuit's end of the cam-
paign.

Also tomorrow, Laurence Bologo-
nino will hold a meeting of his the-

tlers' staffs at the Ascot Theater,
162nd St. and Grand Concourse.

Eastman Biz for Quarter
Shows Advance of 11.9%

(Continued from Page 1)
first 2 weeks in 1939 showed an
increase of 11.9 per cent over com-
parable 1938 period.

Although company has not as yet
computed its earnings for the peri-

d, he said, it is likely that profits
recorded at least a corresponding

Sales for the 1939 period amounted
to $26,662,000 and this compares
with $25,516,000 in like weeks of
1938 and $26,944,000 in 1937.

"Juarez" Warmed Praise by N.Y. Pic Critics

TIMEs (Frank S. Nugent): "This screen
record of the past has become strangely con-
temporary, revitalized and significant.

DAILY NEWS (Kate Cameron): "An

testing and intensive dramatic

bistorical picture ... Ditterle's direction of the revolu-
tionary drama is masterly.

WORLD TELEGRAM (William Boechel): "Juar-
"ez" is a notable accomplishment... since
it uses no unusual flag-waving to bring home
its message, it is a genuine piece of
written history, an entertaining film as well as
a beautiful production."
J. S. Would Keep Witnesses Secret; Fears Intimidation

GOV'T FILING NEW EQUITY SUIT TODAY
Commission of Three to Study Film Market in Spain

London (By Cable)—A continuation session of the newsreel association here has been held since announcement of the new films tax measure, and the chancellor of the court is being urged to receive deputation at the earliest possible moment as the newsreel companies several instances have expressed (Continued on Page 3)

ITISH BUDGET LEVY ONFOUNDS NEWSREEL

RKO Filing New Equity Suit Today

Commission of Three to Study Film Market in Spain

N. Y. Suit Bill Filed by U. S.
Largely Non-Specific, Defense Preparation Handicapped

In response to the March 7 order of Federal Judge William Bondy, the Department of Justice, in its N. Y. equity action against the majors, yesterday filed a 38-page bill of particulars answering the consolidated motion but not applicable to UA or Columbia.

Bill is signed by John T. Cahill, as U. S. District Attorney; by Thurman Arnold, as Assistant Attorney General; by Paul Williams, Robert L. Wright, John F. Cogdell, J. Stephen Doyle, Jr., and Shelby Fitz, as special assistants to the U. S. At. (Continued on Page 10)

Chain Tax of $75 to $3,500 Proposed in Florida Bill

Tallahassee, Fla.—A chain theater license tax ranging from $75 to $3,500 is proposed in the House by Representative Johnson, of Hernando County, who reportedly said he had no estimate of how much the tax would (Continued on Page 9)

RKO's 1938 Profit Reported At $18,604 Before KAO Div.

RKO's trustees report for the year ended Dec. 31, 1938, shows a profit of $18,604 after all charges except provisions for dividends of $29,501 accrued in 1938 on cumula-

Gov't Motion in Equity Suit Asks Relief from Naming Witnesses

Conversion Date of RKO Debentures Expires May 1

RKO announced yesterday that on Monday, May 1, the property expires during which holders of the ten year 6 per cent gold debentures of the corporation, and of certificates and scrip therefor, may exercise (Continued on Page 6)

WITH THE D OF J's BILL OF PARTICULARS IN THE N. Y. EQUITY SUIT YESTERDAY-...
Published daily except Saturdays, Sundays and Holidays at 195 Broadway, New York, N.Y., by Wiw's Films and Film, Inc., J. W. Alicant, President and Publisher; Donald M. Mersereau, General Manager. En- tered as second class matter, Sept. 9, 1898, at the post-office at New York, N. Y., under the laws of the United States of America.

Friday, April 28, 1939

**FINANCIAL**

**NEW YORK STOCK MARKET**

Net

<table>
<thead>
<tr>
<th>Stock</th>
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<td>Columbia Pts. vtc</td>
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<td>Cron. Pts. vtc</td>
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<td>Con. Fm. Ind. Pts.</td>
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<tr>
<td>East. Kodak</td>
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<td>Gen. Th. Eq.</td>
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<td>Loew Inc.</td>
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<td>Paid In</td>
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<td>Pathe Film Corp</td>
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<td>RKO</td>
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<td>20th Century</td>
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<tr>
<td>Warner Bros</td>
<td>4%</td>
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<td>Warner Bond</td>
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**NEW YORK BOND MARKET**

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<td>Keith B. 6 1/4s</td>
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<td>Loew 6s 4 1/4s</td>
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<td>RKO 6 1/4s</td>
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<td>Warner 6s 6 1/4s</td>
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<tr>
<td>Warr. 6s 4 1/4s</td>
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**NEW YORK CUB MARKET**

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<td>Monogram Corp</td>
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<td>Scientific Pts</td>
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<td>Universal Corp</td>
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<td>N.Y. OVER-THE-COUNTER SECURITIES</td>
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**SAFETY**

**LYOADS**

FILM STORAGE CORP.

Storage by Reel or Vault

729 Seward Ave.
New York City
BRyst 9-5600

**SECURITY**

J. Robert Rubin, chairman of the Motion Picture Division of the New York Fund, held meeting in his offices at 1540 Broadway yesterday afternoon which was attended by S. B. Moss, chairman of the Sub-committee on the Industry, and M. Maloney, director of the national office. Following the meeting, Rubin expressed satisfaction with the fishermen's progress to date, and urged that maximum co-operation be solicited from rank and file alike of the industry in New York.

Another meeting of the same group heads is tentatively set for next Wednesday at 2:30 p.m. in the Rubin offices.

**National V. C. Meet May Elect Officers Tonight**

Detroit—Electors of officers for the national Variety Club organization, in session here, may be moved up to tonight, with no business session tomorrow. Convention opened yester- day with a close roll call. The national officers and directors, with 60 in attendance, is considered to be a record for the first day. National can advise the Philadelphia and H. M. Richey of Detroit were delayed by being on board of their plane.

Directors formally approved all actions of the officers for the past year. John J. Malone of Pittsburgh presented the report on welfare activities, and Bob O'Donnell of the Hobbitzelle Circuit reported on future activities. Details of the reports were delayed until today's opening session.

Bob O'Donnell of John B. Kennedy, radio news commentator, at the banquet tomorrow night may be broadcast by a national hook-up.

**IATSE Rests in Injunction**

**Action Against Local 37**

West Coast Board of the IATSE held its case yesterday in its action seeking a permanent injunction to restrain the autonomy group of Local 37 from interfering in the affairs of the Philadelphia and H. M. Richey of Detroit were delayed by being on board of their plane.

Hearings will be resumed on Monday.

**ON CRITIC'S ROW**

**Review of THE FILM DAILY**

Washington—Senator "Cotton Ed" Smith, chairman of Intersate Commerce sub-committee which held hearings on Neely Bill, will return to Washington on Monday. The South Carolina Senator may call the sub-committee members together on his return next week to discuss the bill.

**Senator's Sub-Committee May Debate Neely Bill**

Albany, N. Y.—The revised budget scheduled for enactment by both Senate and Assembly some time tonight, will include real estate and turnover taxes which would affect the film industry.

The majority part has the necessary votes to pass the measures.

20th-Cent. Fox Opens French Dubbing Studio

New dubbing studio has been opened by 20th-Fox at St. Ouen, France. Studio is managed by J. H. Piperno.

H.O. Rep. for Wilcox, Gordon

West Coast Review of THE FILM DAILY

Hollywood—Charles Leonard has been appointed producers' home office representative for Herbert Wilcox Productions and Max Gordon's Plays and Pictures. Appointment was made by George J. Schaefer, RKO executive, and S. Barrett McCormick, ad-publicity director. Leonard will make his headquarters with the producer organizations on the RKO.

B & K Re-Elects B. Balaban

Chicago—B & K board of directors yesterday re-elected Barny Balaban to the presidency. The other re-elected were Walter Zimmerman and Frank Freeman, vice-presidents; John Balaban, secretary-treasurer; Elmer Upton, assistant treasurer.
BIFFSH BUDGET LEVY
ONFOUNDS NEWSREEL
(Continued from Page 1)

opinion that they may have to be
run down in near future unless re-

BRIGHT possibility is that ex-

Rents may be receptive to in-

rents, particularly on

sides, to ease the situation. In

instance where a company re-

300 prints of their newsreel

week the higher printing costs

ean an increased expendi-

of $824,000 per year. This fig-

more than the operating prof-

of some reals, it is pointed out.

r duties on news shipped into

gland is negligible as all news

y story form and about 80 per

of reals makeup originates here

all cases.

avity of the situation also has

icees and distributors worried,

om sources of the opinion

the increased tax will definite-

limit production, both CEA and

have also been huddling con-

tinuous to discuss the situation

omulate plans for easing it

venteenth Century-Fox
Quarterly Profit $1,224,250
(Continued from Page 1)

p. of $882,000 for the fourth

ter of 1938. No dividends from

ional Theaters were received

e first quarter of either of

fter allowing for the first

e preferred dividend, there

ained a profit equivalent to 50

share on 1,741,986 shares of

ock outstanding at April 39.

oble Features Ban Bill
Advanced in Ill.'s House
(Continued from Page 1)

a bill prohibiting actors and

ers who have been divorced

e more from appearing on

creens.

ALONG THE...
WITH PHIL M. DALY

• • • HE TOLD the ad men where they are all wrong-----

referring to Dr. J. S. List, consulting psychologist for NBC------who

spoke at the AMPA luncheon------the Doc shot over some fast ones

which would have been too hot for the ad boys of the film biz to handle

if they had been there to listen-----but they don't attend the meetings

of their organization, and that's why they call it an association of

otion picture advertisers------so we will have to tell 'em what the Doc

aid------

• • • ACCORDING to Doc List, the film ad men are all

wrong in suggesting to the public the way they should think------

they don't feel the pulse of the public------they should go right

into the homes to find out how they really think------and then

go out and write their ads just as if they were talking to those

people------in a word, they should Meet the Minds of the public

along the lines the public thinks, and not along the lines the

ad men thinks------the Doc wound up by saying present film ad-

vertising methods are dead, and that radio had gone far ahead

in catching public appeal------waiter, pass the bromo seltzer

bottle to those ad guys ------they'll need it after this going-over

by the Doc------

• • • IT WAS the first AMPA meeting under the new regime

President Paul Lazarus, Jr., outlined some ambitious plans for

the year ahead------Joy Hodges made a great hit with her little talk

-----and finished by accompanying herself in a song------

• • • DAILY film programs will feature the tenth anniver-

sary of the Museum of Modern Art------in conjunction with a

large exhibition including a motion picture section------which

will be devoted to the work of the French film pioneer, George

Melles------and a series of abstract designs for a film project

executed in 1913-14 by the cubist painter, Leopold Sarrage------

• • • FILMS for the programs will be supplied by the Museum

of Modern Art Film Library which conducts the Museum's activities in

the field of the motion picture------established as an educational in-

stitution in 1935 by a grant from the Rockefeller Foundation, the function

of the Film Library is to collect and preserve representative motion pic-

tures of all types in order to make them available for study------the Film

Library is moving to the new building of the organization at 11

West 33rd St.,------its large library of books, periodicals, still photo-

graphs, manuscripts, scenic design and musical scores is a constant

source of reference for students, instructors and members of the indus-

try and the general public all over the United States------the Film

Library has arranged 50 two-hour programs of films------each illustrating

a particular phase of motion picture history------these programs

are regularly circulated to more than 200 colleges, museums and student

groups throughout the country------a cycle of seventy films has been

grouped into 30 two-hour programs to be given successively day by day

in the Museum's audiorium------this list, illustrates major steps

in the history of the motion picture------

• • • ROYALTY seems to be the order of the day in this

great democracy of ours------Camera crews yesterday filmed the

Crown Prince and Princess of Norway------today they will be

filmed en route to visit President Roosevelt at Hyde Park------

and today's arrivals include the Crown Prince and Princess of

Denmark, and the military band of the Coldstream Guards------

COMMITTEE OF THREE
TO SPAIN FOR PROBE
(Continued from Page 1)

shortly before his departure for the U. S. at a dinner called by Harold

Smith, MPPDA's European representative, and that the film men

voted a three-man delegation to invade into Spain. The group will not

undertake its study until after the

victory parade on May 15. He was

non-committal as to what he

thought the Spanish market would

offer, but indicated that an open

market might exist.

The situation in Italy, Lange said,

is unchanged, except that he be-

lieved the Italian government

would make an effort to reach an

understanding with the American

companies. There has been talk, he

added, about an Italian commission

coming to the U. S. to discuss the

situation but that there had been

no confirmation of date.

WB Board Grants Right
For Debenture Conversion
(Continued from Page 1)

ed right to holders of such option-

al 6 per cent convertible deben-

tures, series due 1939, called for

demption, to exchange their deben-

tures on or before June 28, for an

equal principal amount of 6 per cent

debentures, series due 1948.

Kenneth M. Young Succeeds
Briggs as Pathe Film Prexy
(Continued from Page 1)

who has been elected president of

Pathe Laboratories and is devoting

his entire time to the new company

T. P. Leach was re-elected vice-

president and treasurer and M. M.

Malone was re-elected as secretary.

"Indep' Major Company"
New Slogan for Republic

Republic, having recently em-

barked on a big picture policy, off-

icially launched yesterday its new
glogan, "The Independent Major
Company," which it is understood

will henceforth be used on all com-

pany's promotional material, sta-

tionery, and advertising.

Herbert J. Yates, CPI prexy, ar-

rived on the Coast yesterday by

plane to put finishing touches on

the last of the Republic regions

this year which will be held defi-

nitely in San Francisco on May 8-9.

James R. Grainger, Republic's

president and general manager in

charge of distribution, leaves New

York tomorrow for Frisco on the

Broadway Limited, and will visit

both Chicago and Kansas City en-

route.

He declared yesterday that "Man of Tomorrow," which opened its New-

York run at the Capitol Theater yester-

day, has now been booked in 160

keys.
IN EVERY SHOW

DODGE CITY from WARNERS!
CONFESSIONS OF A NAZI SPY from WARNERS!
THE OKLAHOMA KID from WARNERS!
YES, MY DARLING DAUGHTER from WARNERS!
MAN WHO DARED from WARNERS!
THE KID FROM KOKOMO from WARNERS!
THEY MADE ME A CRIMINAL from WARNERS!
DEVIL’S ISLAND from WARNERS!
ANGELS WITH DIRTY FACES from WARNERS!
BLACKWELL’S ISLAND from WARNERS!
FOUR DAUGHTERS from WARNERS!

THE ONLY FAIR ADVERTISEMENT FOR N
WARNERS made DARK VICTORY!
WARNERS made JUAREZ!
WARNERS made WINGS OF THE NAVY!
WARNERS made DAWN PATROL!
WARNERS made A FAMILY AFFAIR!
WARNERS made HELL'S KITCHEN!
WARNERS made EACH DAWN I DIE!
WARNERS made BROTHER RAT!
WARNERS made YOU CAN'T GET AWAY WITH MURDER!
WARNERS made THE DEVIL ON WHEELS!
WARNERS made THE SISTERS!

T YEAR IS THE RECORD FOR THIS YEAR!

NOTICE, PLEASE;
There are no wrinkles in this brow.
“Union Pacific” with Barbara Stanwyck, Joel McCrea, Robert Preston
Paramount 135 Mins.

GREAT SPECTACULAR EPIC MAKES SMASHING ENTERTAINMENT THAT WILL BUST O. RECORDS.

Producers have been talking since early January about the “epic” qualities of Cecil B. DeMille’s “Union Pacific” and restores the original vital meaning to that old-fashioned adjective. Here is indeed an epic, for it meets the Greek conception of the word in that it is an heroic poem that captures in a series of related events building to a climactic climax. Every incident in this vast epic has fitted so cunningly into this mosaic of Motion Helps to build the pattern into one of the most satisfying and complete examples of brilliant screen entertainment ever attempted. No other picture has ever produced. DeMille can now rest on his laurels, in the confident knowledge that he has produced a type of picture that will probably stand for a long time. So engrossing is every frame of this film that you sit enthralled for over two hours as if it had been a fraction of that time. Higher praise than this critic can give a picture. With the skill and scholarship of Abraham Lincoln in creating the Union Pacific, the great task of pushing the tracks westward from Omaha to the Pacific starts in a surge of excitement and glamorous action. There is Joel McCrea as the trouble-shooter commissioned by the government to preserve a semblance of order, and his aide, Akim Tamiroff and Wynne Overman, as colorful a pair of genial cutthroats as has ever been seen on the screen. They are more than a match for the villains of Brian Donlevy and his hired thugs who run the “End of Track” saloon and dance hall that is ever moving with the railroad, to undermine the morals of the Irish section hands who do not know the back of the railroad and carrying the rails. It becomes a battle between McCrea and Donlevy, each trying to out-smart the other, with the last word to the man whose main job is the impossible adventure who has been by Donlevy to handle the robbery of the pay-train and lift the leather pouch that spells ruin for the railroad if it is not recovered. Then the battle of wits between McCrea and his one-time army pal, Preston, with the girl forced to take sides with the latter to save him from a noose. Meanwhile the actual work of building the railroad goes forward ceaselessly, over mountains, through ravines, in heat and snow. It is remarkable the way in which DeMille and his associates find material so that you are constantly facing the magnificence of the epic event of empire building with all its heart-breaking difficulties and at the same time engrossed in the purely personal romance and drama of two men in love with the same girl. We can do no justice to such fine material because of their points of view on law and order. Here is a production in which full of small and large thrilling entertainment that it would take thousands of words to do it justice. No week’s trip to the theatre could be more satisfying. With all its brawling, boisterous atmosphere it is shot through with great impressive dignity and you get a sense of the tremendous historic significance of what the completion of this railroad really means to the nation. This epic cast conveys that feeling out such as Tamiroff, Overman, Donlevy, for their colorful parts, and there are a score of equally praiseworthy actors. The high praise for Barbara Stanwyck, as the railroad postmistress in the midst of these brawling, fighting men. One character follows another. The Indians on the train, the light of the two rivals and the girl to stave off massacre by the savages as the wrecked train lies on the plains and a relief train of soldiers comes through for a last-minute rescue, provides as great a sustained sequence of suspenseful thrill as the screen has ever seen. This is but one of a dozen great sequences, all uniting to form a grand show that will leave any audience wilted with excitement. Director DeMille has outdone himself for spectacular thrills and sustaining the interest.


CREDITS: Produced, Cecil B. DeMille; Director, same; Location Director, Arthur Rosson; Production Manager, Edwin Herman; Adaptation, Jack Cunningham; Screenplay, Walter DeLeon, C. Gardner Sullivan, Jesse Lasky, Jr.

DIRECTION. Superb PHOTOGRAPHY. Excellent.

Conversion Date of RKO Debentures Expires May 1

(Continued from Page 1)

their election to receive, for each $100 principal amount of debentures, one and 43/100ths of a share of the new 6 per cent cumulative convertible preferred stock of $100 par value per share, under recently confirmed reorg, plan.

holders, owners of debentures who do not make such election during above mentioned period will receive one share of non-convertible preferred and five shares of new common for each $100 of debentures.

Notice of exercise of such election should be in writing and filed with Irving Trust, Corp’s trustee, at 1270 Sixth Ave., New York.

Defeat Sunday Restraint

Fall River, Mass.—City Council here killed by a 5-4 vote a proposed ordinance which would have denied Sunday amusement licenses to any theaters located within 200 ft. of a church.

“Maginot Line” on May 6

“Double Crime In The Maginot Line,” being distributed by Tower Pictures, has been set to open May 6 at the 55th St Playhouse.

“Frisco” for Criterion

“San Francisco” will be revived at the Criterion May 4.
WE

BELIEVE IN

DOUBLE

FEATURES
Paramount's

"UNION PACIFIC"

has DOUBLE THE THRILLS OF A SINGLE FEATURE

Two terrific train wrecks...two thrilling gun fights...a thrilling hold-up of a U.P. pay car by killers who dare all for a bag of gold...the most exciting bandit chase ever filmed, rifles spitting fury into the Western night...death-defying crossing of burning trestle by trainload of soldiers...giant locomotive hurtling down mountainside to bottomless canyon below...huge gambling hall axed to splinters by U.P. strong arm squads...and the finest Indian battle even Cecil B. DeMille has ever staged.

has DOUBLE THE PRODUCTION IN A SINGLE FEATURE

All the spectacular life of America's most spectacular era crowded upon the screen till your eyes stretch with the wonder of it all...scene after scene that only Cecil B. DeMille could produce, could direct...a cast of thousands led by two great stars, Barbara Stanwyck and Joel McCrea, by such feature players as Akim Tamiroff, Robert Preston, Lynne Overman and Brian Donlevy...a romance stronger even than the thrilling love story of "The Plainsman"...all making this the "Finest DeMille picture of them all".

Just one of Paramount's BIG 15 for Spring and Summer
Gov't in New Equity Suit Makes 'Large Chains' Target

Four Defendants Operate 149 Houses; L. C. and R. E. Griffith Head Groups

Okahoma City—Theaters operated by Griffith Amusement Co., Consolidated Theaters, Inc., Westex Theaters, Inc., and R. E. Griffith Theaters, Inc., total 149. L. C. Griffith is president of theaters operating 43 and 50 houses respectively, and R. E. Griffith is president of the Westex and R. E. Griffith theaters operating 43 and 22 houses. Vice-President of the circuits are: Foster McSwain, Griffith Amusement; B. J. McKeehan, Consolidated and F. L. Stacker for Westex and R. E. Griffith. Griffith Amusement has houses in Oklahoma and Texas while Westex and R. E. Griffith have houses in New Mexico and Texas.

The suit to Cite Driving of Indies Out of Biz as Main Ground

(Continued from Page 1)

Major Distributions Named

Major and distributors named are Paramount Pictures, Inc.; Metro-Goldwyn-Mayer Distributing Corp. of Texas; Loew's, Inc.; RKO Pictures, Inc.; Vitagraph Pictures, Inc.; Universal Film Exchange, Inc.; Twentieth Century-Fox Film Corp.; Texas: Twentieth Century-Fox Film Corp.; United Artists Corp. and Columbia Pictures Corp.

It was authoritatively reported that the New Mexico suit is a unique of others with a maximum of 10 being aimed

Aim of proceedings is to "divest major producing companies of ownership and control of the motion picture theaters which exhibit their products" the Justice Department announced. Principal grounds on which action is based, according to the Department, are:

(1) independently owned theaters are being driven out of business;

(2) construction and operation of new theaters is handicapped because any new enterprise is subject to the arbitrary control of a present existing monopoly;

(3) new or independent enterprise in the production of pictures is handicapped in the same way because the existing combination substantially controls the most important downtown outlets on a national-scale.

(4) independently owned theaters are so narrowly limited in the choice of films that they cannot by competition and experimentation suit the particular tastes of their communities. (This latter charge is interpreted here as a slap at block-booking and blind-selling).

These objectives cannot be attained so long as there exist chains of theaters exercising monopoly power in various sections of the country, even if the affiliation between such chains and the major companies is broken," the Justice Department said. Of the major producers are deprived of control over local theaters, they must have for themselves a competitive market of truly independent theaters in which to distribute their product. They must be at the mercy of local monopolies which control the market in particular areas.

Against Local Monopolies

"To leave the chain theaters in control of the market after divestiture by the major companies would be simply to substitute a number of local monopolies for the national monopoly which is now charged to continue. Such a situation would put the producers, who have divested themselves of their theaters, at the mercy of the local monopoly."

The announcement of the suit was made by Thurman Arnold, Assistant Attorney General in charge of anti-trust division and approved by Attorney General Frank Murphy. The Justice Department statement declares there are many other chains in U.S. with similar "monopolistic" situations and indicates others will also face court action.

Violation of Sections 1 and 2 of the Sherman anti-trust act are alleged in the case, according to the complaint to be filed in court. In summary, the charges are:

Summary of Charges

Defendant exhibitors have refrained from competing with each other . . . pursuant to agreements to allocate said territory between them; defendants have acquired product before offering same to other exhibitors; exhibitor defendants have compelled distributors to give them exclusive privileges of selecting product and receiving clearance over competing theaters.

All these actions, the complaint states, have prevented independents from obtaining enough first-run pictures to operate successfully; forced independents to maintain higher minimum prices than warranted; prevented independents from showing features with first-run clearance; prevented independents from exhibiting defendant distributors' features in the "Griffith towns" to other exhibitors; eliminate entry of pictures in the "Griffith towns" to other exhibitors; operate one or more second-run theaters.

The complaint then asserts that "said circuit buying power is now so great that its continued existence will tend to subject competing exhibitors in the 'Griffith towns' to other and additional restraints in violation of the Sherman Act, even if the foregoing restrictions are enjoined, unless said circuit buying power is eliminated."

The suit announced yesterday is first only because investigation into the entire facts was completed defendant, was said. The statement declares in that in order to obtain aims of Justice Department in the first run film biz, it must ask for dissolution of larger chains. Further explaining reasons for suit Justice Department statement declares "the restoration of competitive conditions in the industry may require a rearrangement of corporate structures and ownership which can only be done by civil decree."

To File Civil Proceedings

Civil rather than criminal proceedings is to be filed, the Justice Dept. declares, because of the "unique" nature given in New Mexico equity suit, namely the Justice Dept. has held conferences with industry representatives attempting to settle difficulties of independent exhibitors and in light of such meet- tles, it would be inequitable to institute general criminal proceedings.

"This proceeding aimed against local monopolies has the same general purpose as the suit in New York which is aimed against national monopoly" the department declares regarding what it hopes to achieve by the action. These theaters are able to make blanket contracts for all the desirable pictures without competing with local inde- pendent exhibitors."

"This action seeks among other things to break the monopoly com- binations in the areas in which they exist. In order to effectuate this object a dissolution of the larger chains may be necessary."

Dissolve and Rearrange Properties

The complaint declares defendants be dissolved and their properties re- arranged under several separate and non-competing "large chains" in manner as to create competitive conditions and prevent further vi- tations of the Sherman Act.

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Wendie discussed the alleged practices which results in monopoly control and its oppressive exercise be en- forced. In this manner an attempt is made restraining defendants from jointly or collectively negotiating contracts with the major distributors for the licensing of feature pictures and seeks to enjoin producers from seeking to license pictures except "on a local, competitive basis. The court is asked to grant injunction against acquisition of additional the- eaters or financial interest in the- aters by defendant chains.

Announcement of the action came unexpectedly following a confer- ence here last week of all United States District Attorneys.

Chain Tax of $75 to $3,500 Proposed in Florida Bill

(Continued from Page 1)

The License tax would be based upon the number of theaters oper- ated by a chain throughout the country, and would not be deter- mined upon the number actually operated in Florida. The Tax itself would be paid only for theaters located in the state.

G E Air Conditioning Dept.
N. Y. District Office Moves

New York district office of General Electric's air conditioning de- partment, serving the north Atlantic territory, has been transferred from the GE building, 570 Lexington Ave., and other offices and works of the department at Bloomfield, N. J.

Company announces move was made to facilitate engineering and order service, shipments, and similar activities, which can be handled with greater dispatch for this ter- ritory directly from the factory and general offices.

Personnel of the office, under V. E. Daniels, district manager, will remain the same.

Nelson Keys, Brit. Actor, Dies

London (By Cable)—Nelson Keys, 52, independent stage actor, died Wednesday morning after a stroke.

Activity Explained

Okahoma City — Announcement by the Department of Justice that it was filing anti-trust suit against the majors and four Griffith companies exercised the legal rights in this vicinity, and the summons to witness the hearing in the late Winter of Charles Dierker, U. S. prosecutor.

Specifically, charging that the A. B. M. was anti-trust suit file for involvement $4,500.00.

Forecast by F. D.

First indication that the Southwest would be the scene of the next Gover- nor's race was made March 1 when New Mexico was given exclusively by THE FILM DAILY in an column, published March 20. Story disclosed the New Mexico electorate has its eye on an independent quarter in as a prelude to a state suit move.
Equity Suit Particulars Bill Mainly Defines Terms  

Murphy to Announce D of J’s Gen’l Trust Policy  
Washington Review of THE FILM DAILY  
Washington—A statement of general anti-trust policy to be adopted by the D of J will be made early next week, Attorney General Frank Murphy announced last night. Future bills will be included in the case.

Gov’t Motion in Equity Suit Asks Relief from Naming Witnesses  
(Continued from Page 1)  

Strategy Held One of Delay in Answering Many Points Raised  
(Continued from Page 1)  

torney General; and by Seymour Kreiger and Senour Simon as special attorneys.

A response to specific rather than general, the bill infers that the Attorney General’s strategy is to delay answers to many points until 20 days before trial; this was made possible by terms of Judge Bondy’s order, points being those on which the Government presumably is now uncertain. Obviously, preparation of defense will be materially handicapped.

Government Claims Integration

Government claims integration of principal production and exhibition facilities, commenced between 1919 and 1924, and partly by oral and partly by written agreements, but no names, times or places to the agreement are named.

Integration, it is charged, consisted of understandings to (1) monopolize first-run metropolitan theaters; (2) monopolizing first-run or preference runs exhibition of motion pictures; and (3) monopolize the production and distribution of features; it is contended, and, additionally, this integration furthered the monopoly by (a) the producers giving preference to their own theaters over competing houses; (b) exchange preference between producers as to their affiliated houses, (c) thus assuring a market for producers’ product in another producer’s theater, and vice versa; (d) because producer-exhibitors held choicest theaters, the three non-owning defendants—the Columbia and Universal—iae, in order to reach the market, extended preference to their houses and affiliates. Because of this practice, the playing time of affiliates is limited, and indie producers are excluded from the choicest theaters. Hence, the defendants are able to impose unfair trade practices upon unrelated exhibitors, these practices including such items as block-booking, forcing of shorts and newreels, and unreasonable film rentals, etc.

Lists 37 Key Cities, 158 Theatres

The Court held the first-run metropolitan theater as one which “operates on a policy of customarily exhibiting high-grade, quality films on a first-run showing in those cities,” referring to 37 key cities which were listed, and 158 theaters which were in those cities.

The Government says it knows of no specific contract between defendants to pay money for the sale of first-run houses, but that arrangements between the defendants have resulted in the sale of first-run houses, that large numbers of agreements and contracts in the form of long-term and shorter-term franchises also bring about this exclusion. A preferred run, the Government contends by definition, as one which gives a theater a priority in time over competing houses. This practice, it is said, was started between 1918 and 1928.

Division of Territory Averred

In the division of territory between defendants, bills aver this started between 1918 and 1930, but names, times and places attending the agreement cannot be stated.

Each producer-exhibitor acquired a monopoly in his own area, it is alleged, by the practices previously delineated in the bill. As far as preferences and priorities are concerned, they are defined as giving exclusive option to license some or all of motion pictures to affiliates before offering to unaffiliated exhibitors, extending of favors and advantages to the affiliates. This practice is represented as having arisen some time between 1918 and 1930 on partly written and partly oral agreements, but no names, times or places can be named.

Charges “Splitting” of Product

In the metropolitan areas, instances of defendants operating theaters in the same area, Government charges that defendants “split” product, and this started to occur some time after 1918 on agreements that the defendants would purchase with each other for product, but would apportion releases. Times, names and places are unknown.

Next, the Government defined high grade, quality films as those which will likely to attract large patronage at the theaters, and said that all agreements and contracts are charged with having been participated in monopoly of high grade pictures, with exception of UA.

In the matter of high grade pictures, the Government declares that monopoly is created through the fact that the best talent is hired, but it is not known whether this is under agreement between the defendants, although practice is said to have commenced between 1918 and 1924.

Stars Under Dual Contracts

The bill then states that, since 1925, defendants have entered into dual contracts. The Government then proceeds to list certain names as follows: Wallace Beery, M-G-M and 20th-Fox; Gloria Blondell, WB and Columbia; Claudette Colbert, WB and Paramount; Melvyn Douglas, Universal; Irene Dunne, Columbia, Paramount, RKO and Universal; Cary Grant, Columbia and RKO; Joan Hersholt, M-G-M and 20th-Fox; Edward Everett Horton, Universal and 20th-Fox; Boris Karloff, WB and Universal; Edmund Lowe, 20th-Fox and Universal; Herbert Marshall, Paramount and RKO; William Powell, M-G-M and WB; Gene Raymond, RKO and WB; Edward G. Robinson, Columbia and WB; Fred Stone, Paramount and RKO; and Gloria Stuart, 20th-Fox and Universal.

Since July 1, 1934, was term mentioned by Government as time “dualing” of stars started.

Defendant producers, it is further charged, loaned each other personalities, and this has occurred since 1925, and that the defendant is pursuant to agreements, but times, places and names are unknown, and also whether agreements were written or oral.

Coercive Selling Defined

Coercive selling was defined by the Government as compelled purchase of films by threatening to build competitive houses; to deprive distributors of product; to purchase at a higher price; to induce the defendants to refuse to sell product; to refuse to sell to another producer; to grant leases or assignments of lease; and by that the Government contends that defendants intend to build a competing house; by threatening to purchase equity in the defendant house, and finally by threatening to impose on independents unreasonable clearance.

All of the majors are charged with engaging in one or more harmful, coercive and unfair trade practices, all of their acting is pursuant to agreement to do so. Practices arose some time after 1918, Government says, but whether in writing or orally is not known.

It is further cited that the eight majors extend to the five such companies in the exhibition field certain benefits, such as sharing adverting costs, optional contracts, or contract modifications, over- or under-age cancellation of shorts and moving pictures, and that these agreements are extended under certain times, places and names. Unknown, the practice occurring some time after 1918, and are extended regardless of whether affiliated company or unaffiliated.

Further Definition of Terms

Bill defines control of a theater or constituted affiliation as any participation whatsoever by the major producer or distributor, or its subsidiaries, or its affiliates, in the management of, or operation, or booking of product for that theater.

Financial interest which would be considered value is defined as an interest whatsoever by the major producer or distributor, or its subsidiaries or affiliates, in the fee, construction, or operating, or if the equity, or whatever, or if in the sound, or the lease, or in the gross receipt, or in the profits or losses, or in the proceeds of any management contract.

A circuit is defined as four more theaters.

Phrase dominated or controlled defined as have, own, control, manage, or have a financial interest in the ownership, control or management of Metropolitan de luxe theaters we listed in the bill as follows: Par RKO: Loew’s, 21; RKO, Warner’s, 26; and 20th-Fox, 25.

The Government stated that there had been a change in the number of feature pictures since 1919 and does not know whether this pursuant to agreement or not, if the Government contends it needs knowledge that this has been done to, and aided by the, monopoly, if such exhibition can exhibit a larger proportion of the output at first-run houses.
THEATER CHANGES

Theater Closings—Openings—New Houses—Reniowations—OwnerShop Changes

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by ROSS FEDERAL SERVICE, INC.

Theater Closings

LOUISIANA
New Orleans—Ace (4-6-39); Owner: Bijou Amusement Co.; Fire.

MINNESOTA
Onamia— Arrowhead (3-15-39); Owner: C. Lindquist; Renovation.

PENNSYLVANIA
Harrisburg—Victoria (4-29-39); Owner: Wilmer & Vincent Corp.; property has been sold and theater to be dismantled; Sanborn.

TEXAS
Waxahachie—Texas (formerly tiz), 600 seats (3-31-39); Owner: Jubb & Rowley; House Manager: P. Callahan.

WYOMING
Newcastle—Castle (4-1-39); Owner: Mrs. O. S. Clevlen; Walls of theater collapsed due to the excavation for a new building going up adjoining the theater.

Theater Openings

ARKANSAS
Hardy—Ozark, 200 seats (3-29-39); Owner: Mrs. Margaret Hardy; House Manager: M. Harkey.

CALIFORNIA

ILLINOIS
Mt. Vernon—Royal (3-25-39); Owner: Fox Mid-West Corp.; House Manager: Homer Merrill; Previously closed 1938.

INDIANA
Union City—Grand, 545 seats (4-39); Owner: R. Wiener; House Manager: R. Wiener.

KANSAS
Parsons—Uptown, about 5-1-39; Owner: Griffith Dickinson; House Manager: David Dallas; Previously closed September.

NEW YORK
Niagara Falls—Hippodrome, 400 seats (3-21-39); Owner: A. Rosso; House Manager: Frank B. Aueras.

OHIO
Celina—Favout, 276 seats (4-9-39); Owner: William Smith; House Manager: T. H. Smith; Previously closed 1929.

New Theater Openings

CALIFORNIA
Oakland—Laurel, 1,000 seats (3-15-39); Owner: M. C. Karaski; Architect: A. A. Chantil; Cost: $100,000; House Manager: Leroy Scott.

Theaters Under Construction

ARIZONA
Winslow—New, E. 2nd St.; Operator: B. Hirsh; To be completed May 1.

CALIFORNIA
Elmonte—Elmonte, 1,000 seats (Sept., 1939), 750 Valley Blvd. and Tyler St.; Owner: George J. Rennie and E. L. Sembach; Architect: Earl Heitschmidt; Cost: $100,000; To be completed September, 1939.

COLORADO
Craig—West, 600 seats, Victory Way; Architect: Gregory; Cost: $20,000; To be completed April—opening date.

GEORGIA
Pembroke—Tos; 425 seats; Builder: C. S. Tog; To be completed 4-1-39.

ILLINOIS
Herrin—Hippodrome, 1,500 seats; Owner: C. W. Strengemeyer; Operator: John Marlow.

KENTUCKY
Hickman—Ruby, Clinton St.; To be completed May 1.

MISOURI
Portageville—New, 600 seats; Owner: E. C. K. Bland; Architect: E. W. Strengemeyer; Cost: $25,000; To be completed May 1.

NEW YORK
Pulaski—Trends, 750 seats; Cost: $55,000; Operator: Mr. Comerford; To be completed about June 1.

TEXAS
Waxahachie—approximately 500 seats; S. W. Corner Square; Operator: John Rowley; To be completed 5-15-39.

Renoiwations Planned

IDAHO
Montpelier—Roxy; Work Planned: Front of theater extended to sidewalk, furnishes more office and lobby space; Owner: H. Matthews; Date to be determined, questionable.

KANSAS
Parsons—Uptown, Work Planned: General remodeling and new cooling system, installed new sound; Owner: Griffith Dickinson; To be completed 5-1-39.

MISSOURI

PENNSYLVANIA
Allentown—Park, transferred to Phillips Bros. by Mr. Henderson.

TEXAS
Houston—Queen, transferred to J. S. Groves by G. L. Pottit.

Wisconsin—Kirov, transferred to B. R. McLendon by Roy Calhoun Enterprises.

WINNIBOBO—Amus, transferred to B. R. McLendon by Roy Calhoun Enterprises.

EVANSVILLE—Loqua, transferred to Geo. Magee by Wm. B. Antes.

WISCONSIN
Oconto—Gren, transferred to Charles Perrizo by Irving Vincent; House Manager: Maynard Erickson.

OSSEO—Drum, transferred to Charles Perrizo by Irving Vincent; House Manager: Maynard Erickson.

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GE STAGES PREVIEW OF EXHIBIT AT FAIR

A theater within a theater played to its first formal audience last night when GE unveiled a new version of the "House of Magic" at a preview for the press of the company's entire exhibit building at the New York World's Fair.

In the exhibit area, a third part of the building, a varied display was assembled for its first demonstration, covering such a range of subjects as a television studio, an old laboratory in which a glasshouse-assembled replicas of Edison's first lamp and an appliance display.

The preview started in the "House of Magic," a theater seating 400, where William A. Glessing, its director, presented an almost completely transformed version of the stage presentation which established itself at Chicago's Fair.

The new "House of Magic" makes the audience a participant in the demonstration of the developments of the GE research laboratory by filling the theater with the unusual effects of different light sources and sound illusions. Colors in the theater and in the clothes of the audience change with the changing light of incandescent, mercury, sodium, neon and ultraviolet lamps.

After being left to the 10,000-volt lightning bolt, the visitors were shown the more spectacular electrical wonders of the million-volt three-phase arc. From a gallery accommodating 600 persons they watched a triple-tongued flame, colored yellow, blue and red, dance in a wavering path to the ceiling of Steinmetz Hall, about 60 feet above the floor.

Out in front of the building, the decorative, stainless-steel lightning bolt, 129 ft. high, flashed in the light of eight great searchlights housed in wells under a pool. A halo of light was turned on the 37-ft. sphere of rings at the top of the jagged shaft. Hanging from the sphere, revolving mirrors changed the patterns of light.

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ROSPERITY

PORTABLE THEATER

MORRIS

THE FILM DAILY

City | Installations | H.P.
--- | --- | ---
Manhattan and Brooklyn | 20 | 1,585.66
Queens | 7 | 178.00
Brooklyn | 10 | 606.50
Philadelphia | 36 | 2,570.50
Chicago | 10 | 636.00
Louisville | 9 | 690.59
Albany | 9 | 568.50
Baltimore | 9 | 473.50
Los Angeles | 8 | 100.00

URVEYS of film theaters only serve to accentuate the fact that by far the greater portion of conditioning installations have been undertaken by circuit houses, the key stands. Recently, a considerable number of the smaller community houses, particularly new theaters, have made installations. Of the most part, this has come out via the progressive and sound business judgment of the individual exhibitor, and in a measure, too, rough the advice and influence of the theater architect.

An obvious deduction, after examining the Bureau's figures, is that the benefits of the modern miracle of air conditioning are like the "wide open" to all exhibition interests, and not, as formerly, to the big operator, who could best afford such equipment.

The fact is that units have been installed in cost during recent years an air conditioning plant be acquired by a theater at a price which is attractive to any woman of today who is interested building box-office returns, and, coincidentally, overcoming competition within his immediate community.

Paralleling the present low costs the vital consideration that the public is becoming more and more conditioning-minded, and hence looks to the theater, to which he accords his patronage, for a return at merely in screen entertainment, at attending conditions of physical comfort at all seasons of the year.

PROSPERITY

WESTERN THEATRE

MORRIS

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City | Installations | H.P.
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An obvious deduction, after examining the Bureau's figures, is that the benefits of the modern miracle of air conditioning are like the "wide open" to all exhibition interests, and not, as formerly, to the big operator, who could best afford such equipment.

The fact is that units have been installed in cost during recent years an air conditioning plant be acquired by a theater at a price which is attractive to any woman of today who is interested building box-office returns, and, coincidentally, overcoming competition within his immediate community.

Paralleling the present low costs the vital consideration that the public is becoming more and more conditioning-minded, and hence looks to the theater, to which he accords his patronage, for a return at merely in screen entertainment, at attending conditions of physical comfort at all seasons of the year.

CLENSEL CONCENTRATE OFFERS ADVANTAGES

Problem of keeping the film theater's entrance foyer and other parts of the house clean is definitely solved, according to the firm of J. Rosenheim & Co. of New York, which announces the availability to the country's exhibition interests of the already-in-world-wide-use product known as Clensel Concentrate, which is manufactured solely by Clensel Products, Inc., which has appointed the Rosenheim organization distributors to theatrical houses.

Clensel Concentrate, as name implies, is a highly concentrated fluid, which, it is declared, mixes almost instantaneously with water, whether hot, tepid or cold, and in solution will clean any surface on which water may be used.

Among its many advantages is in cleaning and care of rubber mats. Herefore, it is pointed out, cleaning of such mats entailed considerable effort. The new product works with greatest of ease and floats away dirt, bringing back colors to their original state, assert the manufacturers.

Palace, B'ville, Will Be Ready for May 20 Debut

Philadelphia—Michael J. DeAngelis, local architect who also maintains offices in New York City, announces plans have been completed on the Palace Theater in Baldwinsville, N. Y., for the S. & C. Theater Corp. of Syracuse, and that work has started, with completion set for about May 20.

DeAngelis also reports that remodeling of the Comerford Theater in Carlisle, Pa., for the Comerford Corp., is nearing completion. House will open again about May 15. It is a 1,500-seater with balcony.

DeAngelis has received commission to remodel the Arcade Theater at Arcade for the Martina Circuit, with headquarters in Mt. Morris.

Air Conditioning Two

Chicago—Commonwealth Edison Co. reports two new theater air conditioning sales in Chicago territory. The State Lake Theater will get a 160-ton job and the Panorama Theater a 35-ton installation.

New Ampro Price List

Chicago—Ampro Corp. has sent out a new price list to the trade with price reductions, effective at once.

Trane Biz Soaring

For K. Lee Williams Houses

Oklahoma City—Eight new U. S. Air Conditioning cooling systems are being installed as many K. Lee Williams Theaters, Inc., houses, according to K. Lee Williams.

Installations are being made in the Tower and Arrow at Broken Bow, Okla.; in the Queen and Gem at DeQueen, Ark.; in the Pine at Dieks, Ark.; in the Gem and Liberty at Nashville, Ark., and in the Dixie at Ashdown, Ark.

YORK BRINGING OUT W-TYPE COMPRESSOR

The York Ice Machinery Corp. of York, Pa., is announcing a new, and what is described as a revolutionary, W-Type compressor that represents an outstanding development in refrigerating machinery.

Unit is declared to be capable of providing the cooling effect necessary to air conditioning an entire building, although unit is still so compact that it requires little more space than a good-size office desk.

Further, it is light in weight and perfectly balanced, company declares, and can be installed on an ordinary upper floor and in locations where otherwise vibration might be a factor if special foundations were not provided.


Chicago—Airtrimp Sales Corp., a subsidiary of the Chrysler Co., has taken over the activities of the Airtrimp Construction Corp. in the Chicago territory, Wallace Ardussi is regional manager.

"LET FREEDOM RING"

Once a theatre owner has been sold on Alexander Smith Carpet it's almost impossible to divorce him from it...he knows it's a paying investment.

Which is why you find it in most of the country's most successful theatres.

ALEXANDER SMITH CARPET
WIDE ACCLAIM FOR ALL THREE

SETTING new standards of quality and performance, Eastman’s latest negative films have met with instant approval. Each makes its special contribution... fast, fine-grained Plus-X, for general studio work... high-speed Super-XX, for all difficult exposures... ultra-fine-grained Background-X, for backgrounds and all-round exterior work. All three offer the high reliability and photographic quality typical of Eastman sensitized materials.

Eastman Kodak Company, Rochester, N. Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN Plus-X...
Super-XX... Background-X
Paramount's Net Profit for 1938 Totalled $2,865,676

MAJORS TO UNITE IN OPPOSING NEW EQUITY ACTION

Baird Television Interested Mainly in Theater Field

THE WEEK IN REVIEW

New Gov't Equity Suit

By GEORGE H. MORRIS

DOMESTIC LITIGATION: Another blast was to loose on Friday against the majors when the D of J filed in U. S. District Court for Western District of Oklahoma a new equity action, defendants also including four Griffith circuits. Coincident with announcement of the suit, the Government also filed in its New York equity action against the majors a bill of particulars largely non-specific. Along with the bill, a notice of motion was filed by the D of J asking that Federal Judge William Condon rescind his order that issues be specifically named. Basis for the request was expressed as the part of the U. S. that might be indicted prior to trial.

TELEVISION: Major companies were reported to be cold to the pleas of NBC and CBS for supply of pix for telecasts for fear that such availability would have adverse reaction among exhibitors nationally, despite fact that pix would be televised only in the Greater New York area. Disclosure followed a Hollywood dispatch that as a result of development of both a new television adapter equipment and modified tele preview system, there are now no serious practical difficulties in the way of utilizing present-day pix standards for tele purposes.

PRODUCTION: Also from the Coast came word that Paramount will build a new Hollywood studio embracing 26 sound stages. Plant, to be erected on a 150-acre tract bounded on the north by Pico Blvd., is estimated to cost $12,000,000.

TRADE REFORMS: Code arbi. (Continued on Page 9)

Javal, Baird Exec., Brings Over Line of Theater Tele Sets

Baird Television primarily is interested in the theater field and will concentrate its efforts in this country on this phase of equipment installations, Ian C. Javal, commercial director of Baird, stated Friday following his arrival on the Aquitania.

Javal was accompanied by a staff of engineers and a line of the Baird equipment, including one of the theater sets with the large 12 by 15 (Continued on Page 4)

WB JUMPING SUMMER AD BUDGET 25 P. C.

Warner's summer releases will be accorded special ad and publicity campaigns, with the ad budget to be upped 25 per cent above that prevailing in the past, Charles Einfield, ad-publicity director, told The Film

"Union Pacific" Has Gala World Premiere in Omaha

Omaha—What is said to have been the greatest celebration in the history of Omaha came to a close Sat. (Continued on Page 11)

Paramount's Combined Consolidated Earnings Last Year Were $4,105,676

Fibian Circuit Will Hold GNY Fund Meet Tomorrow

A net profit for 1938 of $2,865,676, including $322,397 on purchase of debentures and after taxes, charges and subsidiary dividends, was reported Friday by Paramount Pictures, Inc., and subsidiary companies. The combined consolidated earnings and share of undistributed (Continued on Page 4)

GRIFFITH SAYS SKIRTS CLEAN

That Goes Whatever Charges by Govt., Asserts H. J.

Kansas City—"Our skirts are clean, whatever the charges." This was the terse comment of H. J. Griffith here Friday on the Government's new equity suit filed in Oklahoma against the Griffith interests and the majors.

Griffith said he was without information other than that contained in brief press dispatches detailing the filing of the anti-trust action.

Griffith recently transferred his headquarters here from Oklahoma City to assume active direction of the Dickinson circuit in Kansas and Missouri, following acquisition of a 50 per cent interest.

WILL HAYS INVITED TO ALLIED CONVEN.

Minneapolis—Will Hays, C. C. Pettijohn, as well as major executives and leaders of the MPTOA have been invited to attend the annual conference (Continued on Page 11)

Other Gov. Suits Reported to Be Patterned Along Lines Of Okla. Action

Filing of the new equity suit by the Government against the majors and four Griffith-controlled circuits in the Southwest, in the opinion of qualified industry observers, means:

1. Virtual assurance that there will be a defensive "united front" established by the majors and the large indie circuits which are, according to the Department of Justice, to be singled out for a general court offense in an attempt to "make little ones out of big ones."

2. A death blow to the hope, still held however faint, that the New York litigation might (Continued on Page 9)

MYERS SEES OKLA. ACTION AS VITAL

Washington—Abram F. Myers, Allied's general counsel, looks upon the current action against the Griffith circuit as being "second in importance only to the omnibus proceeding against the major distributors in New York last Fall. In an (Continued on Page 9)

Oklahoma-MPTO to Convene in Oklahoma City in June

Oklahoma City—MPTO of Oklahoma will hold its annual convention here June 19-20 or June 26-27, (Continued on Page 9)

Report Wm. A. Scully Named Trustee of Cocalis Estate

William A. Scully, general sales manager for Universal-J. J. Thompson, chief aide of the late S. D. Co- (Continued on Page 11)
The Broadway Parade

Picture and Distributor
Theater
Production: (Metro-Goldwyn-Mayer-Pascal)—21st week.
Wuthering Heights (United Artists-Goldwyn)—3rd week.
Dark Victory (Warner Bros. Pictures)—2nd week.
Music Hall Convention of a Nazi Spy (Warner Bros. Pictures)—2nd week.
Man of Conquest (Republic Pictures)—2nd week.
Capital, The (Ladd from Kentucky)—2nd week.
Blondie Meets the Boss (Columbia Pictures)—Criterior.
Return of the Cisco Kid (20th Century-Fox)—RKO.
Streets of New York (Monogram Pictures)—Globe.
Trapped in the Trenches (New Pictorial)—RKO.
Escape from Devil's Island (Columbia Pictures)—(b).
Rialto.
Family of Venom and Irene Castle (RKO Radio Pictures)—(a) and (b).
The Palace Next Door (Universal Pictures)—Palace.
The Girl WhoWas Young (20th Century-Fox)—Palace.

TWO-A-DAY RUN

Jarees (Warner Bros. Pictures)—2nd week.

FOREIGN LANGUAGE FEATURES
Alexander Nevsky (Ankou)—6th week.
La Fille d'Iberson (The Marne) (Spectrum Pictures)—2nd week.

FUTURE OPENINGS

Escape from Yesterday (J. H. Hoffberg)—May 2.
Little Carnegie
Tall Town (Czar Pictures)—Universal (May 4).
Criterior (Republic)—May 5.
Double Crime in the Maginot Line (Tower Pictures)—May 6.
55th St. Playhouse
Send home No. (Scandinavian Talkies)—May 7.
48th St. Theater
Union Pacific (Paramount Pictures)—May 10.
Paramount.
Rivoli.
Boy's Room (Monogram Pictures)—Central.

This will make a total of five foreign arrivals to attend the sale

Columbia's list of international representatives in for conferences with J. A. McConville, foreign

manager, and other home office execu-


tives will be increased with the New York arrival next week of Ernerto P. Smith and Siguard

Cuba and Peru and Mexico, respectively.

They will attend the company's sales convention in 20-

Atlantic City on May 8.

This will make a total of five, including a New York arrival to attend the sales

The others are Charles Roberts, home office supervisor for Latin America; Cecil F. Mason, American general manager; and M. F. Kneppo of Medal Films, Puer-

to Rico distributor.

$4,000 in Awards Offered by Columbia for Campaigns.

Columbia will offer $4,000 in awards for outstanding campaigns developed by theater managers and advertising men for "Only Angels Have Wings." Campaigns are to be

inclusives of ads, publicity, exploitation.

The contest opens on May 25 and will continue for six months.

The first prize will be $1,000 and there

will be 10 prizes of $300. Committee of judges will be announced.

No entries will be considered in campaigns do not specify

have to be based upon material in the press book.

U.S. Film Trade. With Japan

Badly Hit by Sino-Jap War

Washington—The Sino-Japanese War has had a drastic effect on

American film exports to Japan, it was revealed on the week-end by the Commerce Department in a report

on U.S. exports to Japan for 1938.

Films dropped from $3,496,000 in 1937 to $2,920,000 in 1938, it was revealed. The 1938 figure was $61,818,000 linear feet. The 1937-38 figures represent a decrease of $1,304,000, or 30.7%.

Value of film exports likewise dropped accordingly. Dollar value of the export in 1937 was $840,000 compared to $132,000 for 1938, a decrease of $688,000. Value for 1936 exports of films was $1,012,000.

Arthur H. Johnke [sic]

Sheboygan, Wis.—Arthur A. Johnke, 54, pioneer television executive here, is dead. He is survived by his wife, his father, and a sister.

TELEVISION FILMS

We invite Producers or Distributors in the field, or men who own original negatives, to register with us which are suitable for television programs in solving list individual subjects and footage.

TELEVISION CLEARING HOUSE, Inc.

Radio City

New York

The THEATRE

George Abbott—Productions

"There have been a number of good

and musical shows in town of late, but none to match the most

teresting and momentous play for your money put on sale this season."—George Jean Nathan, New York Times.

PRIMROSE PATH


WESTLEY GARDE MAHONIE CUTT, W. 40th St. Mews. Wed. and Sat.

"Hearts of Pleasure,""Atkinson, Times.

WHAT A LIFE

By Ezra Stone as Henry Aldrich


Circus 5-0640
CHARLES LAUGHTON

in

"JAMAICA INN"

with Maureen O'Hara · Leslie Banks
Emlyn Williams · Robert Newton

Directed by ALFRED HITCHCOCK

From the novel by Daphne Du Maurier

A Pommer-Laughton "Mayflower" Production

Produced by ERICH POMMER

PARAMOUNT FOR 1939-40 FOR Theatre Men by Theatre Men
**PARAMOUNT REPORTS**

$2,865,676 PROFIT

Continued From Page 1

earnings of partially owned subsidiaries for last year were $4,105,676. The 1938 earnings were equal after dividends of $1,876,672, net income of $142,171, shares of $100 par, 6 per cent preferred and 555,071 shares of $1 par cumulative convertible preferred stock of $10 par, to 68 cents each on $2,465,-927 shares of common stock.

This compared with the profit for 1937 of $6,645,103 excluding undistributed earnings of partially owned subsidiaries, equal to $1.97 a share on 2,456,990 common shares, and net profit of $6,670,103, including share of undistributed earnings of partially owned subsidiaries, or $2.22 a common share. Current assets as of Dec. 31, 1938, including $13,614,201 cash, call loans and marketable securities, amounted to $137,910,520 and current liabilities were $8,689,325, leaving net working capital of $299,011,995, compared with cash, call loans and marketable securities of $110,133,298, current assets of $377,466,836 and current liabilities of $105,920,475, with net working capital of $263,960,514 on Jan. 1, 1938. Inventories were $18,890,912 against $22,884,780.

**“Nazi Spy” and Waring Ork Run Ahead at N. Y. Strand**

New York Strand with Warners’ “Confessions of a Nazi Spy” and Fred Waring’s Pennsylvanians set a new b.o. mark for a combination bill on Friday, with lobby delays, C.L.O. and hold-outs reported. Film looks set for an indefinite run; over the week-end, the house ground the melodrama until 1:30 a.m., and gave five complete stage shows.

All censor boards have okayed the pix, Warners said Friday.

**Merman, Kadden to Produce**

West Coast Bureau of THE FILM DAILY

Hollywood — “Doc” Merman and Alan Kadden have formed Arlington Pictures and will produce a series of feature films. Their first production will be “Paper Town” with an Oklahoma locale. Merman will direct.

**COLOR PROCESS**

• • • The end of double features may arrive sooner than its advocates expect. This will mean a lot of re-booking. More will be expected of shorts than features. Color is one answer. Are you prepared to manufacture color prints?

• • • A specialist in this field, who has the accumulated knowledge of over twenty years of patent and technical study, the research experience, ideas and inventive skill can help you avoid expensive and ruinous mistakes already made by others.

• • • This is the opportunity to go on your life’s greatest adventure, — IF you have the guts to start now.

Address: COLORTECH, c/o Film Daily, 150 Broadway, New York, N. Y.

**“Juarez” Leading “Zola” in Receipts**

With the first five days of the two-day roadshow engagement of Warners’ “Juarez” at the Hollywood Theater completed last night, the theater reports that the pic is running fast and of a similar period for “The Life of Emile Zola,” which he’d the house record.

**Fabian Circuit Will Hold GNY Fund Meet Tomorrow**

(Continued from Page 1)

Staten Island, at 10:30 a.m. tomorrow, it was announced on the weekend.

The March of Time’s special film on the drive will be shown to staff members of the circuit, and a representative of the Greater New York Fund will address the conclase, which has been arranged by Sidney K. Fabian, president of the personal direction of S. Fabian.

Thus far, usual co-operation has been given to the drive by the Exhibitors’ Committee members, and chairman B. S. Moss. During the past few days five hundred per cent support of the drive has been indicated to the latter via activity of the Brant Theater, ITOA. Interstate Entertainment, Fabian Theaters, and the houses of Laurence Bolognino.

On Wednesday at 2:30 chairman respectively of the Exhibitors’, Distributors’, Laboratories’, and Allied Industries and Accessories Committee, will meet at the offices of J. Robert Rubin, chairman of the M. P. Division of the drive, at 1540 Broadway.

**Dunlap Heads Monogram’s Delegation to Convention**

West Coast Bureau of THE FILM DAILY

Hollywood—Headed by Scott R. Dunlap, vice-president in charge of production for Monogram, the company’s stage and Coast forces leave today for the seventh annual convention as the Drake Hotel for a three-day session. Included in the party are Martin Spellman, Victor young, Frankie Darro; Mel Hulling, western district manager; Howard Stubbs, Ray Olmstead and M. J. McCarthy, of the Los Angeles exchange, and F. H. Butler and G. P. Allen, of the San Francisco office.

**Kent Sails May 15**

Sidney R. Kent, 20th-Fox president, plans to sail May 15 on the Brazil for Rio de Janeiro, to attend the company’s first South American sales convention. Convention in Rio will run from June 1 to 3.

**World’s Fair Debut Gives Tele Its Inaugural Show**

RCA-NBC yesterday inaugurated officially for public consumption high definition television programs. First tele’s signal was received at 3:45 p.m. from 12:30 p.m. to 4 p.m. EST, and featured the opening ceremonies of the New York World’s Fair. President Franklin D. Roosevelt, Grover Whalen, and others, participated in the initial program, which was picked up by RCA-NBC television units and relayed to the NBC transmitter atop the Empire State Building, from where the scenes were broadcast in all directions over the New York area and received within a radius of approximately 45 miles.

Coincident with final preparations for the tele vision inaugural here, it was announced in the NBC Press, a facsimile newspaper, that would be published daily by RCA in the metropolitan area here due to the New York Herald Tribune in the RCA Exhibit Building at the New York World’s Fair. This first tele program will demonstrate the possibility of printing a newspaper in the home by wireless impulses.

RCA’s tele service in the metropolitan territory will provide a minimum of two evening programs, each an hour long. It is expected that tele unit will provide numerous outdoor programs each evening in the Fair and other points in New York. In addition 25 hours a week will be devoted to televising films during the day from Monday through Friday.

**UA Acquires Distribution To Denis-Roosevelt Feature**

World distribution rights, with the exception of the U. S. and Canada, to the new adventure feature to be filmed by the Denis-Roosevelt Asiatic expedition, have been acquired by United Artists, it was announced Friday by Arthur Kelly, foreign department head. Armand Denis and his wife, Leila Roosevelt, who produced “Dark Rapture” and others, sailed Saturday on the Aquitania for London. They will fly from there to Rangoon, Burma, on the first leg of the trip.

**Electricists Would Strike**

Application was filed in Federal Court by(), 20th-Fox, to strike out certain paragraphs of the contract between those of the present Electricians’ union brought by Frank Jablow and Sam Acker against Paramount Pictures, its officers and directors, and the applicants.

**B & K Take Terminal**

Chicago—Burt and Kats have taken over the Terminal theater on the west side.

(Continued from Page 1)

foot screen. This theater set, it said, will be installed in a Brown way house in the near future as soon as negotiations are completed. The set was reportedly of great interest to the Baird theater set men.

“Television has definitely arrived in England and public interest growing, will houses every day,” Javal said. “Programs have been extended and are now on seven days a week, four hours a day, and an annunciator has improved tremendously. Public interest has also been stimulated by theater installation and widespread publicity,” he pointed out.

Although Javal said that no decision has been reached as to how what programs would be demo strated, it appears likely that a definite program of shows will be used their transmitting facilities, Baird cannot set up its own transmitting facilities since the set the Baird equipment is being copied from its 406-line definite to the American standard of lines.

He foresees the day when every first-year town will have a televi sion installation supplemented with regular shows with special events, etc., but he does not believe that any motion pictures can ever be used extensively for television purposes, unless specifically produced for television, which is the only way. All needed in television is difference from that used in film products.

Installation of Baird theater equipment will be completed in sev en Gaumont British theaters England before Derby day, which will approximate 70,000 people. He said that no any establishment of basic mass factoring scales yet due to destabil changes and improvements in phase of the television industry. Baird home sets range from $175 to $600 in price, with screen ranging from seven and a quarter inches to 13 and a quart inches. However, Baird has no immediate plans to push its home sets here, concentrating on the theater equipment, he said.

Equipment of television transmitt ing stations will also be furnished by Baird, Javal said. He is confident that the complete line of equipment is on a par, if not better, than any other made. He said that no radiotelevision has been made which for television and that there was a possibility the government might be a receiver delivered to a station to broadcast to theaters as the Television Set Manufacturers Association is not willing to defy any law incurred by the new station, erected.
A NEW ROBIN HOOD

Blazes on your marquee May 26th . . . as he blasts into 12,500,000 homes through National ads to 37,500,000 eager customers!

FULL PAGE, FULL COLOR AD IN AMERICAN WEEKLY

HAL ROACH presents
CAPTAIN FURY

Starring
BRIAN AHERNE
VICTOR McGAGLEN
JUNE LANG · JOHN CARRADINE · PAUL LUKAS · GEORGE ZUGO · DUMBRILLE · MARGARET FIELD

RELEASED THRO UNITED ARTISTS
"A BOX-OFFICE SMASH THAT JUST CAN'T MISS!"

JACK HARROWER, FILM DAILY

"Compares favorably with leading pictures of any studio."
—Motion Picture Herald

"Monogram has followed 'Boy of the Streets' with a topper."
—Hollywood Reporter

"Exhibitors can start boasting about it now."
—Motion Picture Daily

"Highly exploitable for good returns."
—Jay Emanuel Publications
JACKIE COOPER
AND
MARTIN SPELLMAN
IN
"STREETS
OF
NEW YORK"
WITH
MARJORIE REYNOLDS
DICK PURCELL
Directed by WILLIAM NIGH
Screenplay and original story by ROBERT D. ANDREWS

BIG KEY CITY FIRST RUNS SET

GLOBE, NEW YORK
STANTON, PHILADELPHIA
LOEW'S, LOUISVILLE
HIPPODROME, BALTIMORE
QUEEN, GALVESTON

STRAND, AKRON
PALMS-STATE, DETROIT
LOEW'S, ST. LOUIS
MIDLAND, KANSAS CITY
RITZ, ALBANY
LOEW'S, INDIANAPOLIS
AND MANY MORE

A MONOGRAM PICTURE
**ALONG THE DIALTRO**

**WIDEST** national publicity in the shortest time and most economical order seems to be a record established for the industry by Paramount’s New York office. In the country-wide stories and picture syndicate coverage of the debut in Omaha of “Union Pacific”...

**WITH** big news breaking, as well as the World’s Fair opening......Al Wilkie assigned his syndicate man, Tom Waller, to round up a party of press association men......Waller gathered up ace men from the seven largest news organizations......they worked from the time they got off the train in Omaha 10:30 last Monday nite......until boarding a United Airline plane Wednesday morn at 1:08......

**BY NOON** Tuesday they had interviewed men and women in gala garb on the streets, the Mayor, Chief of Police, Indians and any other likely person on whom they could hang a colorful story......late on the same afternoon those ace wire men were filling stories totaling 2,500 words to nearly 2,000 newspapers throughout the U. S. A.......these stories have broken in New York, Chicago, Los Angeles and every city of importance you can name......and by that time photographers had obtained over 80 serviceable negatives on everything from a horse drinking at a bar in the Calomity Jane saloon to the Mayor instructing his police on handling crowds......

**THE CIVIC** celebration in Omaha for the epic picture was something to grew lyrical about......the arrival of Cecil B. DeMille and his trainload of Hollywood celebs for the world premiere of “Union Pacific” was greeted by a crowd of milling thousands......only the timely arrival of eight companies from Iowa and Nebraska National Guardsmen maintained a semblance of order in a city whose normal population of 220,000 had swelled to double that size......

**THE OMAHA** reception climaxed a long series of celebratios along the route of the Union Pacific travelled by the Hollywood troupe in the old-time train which was used in the filming of the picture......the stars and celebrities took part in the gala premiere which was shown simultaneously in three theaters......climaxing a round of colorful events such as this city has never before witnessed for any one event......

**BUILDING** for tomorrow.........in New York town......that Greater New York Fund......the Motion Picture Division has a quota of $100,000 to raise.......350 allied groups are to share......these cover most of your civic obligations......you make one donation and it takes care of practically all your charities......excepting poker, bridge, the new blonde baby and lit’l personal things like that......so get aboard......the industry has never failed yet in its communal obligations in the Big Town......it must not fail now......

**DATE BOOK**

**May 2:** RCA stockholders’ meeting.
**May 4-6:** 20th Century-Fox European convention, London.
**May 4-6:** Monogram sales convention, Dr. Hotel, Chicago.
**May 5-6:** Republic regional sales conference, San Francisco.
**May 6:** Pittsburgh Film Row Bowling League, Civic’s Club.
**May 8-10:** United Artists sales convention, Ambassador Hotel, Los Angeles.
**May 8-10:** Film Carriers Association convention, Park Central Hotel, Chicago.
**May 8-11:** Columbia regional sales meet Atlantic City.
**May 11-13:** Century-Fox European convention, Paris.
**May 14-16:** Columbia regional sales meet Chicago.
**May 16:** “Get-Together of Good Guys” tournament and dinner, Connie Ho Conlon’s, Lake Park, Pa.
**May 15:** Technicolor stockholders’ meeting.
**May 18:** Edwin Bergman outing and dinner, Country Club, Girard, O.
**May 20-22:** Columbia regional sales meet Los Angeles.
**May 23-24:** Kansas-Missouri Territory exhibition, Kansas City.
**May 23-25:** New York Allied convention exhibition, Hotel Astor.
**June 1-3:** 20th Century-Fox South American convention, Rio de Janeiro.
**June 1:** Theatrical Owners of North and South Carolina convention, Ocean Park Hotel, New Bern, N. C.
**June 10:** Paramount sales convention, a bassader H-Fel, Los Angeles.
**June 12:** MPTO of Virginia mid-summer convention, Roanoke Hotel, Roanoke.
**June 13-15:** Allied States national convention, Hotel, Minneapolis.
**June 19-22:** National Conference on film education, Francis W. Parker School, Chicago.
**June 20:** Para. stockholders meeting.
**June 21:** 20th-Fox, Convention, Fort Worth, Texas.
**Oct. 15:** Chicago Variety Club banquet, William Penn Hotel.

**WEDDING BELLS**

**New Orleans**—Marie Horn, a violinist beauty, is scheduled do a Lohengrin with Ira Olof, manager of the Dixie Theater, Morrison, City, La. Now she’ll have to sing the exhibitor’s lamento, read of listening to it. Office staff gave her a shower.

**Yuma, Ariz.**—Guido Orlando, a lywood film producer, and Mrs. J. M. Munieh, of New York, were married here.

**Antigo, Wis.**—Fred Kramer, employee at the Palace Theater here was married recently to Miss Lorraine Simon.

**Madison, Conn.**—Victor Cassel of the Bonoff Theater, married Saturday to Mary DeGnaro of New Haven.

**Detroit**—Harold Brown, Unit Detroit Theater booker, was married to Miss Glenn Roth.

**HAPPY BIRTHDAY**

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

- **MAY 1**
  - Josephine Dunn
  - Anna Marie
  - Rose M. Hart
  - Robert Lord
  - J. G. Bachmann
  - Arthur Freed
  - Ralph Freed
  - Leo Lash
  - Arthur Greenblatt

**WB JUMPING SUMMER AD BUDGET 25%**

(Continued from Page 1)

**DAILY** Friday midnight as he trained out for the World’s Fair.

Newspapers will get the bulk of the budget, but billboards, national class and fan magazines, also will benefit, Einfeld said. Pit to be plugged include “Juarez,” “Hell’s Kitchen,” “The Devil on Wheels,” “A Family Affair,” “Naughty, but Nice,” “The Man Who Dared,” “The Kid from Kokomo,” “Confessions of a Nazi Spy" and “Each Dawn I Die.”

Einfeld, who launched campaigns for “Dodge City,” “Dark Victory,” “Juarez” and “Nazi Spy,” while here, expects to again come East in two months. Mrs. Einfeld and Irving Rubine of his Coast staff accompanied him West.

**Blumberg to Head Warner Field Men Under New Setup**

Lee Blumberg, head of Warners’ press book staff, will take on additionally the direction of the company’s field exploitation men under a new setup made effective by Charles Einfeld before his Coast departure Friday night. Blumberg will function under Mort Blumenstock, Eastern ad-publicity director.

Dick Hyland of the home office publicity department shifts to Dallas as Southern division exploiter, replacing Allen Glenn; Monroe Rubinger of the home office press book department goes to Kansas City in charge of exploitation for the new Prairie District.

Sam Clark remains in charge of the Midwest territory with headquarters in Chicago; Ted Holmes, presenting the company’s exploitation activities on the West Coast out of the Los Angeles exchange; Phil Engel, exploiter in the Eastern District, working out of the New York exchange.

**Drops Week-day Matinees**

Chicago—The B & K Alba Theater has discontinued weekday matinee shows, owing to drop in biz.
THE WEEK IN REVIEW
New Gov't Equity Suit—New Brit. Taxes Hit U. S. Firms

DOMESTIC
(Continued From Page 1)

Crosley Will Establish
Tele Studios in Cincy

Crosley has leased the 48th floor of the Carew Tower in the heart of downtown Cincinnati and one of the Mid-West's tallest buildings for its television studio. Entire floor is being remodelled for studios, including a projection room for films.

Company's application filed with the FCC calls for video and audio transmitters of 1,000 watts power each, to operate on the 50 to 55 megacycle frequency band.

Crosley expects to begin the transmission of experimental programs of various types shortly after its license is issued to determine the objective of testing equipment, developing engineers and training staff. Programs will embrace films, studio skits and sports events.

Crosley has already constructed a number of receivers, but has not definite plans for mass production or national marketing. Further, approximate retail costs have not been determined.

Crosley Will Establish Tele Studios in Cincy

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FOREIGN

BRITISH BUDGET: London cable at mid-week disclosed British and U. S. film interests in England as deeply concerned over boosting of taxes on paints and film stock income, as in their own factories huge new defense budget. Estimated cost to U. S. firms was three to four millions.

SPAIN SURVEY: Arriving from Europe, Fred W. Lange, Para's gen- eral foreign representative for Continental Europe, asserted a commit- tee of three representatives of U. S. picture companies will investigate possible film market in Spain to determine what future holds for distributions.

AUSTRALIAN SITUATION: Cen- tific M. Mason, general manager of Columbia Pictures Proprietary, Ltd., is in New York that self-regu- lation of the Australian pin field is established and working, with film boards smoothing out trade difficulties.

Canadian Tariff Changes Affecting Film Industry

Montreal—Alterations in the Canadian tariff affecting the film industry were announced by Charles Dunning in his budget speech and are effective immediately. The items which follow are numbered as in the tariff schedule and contain the new British preference, intermediate and general duties; in parentheses are the tariff they replace:

462B—Cinematograph and motion picture cameras, 35 mm. for use by professional motion picture producers having studios in Canada equipped for motion picture production; parts of the foregoing: free, 10 per cent, 15 per cent (free or 7½ per cent, 10 per cent, 15 per cent, 50 per cent).

465B—Parts, unfinished, when imported for use in the manufacture of motion picture film, irrespective of size: free, 5 per cent, 7½ per cent (free, 5 per cent, 7½ per cent.)

Personal Comment Film Columns Fade in Okla.

Oklahoma City—Personal comment film columns have been en- joyed by Oklahomans in the past. With the advent of television, Okla- homa suit will be supplemented to include other Griffith interests, in Washington. Problems of the Justice Dept. always reserves the right to make addition to its charges.

First Polarisoid

Public showings of the first full Polarisoid sound picture were begun yesterday in the Chrysler Motors office, with the film's being circulated to the press and in the World's Fair. Most extraordinary effect of the film is that action which occurs in foreground of picture seems to remain on the screen, but to leave the stage and vicinity, where, in front of the eyes of the onlooker, no motion whatsoever happens titles today. Tune With Tomorrow."
**REVIEWS OF THE NEW FILMS**

**“Blondie Meets the Boss”**
with Penny Singleton, Arthur Lake
Columbia
POPULAR CARTOON CHARACTER DELIGHTFUL STORY OF FAMILY AND HOME.

Another fine story in the series concerning the popular Blondie family of comic fame. Again we have Blondie play by Penny Singleton charmingly, Art Lake as her young hubby, Dagwood, Larry Simms as the precocious Baby Dumpling. The production is distinguished some very clever direction that perfectly catches the psychology of this daisy a loveable family. Dagwood in this one is job in a half, and Daisy takes it and does swell. But there are complications as Dagwood meets a cutie who shows a huff, and then the laughable incidents pile up. The double ending threatens to upset the happy home. But all works out happily, and the Bumpssteads again pair off to the ranch. The production looks like a winner, and with the presences of Betty Howard as well, the popularity of the cartoon characters. Production direction is particularly strong, with fine human touches.

CAST: Penny Singleton, Arthur La坂 Larry Simms; director, Charles Hale; Donald Beddoe, Linda Winter, De Mummert, Stanley Brown, Joel Dean, Richard Fiske, Inez Courtney.

**CREDITS:** Director, Frank Strayer; music, Chie Young; Screenplay, Richard Flournoy.

**DIRECTION, Very Good. PHOTOGRAPHY, Okay.**

**Install 400 Amplifiers in Detroit's Drive-In Theaters**
Detroit—Drive-In Theater, slated for reopening in a few weeks, is installing new local amplifiers, stalling 400, placed about three feet from the ground and operating at 78 r.p.m. virtually for each car. This is expected to eliminate the noise for the large loud-speakers which cause neighborhood complaints last year.

**Fleming Takes Rest**
West Coast Bureau of THE FILM DAILY
Hollywood—On the doctor's orders, Victor Fleming is taking a week's rest from his duties as rector of “Gone With the Wind.” He is said to be in charge of the décor for his picture which is due during his absence. Four units will be working before another week. Three will be in charge of Charles B. Freling, William Cameron Menz and Richard Rosson.

**Korda to Direct “Sinner”**
London (By Cable)—Alex Korda, after a three-year lapse, returns to six direction June 1, with “Sinner,” based on Prevo's “La Lasciview.” goes before the others.

**“Lucky Night”**
with Myrna Loy, Robert Taylor
M-G-M
90 Mins.
GAY LIGHT, AIRY-FAYRISH STORY THAT SHOULD SWEETEN TAYLOR FANS OFF THE SCENT.

Here is one of the quaintest and most naïve romances of modern youth that has come from the studios in a long time. Approached by the audience in spirit of light fantasy, the airy-fairy doings may prove irresistible entertainment. Right off tensity, suggests a girl when she explains this to Robert, he gets miffed, then pouted again like the first night, and they separate, she going back home where she doesn't have to worry about bills. Then the finale has her dad and her hub getting potted together, and the hard-headed and success熏 steel magnate suddenly understands this boy's ideal of excitement, and welcomes him to his home and steel factory. They didn't have the happy ending for this young couple are out of luck, for Robert has chucked up his $35-a-week job in the paint store, and jobs are awfully hard to get right now in New York. At any rate, here is a gay, light, airy-fairy story that will no doubt sweep the Taylor fans off their feet. Myrna Loy and Robert Taylor are perfect for their airy-fairy parts. Selling angle: Robert Taylor in a Cinderella modern romance with a rich girl.

CAST: Myrna Loy, Robert Taylor, Joseph Allen, Henry O'Neill, Donald Craven, Robert Haire, Bernard Nedell, Charles Lane, Bernadine Hayes, Gladys Hulette, Martin Garran, Irving Bacon, Oscar O'Shea.

CREDITS: Producer, Louis D. Lighton; Director, Norman Taurog; Author, Oliver Claxton; Screenplay, Vincent Lawrence, Grover Jones; Cameraman, Ray June; Editor, Elmo Veron.

**DIRECTION, Good. PHOTOGRAPHY, Excellent.**

**Fed. Govt. Revives “Plow”**
Washington Bureau of THE FILM DAILY
Washington—“The Plow That Broke the Plains,” the Government's hit film is being reviewed with a 1939 epilogue, according to the National Emergency Council. The change in the epilogue is made, the report said, because factual material in it was getting out of date. Protest has been made by some Great Plains residents that the epilogue presented too severe a picture of erosion conditions there and hurt land values to no bearing in the change, officials said.

**Bowling League Elects**
Detroit—No officials elected by the Film Bowling League are: Irve Pollard of Columbia Pictures, president; Jack Baxa, Monogram vice-president; Art Knapp, 20th Century-Fox, second vice-president; Sam Merson, Detroit Blue Print and Supply Company, secretary; and Barney Adair, treasurer.

**“The Return of the Cisco Kid”**
with Warner Baxter, Lynn Bari
20th Century-Fox
64 Mins.
WARNER BAXTER SCORES IN RETURN TO COLORFUL ROLE OF CISCO KID.

Warner Baxter returns again in his lovable role of the Cisco Kid in which he distinguished himself in the famous production, “In Old Arizona.” He is just as boisterous and swashbuckling as he was in the earlier film, and with Lynn Bari as his inamorata he succeeds in making a show that will win the young, as well as the grown ups.

He meets the girl on the stage coach which he and his two Mexican pals are planning to hold up. She changes his whole plan of action, and with her grandfather and young fiancée arriving in town to take over a ranch, Baxter attaches himself to a couple of young friends and guide and friend. Then events move swiftly with a villainous sheriff who runs the ranch, and Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail. Baxter rescues them with the help of a convenient fire, and takes from the sheriff all he has, and imprisons the girl, her sweetheart and grandpa in jail.


CREDITS: Producer, Kenneth Macgowan; Director, Herbert L. Leeds; Based on story by O. Henry; Screenplay, Milton Sperling; Cameraman, Charles Clark; Editor, James E. Clark.

**DIRECTION, Good. PHOTOGRAPHY, Good.**

**Expect 2,500 at 702 Dance**
First annual dance and entertainment of Local 702, lab. technicians union, will be held next Saturday night, at the Manhattan Center. About 2,500 members and guests are expected. Ina Ray Hutton's orchestra will be on hand, and a number of Broadway celebrities will appear. Purpose of the affair is to collect money for the union's welfare fund.

**Tax Endurance Contest**
Louisville, Ky.—Postered by the financial interests in a fight against the competition of endurance contests, the provision for a tax of $75 a day for such exhibitions in this city was passed by the Board of Aldermen.

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KRS Annual Meeting May 9
London (By Cable)—Annual meeting of the KRS is scheduled for May 9. Re-election of D. E. Griffield, the retiring exhibition organization is forecast.

Monday, May 1, 1935
Will Hays and Major Execs Invited to Allied Conven.

(Continued from Page 1)


The convention committee, of which Al Steffes is chairman, is as follows: Jack Kitch, Maurice Ruin, Henry Lazatus, Herman Blum, Nathan Yamin, Ray Branch, Irving Dollinger, M. B. Horwitz, F. J. Martin Smith, M. A. Rosenberg, R. J. Samuelson, C. H. Oliver, H. A. Cole, Edward Maertz and Abram F. Myers.

To be included:


U. A. Extends Drive

United Artists Twentieth Anniversary sales drive, which has been extended to May, has set a record in the west. Under the umbrella of the convention, the company's representatives were on the west coast in a week's time to sell subscriptions, booklets, films and literature to various outlets. The company has extended the drive to various areas of the country, including the west coast, where it has been successful in the past.

The east coast drive, which was started in New York, has been quite successful, with a large number of orders being placed. The company has also initiated a drive in the south, which has been well received. The drive has been successful in the north, where the company has a strong presence.

In conclusion, the company's drive has been successful in various areas of the country, with a large number of orders being placed. The company has continued to extend the drive to various areas, and it is expected to continue to be successful in the future.
DARINGLY DIFFERENT...
WEIRDLY FASCINATING...

At rare intervals a picture suddenly appears...from nowhere...a sleeper...which compels the attention of even trained observers. **BLIND ALLEY** is such a picture. If you can visualize a picture story in which psychiatry becomes a dramatic element...a murderer's mind reconstructed piece by piece to show why he kills...gripping, grim realism on an ascending scale...

That Is **BLIND ALLEY**.
Canadian Indie Exhibs. to Draft Own Trade Reforms

ALLIED PLANS "ALL-INDE-EXHIB" VOTE ON CODE

00 U. S. Features Imported by Japan Since Oct.—Doyle

明显 Film Houses Must
Play 50% Native Pix
After Oct. 1

Production of Spanish Language Pix
by U. S. Firms Seen as Dangerous

Condemning the production of Spanish language pictures by American companies as being an evil that only eventually cuts the playing time of their own product in the Latin-American markets, Karl MacDonald, Latin-American supervisor for Warners, stated yesterday that Warners had no intentions of producing Spanish pictures now or in the future. He arrived yesterday on the Santa Rosa after an extended tour of the territory.

MacDonald asserted, that in his opinion, if American companies continue this practice they will gradually freeze their own product out of this territory and have to resort to making an increasing number of Spanish pictures from year to year at the expense of playing time for their own product. Warners also have no intention of distributing Spanish language pictures.

He was extremely optimistic about the outlook for Warners in this territory this year, pointing to “Juarez” as being probably the greatest attraction any company has ever produced for this market. He

Conclusive Action to be
Sought at Convention
Col. Cole Asserts

All independent exhibitors, regardless of organization affiliations, will be asked to vote on the acceptance or rejection of the trade practice proposals at the annual Allied convention which is to be held in Minneapolis, June 15-18.

Col. H. A. Cole, Allied president, in a formal announcement from his Dallas headquarters called for a settlement of the reformers’ demand “once and for all” and stated that one entire session would be set aside for discussion of the subject by exhibitor and distributor representatives.

“Each theater owner will be given
(Continued on Page 4)

A Y S U. S. PIX GAIN
GROUND IN FAR EAST

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A Y S U. S. PIX GAIN
GROUND IN FAR EAST

ALL N. Y. C. CIRCUITS
BACK GNY FUND DRIVE

R. S. Moss, chairman of the Exhibitors Committee of the Greater New York Fund’s motion picture division, asserted yesterday that all circuits in the five boroughs of the City are now working to reach their goals in the charity drive.

Further, Moss declared, the can
(Continued on Page 4)

Quota Act Fails to Give
Intended Benefits—Carr

The English quota law has not brought about the benefits for which it was designed, but it has resulted in a higher quality of pictures, E. T. Carr, United Artists’ co-manage
(Continued on Page 8)

Circuit Court Rejects 3
RKO Reorganization Appeals

Argument was heard yesterday in the U. S. Circuit Court of Appeals on the application of Atlas Group, through Simpson, Thacher &
(Continued on Page 8)
COMING AND GOING

JOSEPH M. SCHENCK, 20th-Fox board chairman, is due in from the Coast this morning.

BARNEY BALABAN and STANTON CRIVITTS returned from Omaha yesterday.

MR. and MRS. CECEL W. DEmILLE are in New York for a week's stay.

E. T. CARR, co-managering director in England for United Artists, and MRS. CARR arrived on the Normandie yesterday and will leave tonight for the Coast.

BOB SAVINI is back from a visit to his Astor exchange in Boston.

LOU POLLOCK, Universal's Eastern advertising director, returned yesterday from Miami.

S. BARRET MCCORMICK, RKO foreign department chief, returned on the Normandie yesterday from a European survey.

W. F. RODGERS and ED SAIUERS are due back today from Detroit.

ADOLPHE CARLSON, Technicolor technician, is visiting the Florida Film Exchange.

FRANK LEGRANDE, of Paramount News Lab staff, is also a visitor at the Fleischer plant.

"STEVIE," HARRY BUCKLEY, ARTHUR T. CARR, HARRY GOLD and JACK "CHAFE".

LOU BRAGER, of Warner's home office, is in Cleveland.

B. F. Keith and Monogram File 1938 Reports With SEC

WASHINGTON—BUREAU OF THE FILM DAILY—Washington—B. F. Keith Corp., and Monogram Pictures Corp. have filed annual reports with the SEC covering their fiscal year, 1938.

PHIL REISSMAN, RKO foreign department chief, reported a consolidated profit of $724,006.11 on the consolidated statement. A consolidated report shows a net profit of $782,011.05, with income tax of $9,377,977.19.

Monogram reported a net loss for 1938 of $180,516.83 and options outstanding, on common stock on December 31, 1938, was 1,000 shares, at 81 par value, as: W. Ray Johnston, 46,486; Trenn Carr, 22,822; Robert C. Dupont, 22,882; J. A. Sisto & Co., 55,714; Howard E. Werner, 15,156; Frederick Minnichakar, 15,216.

Income for Monogram on the consolidated report was $1,542,083.95.

Rights to 98% of Kodak Unissued Common Exercised

ROCHESTER, N. Y.—Subscription rights to more than 98 per cent of 225,920 shares authorized but unissued Kodak common were exercised by stockholders and those whose rights holders sold their warrants. Tabulation of subscriptions showed yesterday 221,162 shares, or 98.25 per cent of issue, had been purchased, at $127.50. When rights expire Thursday, Morgan Stanley & Co., Inc., and other underwriters will purchase remaining 3,758 shares at $127.50 by agreement.

Small's Pix for Globe

"King of the Turf," Edward Small production, will have its New York showing at the Globe Theater Saturday.

BARNEY OLDFIELD, film critic of the Journal Star, Lincoln, Neb., and MRS. OLDFIELD shopping at the underwriters' department for the Coast.

IRENE RICH will vacation in New York following completion of her role in Warners' "Hollywood Family.

RAY BOLGER and his wife are at the Sherry.

JULIUS STEIGER, producer and playwright, sails tonight on the Normandie.

JOY HODGES, Universal star, left for the Coast last night by plane.

SHEILA O'SULLIVAN, sister of MAUREEN O'SULLIVAN, arrived yesterday on the California from Miami.

LYNN FARRIN flies to the Coast today in advance of the United Artists home office conference.

Terry F. GROFF will be at the Paramount exchange.

JOHNNY HARRIS, Jr., arrived in New York in the "Pride of Baltimore," the new tanker, which was chartered by Jack Warner to deliver the picture to all parts of the world simultaneously.

Leaving by train this evening are MAURICE W. N. SKIRELL has arrived in Cleveland after a four-week stay on the Coast.

LEO GOLDBERG, of Big Features in Cincin-

atti, arrives in New York today.

SAM ENGEL, associate producer on Salkind's International Pictures' "The Last Days of Cleopatra," is in the city to discuss the situation. The union has signed a contract with Universal, and the employees of one of the major companies involved in this picture have been organized.

Drive to Organize H. O. Workers Plotted by Union

A concerted drive to organize all film company office workers will be handled shortly by the American Federation of Bookkeepers, Accountants and Stenographers, it was learned yesterday. Representatives from the major companies were last Friday to discuss the situation. The union has signed a contract with Universal, and its employees of one of the major companies involved in this picture have been organized.

First Bing Crosby Pix in Music Hall Thursday

A Bing Crosby picture will play the Radio City Music Hall for the first time when Universal's "East Side of Heaven" opens there Thursday. Universal also announced yesterday that "The Mockingbird" will follow "Wuthering Heights" at the Rivoli.

GOOD MAN AVAILABLE

35—10 years in pictures—college trained—Knows theater management—distribution service—foreign. Background real-estate promotion.

Box 1110 THE FILM DAILY 1501 B'way N. Y. C.

Delegation's Chosen For Initial Col. Conclave

Delegates from 16 exchanges will attend Columbia's Atlantic City meeting at the Ritz Hotel there on May 8-11, it was announced at the home office.

Exchanges present at the sales conclave, which will be followed later by similar meets in Chicago and Los Angeles, will be Atlanta, Charlotte, Dallas, Memphis, New Orleans, Oklahoma City, New York, Cincinnati, Cleveland, Pittsburgh, Albany, Boston, Buffalo, New Haven, New York and Philadelphia.

A. Montague, general sales manager, will preside at each convention.


Pix Properties of RKO, MGM Winners of Pulitizer Awards

Pulitzer prizes for the best American play and novel of the year respectively yesterday were awarded "Abe Lincoln in Illinois" being produced by RKO, and "The Yearling," bought by Metro for future production.

THE THEATRE

George Abbott Productions

"There have been a number of good plays this season, but there are two others this year that are not as a day. These are by Robert E. Bruce and "Abe Lincoln in Illinois,"" he said yesterday.

George Abbott-Rogers and Hart

THE BOYS FROM SYRACUSE

with Jimmy Wynn Eddie Foy

SAYO MURRAY ALBERT HART

ALVIN, W. 524 St., Mats., Wed. & Sat.

"The lowest, roughest, toughest, tenderfoot, dirtiest, most unforte, and certa

PRIMROSE PATH

BY ROD L. BUCKER AND WALTER HART

WESLEY L. ROBERTS

CORT, West 44th St., Mats. Wed. & Sat.

BILLYBOY 501-4616

"Roses of Pleasure"— picked in soft, sunny, summer.

WHAT A LIFE

with EUGENE STONE as Henry Aldrich

MANIFEST W. 47th St., Mats., Wed. & Sat.

"The sunniest, warmest, most uplifting, most appealing story ever written," said "In Advance."
A CAMPAIGN CONTEST
WITH
$4,000 IN PRIZES
ON
ONLY ANGELS HAVE WINGS

As an incentive to all theatre managers and advertising men to develop EXTRAORDINARY campaigns on ONLY ANGELS HAVE WINGS, COLUMBIA will offer $4,000 in prizes for the best campaigns inclusive of advertising, publicity and exploitation.

The contest is open to everyone and prizes will be awarded strictly on the merits of the campaigns regardless of the sizes of the communities. A committee of judges, to be announced shortly, will make the awards.

FIRST PRIZE . . . . $1,000

TEN PRIZES . . . of $300 each

• For further details watch trade paper advertising on ONLY ANGELS HAVE WINGS and the next issue of The Columbia Mirror
ALL N. Y. C. CIRCUITS BACK GNY FUND DRIVE

(Continued from Page 1)

paign is now on to enlist all of the smaller houses which total close to 100, and whose cooperation is equally essential to the drive’s ultimate success.

Within the next 10 days, Moss added, details will be perfected for the tendering of a “Get-Together Luncheon” which, it is planned, will be attended by all the men who have been active in the Exhibitors’ Committee current campaign. As soon as the time and place have been determined for the luncheon, an announcement will be made by Moss.

Latter said that the idea of the get-together had been suggested to him by Harry Brandt.

It was further learned that intensive cooperation is being undertaken on behalf of the drive by Russ & Benson, as well as by the Cocalis houses.

GN WILL Distribute Four Features Before June 1

Prints of “Exile Express” and “Panama Patrol” were shipped last night to Grand National exchanges, marking the beginning of distribution on a large scale by the E. W. Hammons organization. Both pictures will be released late this month, as well as two westerns, “The Singing Cowgirl” and “Six-Gun Rhythm.”

Settlement of arrangements for “Exile Express,” which stars Anna Sten, follows the GN-Fine Arts agreement which started the wheels rolling again with Franklyn Warren’s production company and brought delivery of the negative of “Panama Patrol.”

Local 37-IATSE Mistrial

West Coast Bureau of THE FILM DAILY

Hollywood—Superior Judge Emmett Wilson yesterday declared the case of the IATSE against the autonomy group of Local 37 a mistrial.

Vitaprint Operating

Saul Jasse’s Vitaprint Corp., commercial photographers, started biz yesterday at 120 W. 46th St.

Happy Birthday

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

MAY 2

Denison Clift
William Bakewell
Walter Strange
Jack Gallagher

PLANS “ALL-INDIE EXHIB.” VOTE ON GOD

(Continued from Page 1)

an opportunity to hear the other side, and from there on he is on his own,” Cole advised. “If the majority of independent theater owners in the U. S. want to accept the industry’s practice reforms as submitted by the reformers,” he contended, “you may rest assured that members of the negotiations committee and all officers of Allied you find no fault, and we are positive that the representatives of the producers-distributors will feel likewise.”

Cole pointed out that nothing to the present time had been done to settle the controversial status regarding exhibitor reaction to the Neely Bill and the trencode. One group, he said, contended that the Neely Bill would injure independents, while another took the opposite view. By having representatives of all film companies an independent theater organization in one session, Allied’s president believes that a solution can be reached “After the whole thing has been aired at the convention by both sides,” the statement asserted, “vote will be taken by all those present who can qualify as independent theater owners, and what we do by independent is one who has circuit affiliation.”

All exhibitors are invited to convention, Cole stressed.

Duals Result from Wrong Showmanship, Says DeMille

(Continued from Page 1)

issue holds the legislative spotlight at Springfield where two measures to outlaw double features are pending.

An exhibitor support for the statutory elimination of duals is takt shape. Emil Stern has thrown support of Essaness Circuit behind the legislation.

DeMille, who spoke at a luncheon tendered in his honor at the Biltmore Hotel Saturday, to interviewers urged film-made co-operating Better Films Council tossed the fair, attended by 200, James DeBue, Para. branch, head, introduced DeMille.

Cecil B. De Mille, Mrs. De Mlle Gladys Rosson, his secretary, Bill Hebert, publicity representative, and radio script writer, arrived New York Sunday. De Mille conducted his Lux program from New York last night. The party will maintain until the end of the week.

STORKS!

Baltimore—Mr. and Mrs. Rich Shimmer have receiving congratulations on the birth of an 8-pd daughter at Sinai Hospital. She owns the Reartia here, and plans a site to build the Helix Theatre on Park Heights Ave.
**Allied Convention Post for MPPDA Aide**

Dave Palffyman of the MPPDA office has been appointed assistant-at-arms for the annual Allied convention to be held in Minneapolis June 13-15. Palffyman was named by Al Stetler, Northwest Allied head, at the Variety Club banquet in Detroit Saturday night. When Palffyman asked for an assistant, Stetler appointed Pete Harrison.

**Metro Office Managers Meet in N. O. Tomorrow**

New Orleans—Second meeting in a series of regional conferences of Metro office managers, bookers and checking supervisors will be held here tomorrow and Thursday at the Roosevelt Hotel. Attending from the home office will be Alan F. Cumings, head of branch operations, Charles K. Stern, assistant treasurer of Lowe's, Inc., William Brenner, checking department, Harold Downs, assistant to Tom Comora, Parke D. Agnew, traveling master booker, and Mike Simons, editor of the Mail.

From New Orleans will be Eldon F. Briwa, office manager, Hopletic Arata, booker, John G. Simpson, booking supervisor; and Herbert Schlesinger. Lloyd W. Royalty, office manager, and Roy M. Avey, Jr., booker, will attend from Oklahoma City.

The Atlanta office will be represented by Thomas E. Lucy, manager, Sam R. Pedoff, booker, and Harris B. Wynn, Jr., checking supervisor. Anthony V. Phiblin, office manager, G. Lewis Whittington, booker, and Vernon L. Smith, checking supervisor, will attend from Dallas. And Thomas B. Kirk, office manager, James F. Heard, booker, and Clinton B. Peck, Jr., checking supervisor, will attend from Memphis.

Next meeting will be held at the Muehlebach Hotel, Kansas City, May 6-7, which will be followed by a meeting in San Francisco at the St. Francis Hotel, May 14-15.

$129,000 Will Be Expended for Three New Flint Houses

Detroit—Theater building boom at Flint, Mich., will mean spending of $129,000 on three new houses, averaging 1,000 seats each, to be opened in the late summer, with an increase of 20 per cent in present seating capacity of 15,571.

House just announced is the $22,000, 500-600 seat Flint, to be erected by Willard H. Johnson, restaurant owner. General contract was awarded to August N. Johnson, with L. W. Thomas as architect.

Abraham Eisenman, owner of the Michigan Theater, is building a 1,142-seat, five blocks further north, at a cost of $30,000, and has awarded the contract to Flint Builders, Inc.

Butterfield Circuit is building a practically new Garden Theater, 929-seat downtown house, at a cost of $57,000. Contract was awarded to Sorenson and Gross Construction Company.

**H. T. Kaho Dead**

Cincinnati—H. T. Kaho, owner of the Orient Theater, West Jefferson, died here.

**Gregory DicksonAppointed Goldwyn Publicity Chief**

First Coast Bureau of THE FILM DAILY

Hollywood—Gregory Dickson has resigned from Walt Disney Productions to become publicity director for Samuel Goldwyn, Inc., Ltd., succeeding John Peere Miles who will handle special duties on "Music School" and "The Real Glory."

**Fourth for "Dodge City"**

Chicago—B & K is holding Warner's "Dodge City" for the fourth loop week, at the Roosevelt theater.

**WEDDING BELLs**

West Coast Bureau of THE FILM DAILY

Hollywood — Constance Moore, eloped to Yuma, Ariz., Saturday with Maschio, Hollywood talent agent. They will honeymoon in New York just as soon as the bride finishes "Old California."
A Calendar of Feature Releases

An alphabetical list of English-speaking lectures released since Jan. 1, 1939, together with pictures scheduled for release during the next few months. The dates given are complete distributor release dates. FD: indicates date of FILM DAILY review. Names after review dates are the principal players in the cast. Complete casts and production credits are included with FILM DAILY reviews. * Indicates Technicolor production.

<table>
<thead>
<tr>
<th>Title, Dist., Running Time</th>
<th>Release Date</th>
<th>Notes</th>
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<tr>
<td>Across the Plains (100m.)</td>
<td>In Prod. Jack Randall, Joyce Bryan</td>
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<tr>
<td>Adventures of Tom Sawyer, The (M-G-M)</td>
<td>92 mins.</td>
<td>2-10-39</td>
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<td>Adventures of Jane Arden, The (WB)</td>
<td>3-4-39</td>
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<td>Always Out of Phase (20th-Fox)</td>
<td>78 mins.</td>
<td>5-12-39</td>
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<td>Almost a Gentleman (RKO)</td>
<td>2-31-39</td>
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<td>Alibi (Para.)</td>
<td>62 mins.</td>
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Coal Miners Strike Closes 30 Houses

Cincinnati—Film Row exchanges report 30 theaters closed in the coal sections of Ohio, Kentucky and West Virginia, due to the coal miners’ strike. Cancellations continue to come in.

Calls Producing Pix in Spanish By U. S. Firms “Dangerous”

(Continued from Page 1)

thre-hour limit for programs has worked a hardship on American distributors in their dealings with outlying theaters as those exhibitors are forced to play one film at a time. In January, production sales paid 30 to 40 per cent of their gross to Japanese producers even when they substitute an American picture for a native picture. He added that only the biggest American pictures can obtain country-wide coverage in Japan.

Under the motion picture law adopted at the March session of the Diet, which law will become effective October 1, Japanese theaters which have hortofore played foreign pictures exclusively will have to devote 50 per cent of their footage to national products. This law also raises the age limit for admission to theaters to 14-year-old children, and several dozen exhibitors are planning theaters that will show pictures exclusively for juveniles. They will be allowed to show officially-endorsed pictures to the youngsters of all ages.

There has been no change in the agreement made for the release of American films frozen in Japan and the agreement is for three years. American distributors are permitted to time their releases in the United States on a monthly basis. Since last October permits for importation of $15,000 worth of American films have been granted, this covering approximately 100 features for the eight American distributors operating in Japan. Funds sent to the United States are converted into dollars and kept in the San Francisco branch of the Yokohama Spe- cial Bank.

Doyle declared that German pictures are declining in popularity in Japan while French pictures are increasing in favor. He said that the grosses on American pictures for 1930 will exceed those of last year by 50 per cent. Under the new motion picture law a committee of 16 has been appointed by the government to operate and interpret the law.

At the 55th St. Playhouse

The management of the 55th St. Playhouse wishes it known that the two French productions now playing there were booked by arrangements with a foreign company and not with any distributor in this country. They were not at any time stated in The Broadway Parade yesterday.

20th-Fox Moves to Meet Canadian “Bill” Squawks

Special foreword is being produced by 20th-Fox for the Canadian release of “Alexander Graham Bell.” Foreword will show the city of Brantford, birthplace of Bell, and the museum where he was a student.
**RKO’s Foreign Biz Up 40 P. C. Despite Unrest Abroad**

(See Column 4 Below)

**THE DAILY**

New York, Wednesday, May 3, 1939

**TEN CENTS**

Brandt Willing to Send ITOA Group to Allied Meet

**OEW’S EARNINGS FOR 28 WEEKS AT $6,368,847**

Mono. Tilting 1939-40 Production Budgets 25-50 P. C.

Kuykendall May Attend Allied Meet

Columbus, Miss.—Ed Kuykendall, MPTOA proxy, may attend the Allied States Association convention which opens in Minneapolis June 13, he said here yesterday. Kuykendall leaves today for Chicago.

RODGERS ACCEPTS BID TO ALLIED’S MEETING

William F. Rodgers, Metro’s sales head and central figure in the distributor-exhibitor negotiations from which evolved the proposed trade practice code, will attend Allied’s national convention in Minneapolis next month.

Acceptance of Allied’s invitation was disclosed yesterday by Rodgers upon his return from Detroit where he attended the national Variety Club convention. Allied proposes to devote an entire session of its meet-

Disney Donald Duck Short to be NBC Telecast Today

NBC today will televise the Walt Disney cartoon, “Donald’s Cousin Gus.”

Announcement that effect yesterday by RKO confirmed a Film Daily story on April 26 that NBC and Disney interests were discuss-

ITOA Prexy Says Cole’s Request For Open Forum “Intrigues” Him

Harry Brandt, ITOA president, is ready to name a committee to at-

tend the open forum session on trade practice proposals at the annual Allied convention in Minneapolis.

Brandt yesterday sent a letter to Al Steffes, Northwest Allied presi-
dent, stating that Col. Cole’s invitation to all independents “intrigued” him and that “if it were true,” he

W. Ray Johnston

(Continued on Page 8)

ARNOFF SEES EARLY RKO CONSUMMATION

In response to a query as to what the present status of the RKO organization, David Sarnoff, A’s president, told stockholders the annual meeting yesterday that he looked for consummation of a plan “before very long.” He

(Continued on Page 3)

CA Reports First Quarter Profit Shows Slight Gain

Report of RCA and subsidiaries the first quarter of 1939, ended r. 31, last, shows net earnings $1,445,110, a gain of $10,309 over initial quarter last year, it was

(Continued on Page 8)

Mille May Use Color for Next Para. Feature

Cecil B. De Mille is considering use of color in his next picture

(Continued on Page 8)

**FOREIGN BIZ OF RKO UP 40 P. C.—REISMAN**

Despite political unrest, RKO’s foreign business from Jan. 1 to April 15 was approximately 40 p.c. ahead of the corresponding period last year, according to Phil Reisman, head of the foreign depart-

(Continued on Page 3)

Cocalis Estate Placed in Trust for 20 Years

Elizabeth, N. J.—Will of the late S. D. Cocalis, leading metropolitan area exhib. filed for probate here yesterday, requests that none of his stock in the Cocalis Enterprises be disposed of without the unanimous

(Continued on Page 8)

U. S. Cos. Refuse to Sell To Manchurian Monopoly

West Coast Bureau of THE FILM DAILY

Hollywood—U. S. distib. will make no attempt to fight the mon-

(Continued on Page 8)
Decision on Defense Motions in Maine Case Reserved

Boston—Decision was reserved by U. S. District Court Judge Peters at Portland, Me., on defendant's motions filed in anti-trust suit being brought by Attorney George S. Ryan for C. F. Mills, State Theater, Bridgton, Me., Millinocket Theaters, Inc. and Frank Lepage Operating Co. in Millinocket.

Both suits are for triple damages of $100,000. Major distributors petitioned that the suits be dismissed, that certain portions of the bills of complaint be stricken out and that Ryan be ordered to file a bill of particulars.

Kuykendall to Address Kan.-Mo. Exhib. Group

Kansas City, Mo.—George Hattmann, secretary and treasurer of the Kansas-Missouri Theater Owners Association, has announced that Ed. Kuykendall, MPTOA proxy, will deliver the principal address at the group's annual convention here May 23-24. An open forum discussion of the pending fair trade matter will be held, as well as a study of means by which exhibitors can further their fight against radio and the use of pix stars on the air.
SARNOFF SEES EARLY RKO CONSUMMATION

explained that the plan has already been approved by Federal Judge William Bond, who signed the Order for dissenting stockholders to appeal.

At the meeting, each stockholder received a copy of the 1937 annual report of RKO, for the year ended Dec. 31. This called attention to the fact that $500,000 was received from the sale of RKO Corp.'s securities, under the option agreement referred to in the 1937 report. This option expired June 30, last.

"If the plan becomes operative," the report stated, "RCA will receive 44,855 shares of new RKO preferred, 316,820 shares of new common stock, and 90,000 shares of RKO warrants. These holdings will entitle RCA to a seat representing the board of directors of the reorganized company during such period as these holdings may be retained.

Cost of investments in RKO is placed at $5,614,434.75, but on closing New York Stock Exchange prices at Dec. 31, that market value was $4,615,607.89. Loss on sale under option of part of RKO securities was put at $101,312.55.

Court Order Clears Way For RKO Debenture Trading

Federal Judge William Bondy yesterday signed an order authorizing Irving Trust to request RKO debenture and certificate holders to deposit securities with RKO, in the event that they have elected to receive only preferred, for purposes of the exchange certificates. The Court also authorized Irving Trust to make application to the New York Stock Exchange for trading facilities in the debentures.

Irving Trust's petition stated that there was $2,025,000 in debentures, and 58,575,000 in J. & W. Seligman certificates outstanding, and therefore Paragraph 4 of the plan provides that each $100 in debentures was to be duplicated upon surrender with one share of preferred and five of common, or upon a 20-day election by 1.43 preferred.

Sixty-five holders have elected the second alternative, and therefore it is in reference to either those who have elected, or will elect, that Irving Trust wants authorization to request surrender of securities.

SAG Row in Court

West Coast Board of THE FILM DAILY has been claiming they were refused their seats at a meeting April 25 on the ground that their election had failed. However, Paul Cook and Eddie Aquiline started court action to establish the validity of their designation as members of the SAG Class A membership.
**New York World-Telegram**

**“Man of Conquest” Called Epic Film**

Richard Dix as Sam Houston Comes Into His Own Again.

**By WILLIAM BOHNEL**

Salute with twenty-one guns a first, routine, spectacular kind of Americanism and adventure called “Man of Conquest,” at the Capitol, which not only sounds the clarion call of freedom and democracy in high, resounding notes but relates its message of liberty and the right of man to govern himself. There is a dramatic, coloristic, colorful, stirring manner.

Salute, too, the return to his former role of the actor, forthright, capable beyond praise, Richard Dix, who hasn’t had such a modest, no less worthy role as Sam Houston since the days he appeared in “Cimarron.”

That makes “Man of Conquest” the epic film it is, the simple fact that it never once sacrifices action for drama on the altar of propaganda. In its simplicity, direct, beautiful prose it relates the principles behind which this nation was founded and will continue to exist, world without end and God willing, but it does so with a full realization that it will not be an easy battle, an epic battle against all the odds, against all the forces of reaction and yet, though the book is thin, is a triumph of the cinema that before you can pronounce you must first entertain.

Strong, vibrant stuff.

**THE NEW YORK TIMES**

**Man of Conquest,” a Spectacle-Charged Biography of Sam Houston, Reminds the Capitol of the Alamo**

**By FRANK S. NUGENT**

Hollywood’s Good Neighbor program went into action yesterday when the Warners’ “Juean,” the full-length epic retelling of the Battle of San Jacinto, ended its week at the Capitol with the cry, “Remember the Alamo!”

It is not a tourist film, but it’s a romantic, colorful, vivid, dramatically romantic. A historical drama based on the life of Sam Houston, one of the stormiest petrels in American history, and it cunningly justifies the revolution in Texas that was the subsequent annexation by the United States, as the victory of democracy over dictatorship.

Even Andy Jackson is privileged to make a personal appearance and comment upon that theme. “Up in Washington,” he said, “I buried freedom under a pile of dirty politics.”

Well, just remember that America was a free-and-free-and-free-and-free and there’s a lot more to this picture than one might think.

Not that our brand of freedom isn’t bad, but the help of the Army of Texas is there, too, and the President can do this because he is a hero, see? That’s what I call democracy.”

...[more text about the film and its historical accuracy]...
A hang-up historical drama, the Capitol Theatre's "Man of Conquest" tells the story of Sam Houston and the fight for Texan independence from Mexico. The story, which has been on the screen before as "Cimarron," now finds great promise as a new, ambitious venture.

Filmed on a large and sweeping scale, the picture picked up the action with a stirring battle scene, Indian attack, and the flag recreation of a period in American history. It is, of course, the battle of San Jacinto, an impressively staged sequence which has the Texas forces defeat Mex-troops with the rousing war cry, "Remember the Alamo."

Richard Dix, starring in the title role, gives a convincing performance by a large and able cast. Chasing him as an adventurer, political intrigues, and romance with Houston's own history of Texas, "Man of Conquest" is rich in historical background and actual events of Houston's life.

Richard Dix, as Sam Houston, is a compelling figure, tall, majestic, and never less than intense, he brings to life a character who is more than a historical personality, he is a national hero. As he drives his horse into the thick of battle, as he leads his troops to victory over the Mexican forces, the audience is carried along by the excitement of the moment.

Colorful Career of Sam Houston
Faithfully Taken From Biography

By ARCHER WINSTEN

The lives of most men need considerable dramatic writing to make them understandable. Even historical figures in the center of great events require some dramatization to bring them to life. The story of General Sam Houston, a prominent figure in the Texas Revolution, is one of the best American historical films in a year filled with good Westerns.

This is the story of Sam Houston, who was quite a man. The title role is given to Richard Dix, who was born in Texas, and has been playing the role of Sam Houston for many years. He is well suited for the part, and the audience is carried along by his moving performance.

Perhaps "Man of Conquest" is an epic. It's a most worth while picture anyway. Richard Dix, as Sam Houston with a vigor and intelligence that makes him a more than adequate figure on the screen, is playing the role.

With Richard Dix as Houston, being a big cast, it is one of the most elaborate productions to have come from the Texas studios, and it is fully justified the dramatic interest in it. With Sam Houston, the story is stirring, and the performance is fine. With Richard Dix, as Sam Houston, the story is stirring, and the performance is fine. With Richard Dix, as Sam Houston, the story is stirring, and the performance is fine. With Richard Dix, as Sam Houston, the story is stirring, and the performance is fine.
"Timely melodramatic spy story extolling Americanism, chockful of entertainment . . . Splendidly photographed" —Film Daily

"An exciting story . . . Miss Sten is as glamorously lovely as when she played 'Nana'" —Los Angeles Times

"Very creditable job, both on patriotic angles and telling entertaining tale . . . good cast, timely story . . . production excellence throughout . . . a definite b.o. attraction."

—Variety

"Good melodramatic espionage story with well-rounded cast . . . fine job of direction . . . a picture that holds up in every department."

—Hollywood Reporter

"Deft blend of romance, comedy, adventure and dash of newfound Americanism mark this as excellent." . . . Anna Sten shows no loss of glamour or talent in a tailored role."

—Box-Office

"A leader in the parade of films stressing Americanism" The Exhibitor
NATIONAL'S NEW BOX-OFFICE PICTURES...

PANAMA PATROL

with LEON AMES
CHARLOTTE WYNTERS
ADRIENNE AMES

Directed by Charles Lamont
A FINE ARTS Picture
Produced by Franklyn Warner

"Interesting and entertaining action picture... suspense is well
maintained and cast performs admirably... very good mount-
ing."
—Film Daily

"Another good number in the Cipher series... plenty of action,
suspense, well produced, directed, this is a credit to Fine Arts,
Grand National."
—The Exhibitor

"Houses which played the previous Cipher Bureau picture can help
this one by promising an even better thriller." Showman's Trade Review

"Topnotch entertainment... surpassing the quality of its predecessor
above standard in every department."
—Hollywood Reporter

"A sure-fire winner that sets a new high in this type of production."
—Pacific Coast Showman

"One exciting incident follows so fast on the heels of another, one
must hardly wink for fear of missing something."—Los Angeles Times

IN PRODUCTION...
for Early Release

"THE LADY TAKES A CHANCE"
with
HEATHER ANGEL
John King

W. HAMMONS, President
MONO. UPS PRODUCT’N BUDGET 25-30 P. C. (Continued from Page 1) execs, payable for the Mono, sales convention, opening tomorrow in Chicago.

Decision to increase production budgets results largely from the importance of story properties lined up for 1939-40 and which will be used at the convention, Johnston said.

De Mille May Use Color for Next Para. Feature (Continued from Page 1) THE FILM DAILY yesterday that he had not produced a picture in color since he made "The Ten Commandments" in 1923. His next story has not been selected, but it is believed he will probably will deal with some phase of American history.

De Mille said that "Cavalcade of America," which is in production in the U. S. which will be shown at the New York World's Fair, was completed in rough form and will be ready for showing about the middle of this month. De Mille said he was returning to Hollywood on Friday in order to finish the job of looking at 300,000 feet of film from which the 10-reel feature will be cut.

"Union Pacific" was the 65th picture De Mille has directed and the 212th he has produced. He said he had two more pictures to deliver to Paramount under his present contract, but that he may make one feature for the other distributors.

U. S. Cos. Refuse to Sell To Manchurian Monopoly (Continued from Page 1) ture Association in Manchuria before 1940 at the earliest, according to A. G. Doyle, 20th Century-Fox manager in Japan, who is here en route to New York for home office conferences.

Since the monopoly was granted, the association by the Japanese government, American distributors have refused to distribute through the state company and are not doing business in Manchuria.

There is no theater construction in Japan because of restrictions of steel and building material, Doyle declares.

Court Directs Vocafilm to File Particulars Bill Federal Judge John C. Knox handed down an opinion yesterday in which he ordered Vocafilm Corp., to file a bill of particulars in its suit against Erpi, A T & T and WE.

Action is based on Sherman Act and is plaintiff's third suit in 1265 triple damages, and claims that plaintiff who was in the business of manufacturing and distributing sound equipment to pig houses was forced out of business by defendants allegedly having coerced exhibitors, to take only Erpi product.

Silverstone, Other Execs. Off for UA's Coast Meet (Continued from Page 1) vice-president, and Mrs. Buckley; Edward T. Carr, Joint managing director of United Artists in England, and Mrs. Carr, and Edward Rafferty departed from New York for Los Angeles by train yesterday, while Lynn Farrel, director of advertising and publicity, left by plane. Arthur Kelly, vice-president, Lowell Caivert, distributor of Selznick International, and Sam Cohen, foreign publicity manager, entrained earlier in the week.

Leaving New York by train tomorrow are Harry Gold, Eastern general sales manager; Jack Schlaifer, Western general sales manager; Paul Lazarus, general contract manager; Charles Schwartz, counsel; Emanuel Silverstone, American representatives for Alexander Korda, and Tom Walker, Eastern representative for Hale Rouch.

Morris Hielprin, American advertising and publicity representative for Alexander Korda, will fly to the Coast on Saturday.

Monroe W. Greenthall, exploitation director, and Albert Margolies, publicity manager, have been in Los Angeles for several days in preparation of the convention.

The United Artists Convention special train leaves New York at midnight tonight and will pick up members of the United Artists sales force on its way to the Coast. Convention forces will assemble in Los Angeles Sunday, day before sessions start.

Cocalis Estate Placed in Trust for 20 Years (Continued from Page 1) consent of the executors and trustees.

Latter are Evangelos T. Hardaloupos, president of the Helikon Bank & Trust Co., New York City; William Scully, Universal's general sales manager; James T. Thompson, counsel to the deceased. Their designation was exclusively forecast in THE FILM DAILY Monday. James and George Cocalis, sons, become trustees when 21.

Proctor designated is Monroe E. Stein, Cocalis Enterprises counsel.

Provision is made for cash bequests to members of the family and the establishment of a trust fund; other beneficiaries are two hospitals and a church.

The estate is to be maintained in a 20-year trust. During that time, the executors and trustees are to maintain the business if feasible.

Rule of Reason Vital Factor in Trust Law Enforcement, Says Thurman Arnold Washington—Thurman Arnold, Assistant U. S. Attorney General, told 300 members of the American Trade Association that application of the "rule of reason" is most important in antitrust cases of the Sherman Act trust acts.

"This rule of reason envisages three situations in which a rigid application of competitive standards is not possible," said Arnold, listing them as: Combinations which actually contribute to efficiency of mass production; concerted action among competitors to secure orderly marketing conditions, and instances where competition has already been destroyed. In the last case, Arnold said, more imposition or penalties will not recreate competition.

Silverstone, Other Execs. Off for UA's Coast Meet (Continued from Page 1) tense the drive. Present will be B. S. Moss, Exhibitors' Committee; Ned E. Denipent, Distributors' Committee; and Herman Robbins and Ralph J. Poucher, respectively the leaders of the Allied Industries-Ac tors and the Laboratories' groups.

During run of "Goodyear, Mr. Chips" at the Astor, a special price policy, similar to the one in force for "Pygmalion," will prevail. "Chips" will be played continuously with admixture scale ranging from 25 cents to a 55 cent tax, beginning each week at the last evening, except week-end holidays, when evening scale will be 65 cents.

"Pygmalion" closes its run at the Astor on Sunday night, May 14, bringing to an end an engagement of 23 weeks.

GNY Fund Will Benefit from "Mr. Chips" Showing (Continued from Page 1) 1939's greatest screen adventure is thundering to your door!

MAY SEND ITOA GROUP TO ALLIED MEETING (Continued from Page 1) would like to present his organization's views on the code to the convention.

Brandt's letter to Steffes read, in part: "Knowing these views, I would like to have you, with equal frankness, determine whether you should like to have our committee come. I believe that an open discussion by independent exhibitors of independent exhibitors' problem would go a long way towards smoothing the strained relations that are now actually in effect in our industry."

The letter is believed to be the first official reaction to Col. Cole's invitation.

It is understood that copies of Brandt's letter have been forwarded to all indie units.

Kimmel Motion Upheld Motion of attorneys for Joseph Kimmel in Bronx County Supper Court to further punish Abraham Kindler, in the case of Kimmel v. Kindler, was upheld by Justice Aaron J. Levy. Motion of Kindler to have original action of Kimmel thrown out of court was denied.
special Theater Tele Proposed; Feasible, RCA's View

20th-Fox Net May Exceed '38 Level—Schenck

Gov't Suit Against Griffith Cos. Hits Southwest Selling

die Exhibitors in Area Indifferent to Contracts, Says Salesmen

Oklahoma City — Film salesmen rising out of local exchanges ret selling an almost impossible following the filing of anti-trust suits against Griffith Amusements Co. and three other Griffith-related organizations as well as 10 distributors.

A great number of independent salesmen, have felt that a great deal of money has been made, it is understood, due to

EC REPORTS REVEAL EXEC'S STOCK DEALS

Washington—Nearly all the major film companies filed reports with SEC on stock transactions and holdings of individuals, it was revealed today in the Commission's semi-monthly summary of security transactions and holdings.

Joseph M. Schenck reported he

(Continued on Page 15)

film Execs. Seek Revision of Britain's New Duties

London (By Cable) — Coincident with the scheduled consideration by parliament of the new British budget, which imposes a high and burdensome taxation on film raw stock and prints, both domestic and foreign, a joint deputation of motion

(Continued on Page 22)

SNY Fund Drive Progress Reported by Pix Chairman

Sub-committee chairman of the Motion Picture Division of the Greater New York Fund, meeting yesterday in the offices of the division's chairman, J. Robert Rubin, reported progress in the local film industry's drive for attainment of

(Continued on Page 19)

8th 20th-Fox Pix in Technicolor

West Coast Bureau of THE FILM DAILY

Hollywood—Twenty-Fox will rip still another in the dye vat for 1939-40. Newest pix slated for Technicolor treatment is "Hollywood Cavalcade," co-starring Alice Faye and Don Ameche, with Irving Cummings directing and Mack Sennett and Harry Joe Brown as associate producers.

Earlier announced for Technicolor filming were "Drums Along the Mohawk," "Mark of Zorro," "Blue Bird," "Maryland," "Belle Starr" and "Lady Jane," to be made here, and "Youngman's Honor," to be produced by Bob Kane in England.

Curiosity Drawing Public to Tele Demonstrations but Sales are Few

By GEORGE H. MORRIS

FILM DAILY Staff Writer

Curiosity and caution are the two principal reactions of the public to the offerings of tele-receiving sets by manufacturers in wake of last Sunday's formal inaugural of tele programs in the Greater New York area, a checkup yesterday by THE FILM DAILY disclosed.

Survey resulted in generally ex-

pressed estimates of between 200 and 250 as the number of receivers on demonstration and sale now in the local market. About 100 of these are of RCA-Victor origin, and the balance divided between other manufacturers.

The element of curiosity, stimulated by the fact that manufacturers have resorted to advertising

(Continued on Page 19)

150 Registered as Monogram Opens Chi. Sessions

Chicago — With more than 150 home office and studio executives, franchise holders, exchange heads and salesmen registered, the seventh annual Monogram convention opens at the Hotel Drake today and con-

(Continued on Page 23)

May License Exhibitors to Receive Special Theater Television Service

Bondy Gets Cassel's Plea To Stay DebentureSwapping

Federal Judge John Clancy yesterday referred to Federal Judge William Bondy an application by H. Cassel & Co. for extension of time to make election under Paragraph 4 of the RKO reorg. plan until 20

(Continued on Page 23)

Establishment of a separate television service for U. S. film theaters via transmission channels set aside for such purpose by the FCC looms as a possible solution of American exhibition interests' knotty tele problem.

Understood to be the key recommendation in the television report recently submitted by Courland Smith to the MPPDA, following a

(Continued on Page 23)

ASCAP MARKING TIME ON TELEVISION POLICY

Ascap's board meeting today will hold a clarification discussion on television, although no immediate change in the Society's policy will be instituted. Louis D. Frohlich, Ascap counsel, is slated to give views on the subject.

Policy which Ascap is pursuing

(Continued on Page 22)

Nizer Assails Stockholders Bringing Suit vs. Pathe Film

Louis Nizer, prominent film attorney, yesterday bitterly assailed the practice of accountants in making a business of bringing minority stockholders' actions against large

(Continued on Page 22)

De Mille Sees Neely Bill Costing Jobs at Studios

Cecil B. De Mille looks upon the Neely Bill as a dangerous weapon, inasmuch as its passage would al-

(Continued on Page 20)
Zanuck Not to be Examined
Before Trial in Story Suit
New York Supreme Court Justice Albert F. Prankenthal yesterday denied the application of Republic Studios to examine Darryl Zanuck before trial and without prejudice to an application for deposition in Los Angeles.
Tamas claims 20th-Fox asked him to submit a scenario which he called "Stowaway" for Shirley Temple, and although company rejected it, the material was used in the picture of that name.
Plaintiff is seeking an injunction, accounting and damages.

Circuit Court to Hear
RKO Appeals on June 5
RKO reeorg. appellants have to designate that portion of the court where which they intend utilizing in printed form by May 8, and pro-
ponents must designate by May 11.
Filing of record and briefs is slated for May 20, and argument is ex-
pected to take place before the U. S. Circuit Court of Appeals on June 5, 1944. It was pointed out yesterday that latter date may have to be abandoned should interim causes cause a setback.

New Jersey Towns Raise
Theater License Fees
Maplewood, N. J.—Jersey, theater operators are becoming a trifle jittery in their efforts to cope with new, or higher, fees which they expect to take place before the U. S. Circuit Court of Appeals on June 5, 1944.
In short, it was pointed out yesterday that latter date may have to be abandoned should interim causes cause a setback.

SwPA Set to Take Over
Mechanical Rights June 1
The Song Writers Protective As-
sociation, representing more than 600 songwriters, will take over all mechanical rights to their tunes on June 1, 1944. This action follows a lengthy dispute between the songwriter and record companies, and probably means that the battle between the two organizations.

UA Special En Route
Following the departure of most of the United Artists top executives Tuesday for the company's sales convention in Hollywood, the "Convention Special" left last night with the balance of the New York con-
tingent and will pick up exchange staffs on route.
THE CORNERSTONE OF 11,000 THEATRES!

Strength! Security!

(over)
FOR 15 YEARS!

First in

STARS!

Exhibitors named M-G-M the star company and it's truer than ever today!

First in

HITS!

At every year's end M-G-M leads all companies. That's a matter of record!

"A square shake!"
The Friendly Company, practises what it preaches!

First in the hearts of its customers!

FIRST IN BOX-OFFICE POLLS! In the past year again M-G-M led all these Box-Office surveys: Film Daily's Nationwide Ten Best Pictures; Quigley Publications Box-Office Champions; Box-Office Magazine Blue Ribbons; Variety's Top Picture Grossers; Showmen's Trade Review Best Major Productions; Parents' Magazine Family Best; Ladies Home Journal's American Women's Favorites; New York Critic Circle's Best and many more including the just completed National Box-Office Digest Annual Poll for the past year covering thousands of theatres showing M-G-M is first again! Year after year it's the same: ONLY ONE COMPANY CAN BE FIRST!
THIS IS THE M COY!

BEWARE OF THE
FLASH IN THE PAN!

Let 15 years of experience be your guide. Net results at the end of each year are the only thing that count in this business. When 11,000 satisfied customers balance their books at the close of each season, they say: “I’m playing safe with the leader. Let the other fellow gamble on a flash in the pan.” They prefer Security to Insomnia! And here’s a point that every far-seeing exhibitor must consider in the coming year.

(next page)
YOU DON'T HAVE TO KEEP YOUR FINGERS CROSSED WITH M-G-M!

There's Safety in Numbers!

There is only one company in this entire business that by virtue of its set-up can guarantee security — that's M-G-M!

(read why above)
think this over!

M-G-M HAS 18 EXPERIENCED TOP-RANKING PRODUCERS! MANY MORE THAN ALL OTHER COMPANIES!

That’s how M-G-M removes risks which you have to face elsewhere!

The solid rock of security on which M-G-M bases its studio production is that, come what may, you are protected. WE WILL NOT ALLOW THE SAFETY OF YOUR THEATRE INVESTMENT TO REST ON THE GENIUS OF ONE OR TWO OR THREE! M-G-M’s production ranks are rich with talented showman brains ready for any emergency. You do not have to keep your fingers crossed!

Avoid this! Do it the M-G-M way!

THAT GOES FOR STARS
THAT GOES FOR DIRECTORS
THAT GOES FOR WRITERS
THAT GOES FOR STORY PROPERTIES
THAT GOES FOR M-G-M in 1939-40

There’s Safety in Numbers! Look!

(next page)
FIFTEENTH ANNIVERSARY
1939-40 PRODUCTIONS
METRO-GOLDWYN-MAYER

The Friendly Company

ANGEL CAKE!
A milestone in the annals of show business! Unleashing the bank-roll for the greatest stage hits, most celebrated book successes! Reaching for the stars at unprecedented cost to add names and yet more names to the already fabulous aggregation of M-G-M personalities. A fortune for advertising! With our customers of Fifteen Friendly Years we set out to make 1939-1940 a box-office celebration to be remembered in the glowing pages of this industry’s history!

(Turn the glowing pages now!)
ONLY ONE COMPANY CAN COMMAND SUCH MILLION DOLLAR PROPERTIES!

Brilliant with Multi-Star Casts!

Stage Hits! Best-Sellers!

A treasure-house of famed titles!
A fortune in thrilling properties!

Big Star Names for Big Hit Titles!

SPACE IS LIMITED!
Therefore we show only a few of the many Big Properties planned for 1939-40!
OPEN DOOR POLICY!

A Preamble of Sincere Frankness!

Take the keys and enter the treasure house of our production. We have no secrets from our customers. M-G-M would prefer to be able to say right now that each one of the pictures on the following pages will be delivered as described, and that the casts as contemplated now will remain intact months from now.

But our customers of Fifteen Friendly years know the sincerity of our methods which make understandable to them why we reserve the right to amend our plans to meet changing conditions, new trends during the course of a long year.

We report herewith the early status of what is destined to be the most ambitious and costly studio expenditure in the history of M-G-M. The ultimate perfection of each production is our sole concern and yours. Time and circumstance may necessitate changes but they will be changes designed for betterment only.

The 15th Anniversary line-up of M-G-M will be notable for multi-starring pictures, for the importance of the properties selected and for the scale on which they are made.
A MINIMUM OF 40—A MAXIMUM OF 52

The following is a tentative prospectus. From these and others, M-G-M's 1939-1940 releases will be drawn.

NORTHWEST PASSAGE, to resume production on location in May; based on Kenneth Roberts' famed best-seller; King Vidor director; Spencer Tracy, Robert Taylor.

THE WOMEN, sensational Claire Boothe stage hit of Park Avenue's wives and sweethearts, starring Norma Shearer, Joan Crawford, Rosalind Russell and an all-female cast of about 40 players; George Cukor, director.

GONE WITH THE WIND, Margaret Mitchell's most discussed book of our time; Clark Gable, Vivien Leigh, Leslie Howard, Olivia De Havilland, directed by Victor Fleming. In Technicolor.
A Selznick-International Picture. Produced by David O. Selznick

IT CAN'T HAPPEN HERE, based on Sinclair Lewis' famed novel of upheaval in America.

ZIEGFELD FOLLIES. Gigantic new type of musical entertainment, as pretentious as Ziegfeld would have made it if he had had M-G-M's resources; multi-starred.

SILENT NIGHT, an exciting and highly romantic co-starring vehicle for the screen's singing sweethearts, Jeanette MacDonald and Nelson Eddy.

MADAME CURIE, starring Greta Garbo; famed novel by Eve Curie depicting the thrills, hardships, struggles and final triumph of the discoverer of radium.

NINOTSCHEKA, comedy by Melchior Lengyel; Parisian and Russian background, starring Greta Garbo; Ernst Lubitsch director.


TONIGHT AT 8:30 is among the newly acquired important properties; Noel Coward's sensational international stage hit in which it is planned to star Norma Shearer.

GUNS AND FIDDLES (temporary title), spectacular drama with music; Robert Taylor, Hedy Lamarr, Miliza Korjus, Robert Young; by Walter Reisch and Samuel Hoffenstein.

A DAY AT THE CIRCUS, Marx Brothers; to start shortly.

ON BORROWED TIME, Lionel Barrymore, Sir Cedric Hardwicke and Bobs Watson, the child sensation of "Boys Town" and "Calling Dr. Kildare"; stage hit by Lawrence Edward Watkins; director, Harold Bucquet.

RETURN OF THE THIN MAN, by Dashiell Hammett; William Powell, Myrna Loy.

BROADWAY MELODY OF 1940. Fred Astaire, Eleanor Powell in the most sumptuous of this successful series; novel story treatment.

BABES IN ARMS, musical drama novelty, based on Rodgers and Hart stage success; large cast includes Mickey Rooney, Judy Garland, June Preisser, Betty Jaynes, Douglas McPhail; Busby Berkeley, director.

(More great productions listed two pages beyond →)
It would take a complete issue of a magazine to fully illustrate the entire gallery of M-G-M personalities. In addition to the 24 stars above there are 53 other important featured players, most of whom would be considered of STAR rating by any other company. And all are under exclusive contract to M-G-M. In its extensive directorial and writing ranks M-G-M likewise pridefully includes the outstanding hit-creators of the industry. There's safety in numbers and M-G-M backs its assurance of a new year of big attractions with a large and expert personnel.
And Remember: M-G-M's Promotion Plans call for the expenditure of $2,500,000, the Greatest of all time!
THE YEARLING, Marjorie Kinnan Rawlings' successful novel; Victor Fleming, director.

WINGS OVER THE DESERT, Harold Buckley's melodrama of aviation over Sahara.

SEA OF GRASS, Conrad Richter's novel of embattled farmers and cattle men in New Mexico; awaiting availability of Spencer Tracy and Myrna Loy.

KIM, Kipling's famed novel, plans for which call for record studio budget.

SOLDIERS THREE, another Kipling thriller.

QUO VADIS, a multi-starred production by the creators of "Ben Hur."

THE RUINED CITY, starring Robert Donat; based on the celebrated novel “Kindling.”

THE GREAT CANADIAN, Clark Gable and Myrna Loy; story of the American hockey circuit by Robert Hopkins and Vicki Baum.

HOUSE OF GLASS, melodrama by Max Marcin; Joan Crawford.

A LADY COMES TO TOWN, by Clements Ripley; being prepared for Joan Crawford.

BEAU BRUMMEL, by Clyde Fitch; planned to star Robert Donat.

I HAD A COMRADE, descriptive of present-day conditions in Germany; by a British nobleman, Viscount Castlerose.

AMERICAN NEWLYWEDS. Introducing a new family series, dealing with a typical young married American couple; now being developed by those who created the Hardy and Kildare series.

MAY FLAVIN, Myron Brinig's novel of an abandoned wife's life struggle.

THUNDER AFLOAT, Ralph Wheelwright and Commander Harvey Haislip's story of submarine chasers during last war; Wallace Beery.

SMILIN' THROUGH, starring Jeanette MacDonald; a triumphant musical version of the immortal heart-stabbing romance.

I LOVE YOU AGAIN, by Octavus Roy Cohen; awaiting availability of William Powell and Myrna Loy.


EARL OF CHICAGO, starring Robert Montgomery; Brock William's engaging, fast-moving story.

THESE GLAMOUR GIRLS, Cosmopolitan Magazine story by Jane Hall and Marion Parsonnet; for selected young female players.

Further HARDY FAMILY and DR. KILDARE productions, continuing the high standard which have established these two great American themes among picture-goers.
BALALAIKA, adapted from the successful London musical by Eric Maschwitz; Nelson Eddy and Ilona Massey, the exotic new prima donna; big scale musical dramatic production.

SUSAN AND GOD. Rachel Crothers' play starring Greer Garson, distinguished for her performance in "Goodbye, Mr. Chips."


WITCH IN THE WILDERNESS, novel by Desmond Holdridge; starring Spencer Tracy; King Vidor, director.

LOVER COME BACK TO ME, based on Sigmund Romberg's "New Moon", starring Jeanette MacDonald, Nelson Eddy.

GO WEST, a comedy of Indians, rodeos and the wild and woolly; now being prepared for the Marx Brothers by Bert Kalmar and Harry Ruby.

A YANK AT ETON, by George Oppenheimer and Thomas Phipps; starring Mickey Rooney, to be produced by our successful unit which just completed "Goodbye, Mr. Chips."

WAR EAGLES, a novelty thriller combining imagination and living actors in a story of patriotic appeal; general treatment like that of "The Lost World" and "King Kong"; unprecedented production cost to bring you a sensational attraction.

BUSMAN'S HOLIDAY, the baffling and delightfully absorbing London murder mystery by Dorothy Sayers; starring Robert Montgomery.

THE LIFE STORY OF THOMAS EDISON Spencer Tracy and Mickey Rooney respectively present Edison as boy and man.

PARK AVENUE MODEL, starring Joan Crawford; vivid, exciting and de luxe drama of a modern maiden in our streamlined generation.

20,000 LEAGUES UNDER THE SEA, Jules Verne's world renowned story in Technicolor.

BANJO EYES, comedy-drama with music for Eddie Cantor.

WINGS ON HIS BACK (title tentative), Myles Connely's breezy, clever comedy story of an aviatrix and aviator; James Stewart.

NICKEL SHOW, "cavalcade of the motion picture business," with a central showman character; a strongly romantic story.

JOURNEY'S END, based on Robert C. Sherriff's famous play; starring Robert Donat.

THE ROSARY, Edward E. Rose's famed stage success.

GREAT LAUGHTER, Fannie Hurst's celebrated novel.

SHOP AROUND THE CORNER, starring Margaret Sullavan, James Stewart, Frank Morgan; directed by Ernst Lubitsch.

(next page says a mouthful!)
SHELL-GAME OR SECURITY!

You can remember the past
You can profit in the present
You can plan on the future
With one company only!

METRO-GOLDWYN MAYER
THE FRIENDLY COMPANY

"Cornerstone of 11,000 Theatres"
GOV'T GRiffITH SUIT HITS SELLING IN S. W.

(Continued from Page 1)

plans to form a buying pool of independent exhibitors. This situation, unusual in the Government’s action, has resulted in a further postponement of contract consideration.

Meanwhile no statements have been forthcoming from Griffith officials who are still conferring with legal aides headed by D. I. Johnston, veteran industry lawyer in the field. Plans for defense are being formulated. It is understood that testimony of the many Griffith partners will play a large role in presentation of Griffith’s defense.

Meanwhile eight subpoenas are being sent to New York City and to Dallas by Federal District Court clerk attaches.

NY Fund Drive Progress

Reported by Pix Chairman

(Continued from Page 1)

he $100,000 goal set in the charity campaign.

Present were Ned E. Dignan, chairman of the Distributors’ Committee; William A. Orr, assistant to Robert Rubin; Charles L. Casare, representing Herman Robbins, chairman of the Allied Industries-Accessories Committee; and Ralph Pousher, representing Herbert J. Slarck, chairman of the Laboratories Committee.

B. S. Moss, chairman of the Exhibitors’ Committee was unable to attend and reported by telephone from California.

Committee heads decided to attend the Midway Report Dinner of the Greater New York Fund at the Waldorf-Astoria next Monday night. Rubin said reports submitted to him indicated that by that date the pix industry will have reached 30 per cent of its own goal.

He called another meeting of committee heads at his office at 2:30 p.m. Wednesday.

CURIOSITY DRAWING INTEREST IN TELE.

(Continued from Page 1)

in the metropolitan dailies, whereas formerly such campaigns were limited to trade journals, has caused the public to flock in thousands to department stores and dealer outlets, but caution, arising from high prices asked for the sets, has been consistently in evidence during the entire week. Consequently, sales have been few. Not one manufacturer-source could accurately estimate just how many bona fide purchases have been effectuated in retail establishments.

It was said the more tele-set-minded prospects have balked at certain additional charges and condition which must be met before a home receiver has been installed. Among the charges in the essential di-pole antenna, similar in appearance to a draftsman’s T-square, which function corresponds with the far simpler wire aerial of the familiar radio. The di-pole has a price range of some $20 to $50 over and above the receiver. There are also installation costs.

An important condition which must be met by homemakers to get set purchasers, and which is being explained to the public generally, is the locale and attending factors for reception. Engineers point out that some of the large apartment houses have already made provisions for adequate reception by tenant set purchasers by installing antennae carefully, as well as providing suitable shafts for cable rods. Thus several sets can work in the same building.

Suburbanites are said to have reception advantage over the apartment dwellers in the closely packed sections of the city.

RED CROSS PIX TELECAST.

Televisioning of the one-reel American Red Cross pix, “Behind the Flood Headlines” by NBC in the Greater New York area through W2XBS will continue daily except Saturdays and Sundays, up to and including May 19. The pix, which went on the air last Monday, enjoys distinction of being part of the first regular public program ever telecast in the U. S. Made for the Red Cross by William J. Gans Co. of New York, it tells the story of the tragic floods in the Mid-West in 1937.

THE TIP-OFF.

Paris (By Cable)—Upon leaving the Biarritz Theatre here on Tuesday night, following the French premiere of Samuel Goldwyn’s “Wuthering Heights,” the Duke of Windsor turned to his Rochester-volt, Goldwyn vice-president, and said: “Well, we will be seeing you in New York.” Statement was held indicative of the intention of the Duke and Duchess to visit New York World’s Fair during the summer.
**REVIEWS OF THE NEW FILMS**

**"It’s a Wonderful World"**
with Claudette Colbert, James Stewart
M-G-M
69 mins.

GRAND LAUGHS SHOW BUILT AROUND MARK TWAIN MYSTERY: ONE OF THE CLEVEREST OF ITS TYPE.

If any showman thinks the day of the zany comedy is over, he wants to take a look at this showman, Louisiana Silly, and change his mind. Perhaps it is doing this clever screen concoction an injustice to label it as zany comedy. But it is entertaining, and if it is silly, I think it is done by the top men, and I am sure I will enjoy it.

**"Juarez and Maximilian"**
with Medea Novara, Lionel Atwill, Conradi Nagel
M-G-M
95 mins.

(HOLLYWOOD REVIEW)
HISTORICAL ROMANCE NEEDS FURTHER ATTENTION TO BECOME EFFECTIVE ENTERTAINMENT.

This picture will require much judicious cutting to become effective entertainment. Authentic Mexican backgrounds are used, but the lighting and camerawork on the exteriors could have been improved. The picture is historically correct and tells the story of the ill-advised Maximilian, Archduke of Austria (Conradi Nagel, who is finally perjured by Napoleon III (Guy Bates Post) to become ruler of Mexico, as a comic romance in which Napoleon is the hero. Maximilian and his wife, Princess Carlotta of Belgium (Medea Novara) are peace-loving people, but the Commander of the French troops in Mexico, Marshal Bazaine (Lionel Atwill) induces Maximilian to issue a decree forbidding the bearing of arms by the natives, this in a band where every other man carries a gun. Popular indignation results against Maximilian and Carlotta. Benito Juarez (Jason Robards) the Mexican patriot, is supported by President Abraham Lincoln (Frank McGlynn, Sr.) and the United States Government. Juarez is pressure to break on Napoleon and he breaks his treaty with Maximilian, thus withdrawing the French troops from Mexico. Juarez leaves for Europe to get aid for his husband, but constant refusals and fears for her husband's safety prove too much and causes Juarez to go into exile. Maximilian's poorly equipped men, and Maximilian is captured and sentenced to death.


CREDITS: Producer, Lionel Atwill; Director, Lionel Atwill.

**"Blue Montana Skies"**
with Gene Autry, Smiley Burnett.
Republic
99 mins.

SWELL AUTRY ADVENTURE WITH FRU SMUGGLERS KEEPS THIRLLS PILING UP.

Nice change of atmosphere for the Gene Autry series, with the western star up in the Canadian snow country where he goes after a cattle-smuggling outfit and lets the bad men going smuggling fur pelts across the border. The four thieves murder Gene's pal, and then the Autry joins forces with a government agent to triumph over the lawbreakers, thus saving the lives of the Canadian Indians who are trapped in the path of the outlaws. The climax has Autry staging an avalanche as he slides rocks through the snow-covered mountains, to trap the bandits who are about to make a getaway in a car with the furs. The Autry fans will like this one, for Gene is at his best, romancing and riding, and doing some sweet singing.


CREDITS: Producer, Harry Grey; Director, B. Reeves Eason; Authors, Norman S. Hall, Paul Franklin; Screenplay, Gerald Gardner; Cameraman, Jack Matra; Editor, Lester Orlebeck.

DIRECTION, Good. PHOTOGRAPHY, Good.

**De Mille Sees Neely Bill Costing Jobs at Studios**

(Continued from Page 1)

De Mille said that he did not believe that radio was a serious competitor of motion pictures. When asked if he thought his own radio program was better than his own picture, "Union Pacific," De Mille asserted that the right kind of program could compete on equal terms with the theater regardless of radio attraction at home. "An exhibitor can't merely announce that he has a certain picture at his theater and expect the public to rush to it unless he has advertised it properly," he said. A few years ago, he added, he asked a number of Paramount theater operators if they thought radio hurt motion pictures. He said one of them stated that radio helped rather than hurt business. The exhibitor then returns to Hollywood tomorrow.

Mrs. Paula Segal Expires
Mrs. Paula Segal, 61, mother and stage actress Vivien Segal, 61, and East 52nd St., of a heart attack.

**SHORTS**

**"The Hunting Dog"**
(Sports Review)

20th Century-Fox
10 mins.

One of the finest dog reels ever produced. Takes you down South to the quail country of Georgia, where we see the training of field pointers and setters and how photography is really remarkable and the dogs are caught at "poin" under all the ground cover and in the thick bushes. The covers of birds are shot and flushed to show the dog at work under conditions that few one doesn't want to shoot at some point. Hunters will go nuts about this reel.

And for the regular dog lover will just love to see beautiful thoroughbreds in magnificent poses, this is one for which they must want to see this and take to the theaters. The story is one that will want to sit down and watch the film with interest.

Arranged by Tom Cunningham. And photography will probably be a dog specialist as well. Film only such can be taken to have these big big photographs.

H. Cooper Cliffe Dead

H. Cooper Cliffe, 76, veteran actor, died at his home here of pneumonia.

"Pop" Spearman Dead

Edmond, Okla.—Billy 'Pop' Spearman, owner of two theaters here, died at his home here of pneumonia.

"Washington Bureau of THE FILM DAILY"

WASHINGTON—National Council for Prevention of War has opened a war of its own, with Herbert Wilcox, former prominent "Edith Cavell," as the target.

In its current bulletin the council declares "there are just grounds for questioning every activity in connection with making of a movie like "Edith Cavell," and says the result will be "a war of censorship, in the absence of international tensions."
"Hello Mr. Exhibitor"

"GOODBYE MR. CHIPS" opens at the Astor, N. Y. on May 16th launching this most talked about attraction in the same showmanship manner which gave nationwide fame to "Pygmalion" (still S. R. O. as it concludes a sensational 6-month run at the Astor.)

While the fame of "GOODBYE MR. CHIPS" (Robert Donat, Greer Garson) spreads throughout the nation, M-G-M exhibitors will say hello to hit after hit. For instance:

Hold-overs are mounting as the "HARDYS RIDE HIGH"! "LUCKY NIGHT" (Myrna Loy, Robert Taylor) starts off with happy-go-lucky crowds everywhere. "IT'S A WONDERFUL WORLD" (Claudette Colbert, James Stewart) rolled preview audience in the aisles. It's socko at the b. o. "CALLING DR. KILDARE" (Lew Ayres, Lionel Barrymore) thrills opening engagements and establishes Dr. Kildare as another Hardy series. And that's just a few in coming weeks!

Goodbye Mr. Exhibitor, you're in the chips as usual with Mr. Leo.
SEC Reports Reveal Execs' Stock Deals

(Continued from Page 1)

has disposed of 10,000 shares of 20th Century-Fox common stock and now holds 108,943 shares. Wilfred J. Eade reported acquisition of one share of 20th Century-Fox common stock. Schenk also filed a report for December, 1957, revealing dispositions of 2,622 shares of common stock as a gift. In the $1.50 cumulative preferred class Schenk reported no changes with 25,294 of his total shares.

Warner Brothers report reveals Jack L. Warner had acquired an additional 5,800 shares of common raising his total common stock holdings to 98,560 shares. Sam E. Morris holds 3,000 shares of common, it was reported. Jack L. Warner and Schenk reported acquisition of 210 shares of $3.85 cumulative preferred bringing his total in this class to 15,000 and reported holding $1,183,000 of optional six per cent convertible debentures. Morris disposed of $25,000 of the debentures, it was reported, and now holds $15,000 in the debenture class.

Report of Columbia Pictures reveals Jack Cohn has acquired 158,000 shares of common to bring his total to 555 shares and has also added 771 common voting trust certificates to raise his total to 11,521. A December, 1957, report states Cohn disposed of 157 of the certificates at that time as a gift. Abraham Schneider has acquired two additional certificates to give him a total of 104. All of the increases in Columbia stock were as a result of a cash dividend.

Loew's, Inc. reported Leopold Friedman has added 200 shares of common to raise his total to 15,000 shares common while J. Robert Rubin reported disposition of 700 shares of common, leaving him 33,475 shares common.

Boston Theater reports show the parent company has added 17 additional shares of common to bring its total holdings in the subsidiary company to 99,687 shares of common.

John D. Hertz reports no holdings in Paramount Pictures common stock but acquired and now holds 100 shares through Lehman Bros.

Charles D. Prutzman, Director of Universal Pictures Corp. common voting trust certificates and no equity holdings in Universal Pictures Corp. and subsidiary.

Film Execs. Seek Revision of Britain's New Duties

(Continued from Page 1)

picture executives went yesterday to customs authorities to place before them their objections.

Prominent in the deputation were representatives of U. S. distrib- and other American picx interests who have joined forces with the British wing of the industry to seek satisfactory adjustments in the new budget levies.

Allievation of some sort will probably be extended by the Govern- ment to the newreel companies, which have been hardest hit by the regulations, it is reported here. Satisfactory concessions are imperative, newreel officials declare, if their companies are to carry on. Throughout the current week meetings are set between the film industry and customs authorities.

44 Dates Set for "Rose"

Total of 44 dates have been set for 20th-Fox's "Rose of Washing- ton Square," practically all for May 12, national release date, and one week after the Kentucky Derby meet.

Universal filed reports for Febru- ary and October, 1938 with the SEC. February report states $2,000,000 worth of demand notes payable to Universal Corp. have been exchanged for $2,000,000 worth of notes due February 26, 1941. Notes bear interest at 6 per cent and are unsecured.

Annual report of Keith-Albee Orpheum Corp. filed yesterday re- veals it had a net profit of $996,963.30 for the consolidated net profit of $409,899.86 on unaudited statements. Income on consolidated report was $644,929.07, $6,427,880.76 on consolidated statement.

ASCAP Marking Time on Television Policy

(Continued from Page 1)

in the case of tele is said to be identical with that formulated for sound films and radio were in the stages of early growth to aid programing instead of re- stricting or discouraging it.

Ascap, it is pointed out, has traditionally supported tele drama from contracts, with its mem- nor is there any such clause agreements with the broadcast interests. Latter pacts cover radio broadcast performance right.

Further, informing channels a Ascap does not represent the rights of members, and that if when tele becomes commercial, musical copyright owners the one which decide who is to rep- sent them.

Checkup on the Ascap assimi- toward tele came in wake of the hot Ascap mach is contending the present N programs termed experimental, a no infringement, since Ascap are linked with public offering of tele receivers.

Ascap meets this view by holding its purposeful lack of j udiction and cites that with so $20,000,000 sunk into U. S. tele experimentation, would be able to raise the issue fees at some stage when a future good custom market is seeking to perfect a pot- tially huge commercial field. Ascap reports for a stewardship of certain music publishing inter- toward the Society's availability. It was said this subject has been a well of discontent, on part of top bracket as well subordinate members. Ascap, it declares, does the best it can divide revenue, and no formula has been devised, it is added, well is better than that in force.

Ascap sources said yesterday that have been filed against the Society by Various Music, Famous Music, Sant Joy-Select, Southern Music or David, Inc., which suits have been rumored.

1938 U. S. Film Exports to Australia Show G

WASHINGTON, D. C.—Picture f exports to Australia in 1938 re- ned a gain in the amount of film imports in the first four months it is revealed by the Commerce Depart- ment in a report on Australian trade.

U. S. exported 11,533,000 lin- feet of film in 1938 to Australia as was reported compared to 10,60- 000 in 1937, for a gain of 927,000 linear feet. This w also higher than 1936 exports with 1,020,000 linear feet.

Value of the exports in 1938 w $275,000 compared to $282,000 in 1937, representing a drop of $7,000. Figure for 1936 value was $269,000.
Tele Receiver in Little Carnegie

Management of Little Carnegie Theater has in operation a tele receiver which is picking up programs of NBC's telemobile unit. The set, which the house claims is first to be used in a pix theater here, is located in the dance room.

150 Registered as Mono.
Opens Chicago Sessions

(Continued from Page 1)

president for sales. A reception and cocktail party is to be held at the Chicago exchange headquarters, 843 W. Randolph Ave., with Henry E. Elman as host.

Tonight, business discussions will follow a franchise holders' meeting and an advisory committee dinner.


Id Wants Tele Regulations
Wait on His Inventions

(Continued from Page 1)

said that the hurdles which would have to be bridged before television could be widespread and safely used are: Horizontal limitations of transmission which preclude service to all the hazards to the home caused by high voltage used in present receiver circuits.

old patents cover a new transition method on the present broadcast band, it is said.

STORKS!

London—Laura La Plante, wife of actor Jack La Plante, gave birth to a son on Tuesday at the Don Nursing Home. This is their second child, a daughter having been born to them in 1938.

Bondy Gets Cassel's Plea
To Stay Debenture Swapping

(Continued from Page 1)

days after the U. S. Circuit Court passes on Cassel's appeal.

Cassel applied on behalf and for his bondholders in a similar situation.

Company holds some $300,000 in Gold Debentures.

Judge Bondy will hear application in Federal Court tomorrow after

noon at 2:30 p.m., in Room 1306.

Paragraph 4 offers to debenture holders the alternative of taking preferred shares rather than preferred and common. Cassel claims that if forced to elect now, it will no longer possess debentures, and will therefore lose right to appeal.

Further, that no underwriting agreement will be submitted until after appeal, and that it cannot determine which conversion right is the more advantageous until the agreement is inspected.

John Dittman Dies

Chicago—John Dittman, veteran theater owner of Freeport, I., is dead. His wife and daughter survive. Executors will continue the Dittman theaters.

20TH-FOX NET MAY
EXCEED 1938 LEVEL

(Continued from Page 1)

expects to be here about two weeks on business.

Schenck commented that although earnings for the first quarter had been slightly better than last year, a number of charges have been written off as a precautionary measure, thus occasioning a $400,000 drop in net. This difference will be more than offset during the balance of the year, he stated.

While the company's budget has been fixed and the product lineup completed for the year, 20th-Fox is prepared to cope with any emergency, Schenck declared.

The exec. said that if he could hope he would be able to attend the national Allied convention in Minneapolis in June, but feared that he would be forced to remain at the studio throughout the Summer.

“The Warning” for Criterion
Alliance Films will present "The Warning" in its American premiere starting today at the Criterion. Picture deals with the preparations being made by Great Britain to safeguard the lives and property of its civilians from all types of invasion.

N. Y. Legislature to Quit
Albany—N. Y. State Assembly will adjourn May 12.
A GREAT BROADWAY SHORT STORY.

CAPITOL THEATRE PLAYS

3 COLUMBIA SHORTS ON SAME BILL

This Week!

"JOHANN STRAUSS WALTZES"
(COMMUNITY SING #8, 3rd Series)

SCREEN SNAPSOTS #9

"THE HOUSE THAT JACK BUILT"
("COLOR RHAPSODY" CARTOON)

Columbia's shorts will round out any program on any Broadway in America! Book a ticket-selling short today!
Billings Give Universal Record Week

Universal's billings for last week were the biggest in the history of the company, according to William A. Scully, general sales manager. He yesterday announced that the Eastern division had won the East-West sales drive. The campaign, which ended last week after a three-month stretch, also set a new record for billings and business.

Eastern Allied Units to Meet Here May 23

Frank Lydon, Eastern regional vice-president of Allied, has called a conference of the Eastern units to be held at the Hotel Astor, New York, on May 23. The meeting will be held in conjunction with the New York Allied convention and exposition.

While the purpose of the session was not disclosed, it is believed that

(Government Offices)

Norwegian Private Exhibition on Wane

American pictures lead all others in Norway with French films now second in popularity, replacing the German movies that formerly were shown there in a large number. Rolf Stranger, vice-president of the Board of Oslo Cinemas, told THE FILM DAILY yesterday, Stranger returns to Europe this week-end.

Tele Rights of Its Members Vested in It, Ascap View

An official resolution was adopted at yesterday's meeting of the Ascap board of directors that all television rights of its members are vested in Ascap and that it will administer such rights when applicable.

E. G. Mills, chairman of Ascap's

Metro, Adding Stars and Properties, Plans 44 to 52 Features for 1939-40

Metro, revamping its 1939-40 product lineup as a result of recent acquisitions of top-flight "names" plus valuable play and story properties and the strengthening of casts, will deliver from 44 to 52 features, it was announced yesterday.

Amplified lineup calls for Eddie Cantor's M-G-M debut in "Banjo Eyes," comedy-drama with music; Fred Astaire's co-starring appearance with Eleanor Powell in "Broadway Melody of 1940," and Edward...
Formal Dismissal Order Ends Divorce Suit

Fargo, N. D. — A formal order dismissing the action brought in the District Court here by Samuel A. Alcoholic, President and Publisher; Donald M. Mersereau, Secretary-Treasurer, for alleged contempt of court, was filed in the Federal Court here today.

The U. S. Supreme Court, to which the case had been appealed after a special court had upheld the legality of the law, sent down a mandate granting a motion of the appellee and reversing the ruling of the Fargo court on the grounds that the action was improper, and remanding the case with instructions to dismiss the action without cost to either party.

This action was taken because the 1930 North Dakota legislative session had repealed the divorce act while the appeal was pending before the Supreme Court.

The order for dismissal accompanied the mandate and signed by Judges John B. Sanborn and George T. Sullivan of St. Paul and Seth Thomas of Fort Dodge, Iowa.

Montreal Police Seize Nazi Film Shown in German Club

Montreal—Montreal provincial police raided the Harmonia Club, a German-owned club in Montreal and stopped the showing of a Nazi film, "Pour Le Merite," after the first screening had been completed and the censor review of the film. No arrests were made.

Police said the film was seized because it had not passed the Quebec board of censors and because the club held no license permitting it to charge admission to a motion picture presentation. About 200 Germans invited by the German consulate were present when the seizure was made.

Attorney General's department is studying further action. Comment was refused by the German consulate.

GNY Fund's Exhib. Com. Nears the End of Its Stint

Exhibitors' Committee of the Motion Picture Division of the Greater New York Fund drive has virtually concluded its specific portion of the local industry's campaign, which was asserted yesterday by Chairman B. S. Moss.

Said a very substantial amount toward this committee's goal had been realized through the generosity of film theater employers. He asserted that these campaigns are the Bologna houses, Schwartz Circuit, Brantl Theaters, and R. R. Fisk and R. B. Becker, the Interboro Circuit under Samuel Strausberg.

More returns from the exhibitors are expected to be in early next week.

Third for "Grand Illusion"

"Grand Illusion" is being held over for a third week at the Waldorf Theater starting today.

Columbia Conventioneers to Atlantic City Sunday

Columbia home office execs., topped by Jack Cohn, and Abe Montague, foreign representatives from the New York Exchange, will leave at 3 p.m. Sunday from Pennsylvania Station for Atlantic City, starting on Monday. Two special Columbia cars will be attached to the regular train arriving in Atlantic City at 6 p.m.

The Atlantics, Charlotte, New Orleans, Oklahoma City, Cincinnati, Cleveland, Pittsburgh, Boston and Buffalo branch representatives are scheduled to arrive on Sunday morning. Delegates from Dallas, Memphis, Washington, Albany, New Haven and Philadelphia will arrive during the afternoon and evening.

Conciliation Board Formed to Tackle N. S. Grievances

Halifax, N. S.—Nova Scotia exhibitors have agreed there is no need to bring the recent regulatory bill into force and are expressing that decision to the government. Instead, a conciliation board has been created consisting of two distributors, two circuit and four other theater members.

J. R. O'Loghlin and Leo M. Devနevar of Toronto represented the distributors at a conference held here Wednesday. The bill had been passed by the Provincial Parliament but not proclaimed as law and it is possible it may be repealed at the next session.

"Young Mr. Lincoln" Debut Will Go On Via Mutual

World premiere of 20th-Fox's "Young Mr. Lincoln," at Springfield, Ill., on the night of Memorial Day, will be broadcast over Mutual's Coast-to-Coast network of 41 stations. William A. Wellman, who directed the picture, and an Anderson, Negro contrato, will be heard on the broadcast as will other celebrities attending the premiere. The broadcast will originate in the Fox-Lincoln Theater in Springfield.

Bill to Conserve Child Actor's Savings Okayed

Sacramento, Calif.—Assembly Judiciary Committee has recommended passage of the child actors' bill which would give the court approving a child player's contract the power to set aside half of the juvenile's earnings in a trust fund or some other form of savings.

Anybody knowing the present whereabouts of Mr. Arthur Robert Bowdler please communicate with Box 5000 THE FILM DAILY 1501 Broadway New York City

COMING AND GOING

LOUIS B. MAYER left the Coast last night for conferences here at the home office with Metro President Nicholas M. Schenck.

JOHN HAY WHITNEY, board chairman of Selznick International and JAMES BOOYER, vice-president of Samuel Goldwyn, Inc., left the Coast early yesterday for the Queen Mary.

CHARLES PERRY, of the Adams and Detroit, returned there last night after three days in the Pacific Northwest.

DOUGLAS FAIRBANKS and his wife are the Waldorf-Astoria.

JOAN BENNETT leaves for the Coast today after a short stay here.

LESHER SAMUELS, writer with GB in England, is here on route to Hollywood.

SHIRLEY TEMPLE sailed from the Coast yesterday for a vacation in Hawaii.

JOHN BYRAM, of Paramount's New York production staff, sails for Europe next week.

ROLF STRANGER, vice-president of the Film of Oslo Cines, sails for Europe this week.

WARREN WILLIAM is on route here for the Coast.

DeVry Shoves Expansion Plan for Chicago Plant

Chicago—Plans for an addition to the Chicago DeVry plant have been temporarily shelved.

Company channels also are being considered by the board of directors, on the next big move, the next 16 mm. professional model projector which will hold 4,000 feet of film as contrasted with old model which held 1,000 feet.

First showing in New York of new model is slated to be held the shortly.

THE THEATRE

George Abbott Productions

"There have been a number of good girl and muscle shows in town of late, but this is by all odds the best musical that has come to this city for a long time. It's "Flirt, Friz-Tob."

George Abbott—Rodgers and Hart

The Boys from Syracuse with Jimmy Wynn, Eddie Teddy, SAVO MURRAY ALBERT HARRIS, ALVIN, W. 52d St. Mat. Wed. & Sat. COLUMBUS 5-1114

"The loveliest, roughest, toughest, tenderest, dirtiest, most decadent, and eer- tainly funniest play for your money put on sale this season." — George Jean Nathan, N.Y.T.

PRIMROSE PATH

By Rob L. Beckner and Walter Hart with Helen Batty, Mary Russell WESTLEY GARRETT MAURICE HARRISON WYATT, 476 W. 47th St. Mat. Wed. Sat. 900-9064

"There's a Scintillating Pleasure...Atkinson, Times!"

WHAT A LIFE

With EZRA STONE as Henry Aldrich

MANSFIELD, 47th St. Mat. Wed. Sat. CIRCLE 6-0640

PROGRESSIVE FILM LIBRARY

STOCK SHOTS of Every Saleable Adaptation Conspicuously Catalogued.

729 SEVENTH AVE., N.Y.C.

ENLARGEMENT 35 MM. PUBLICITY PHOTOGRAPH SERVICE.
Did Somebody Say Something about CONSISTENT DELIVERY?

Who else but WARNER BROS. offers not 1, not 2, not 3 but 4 TREMENDOUS ATTRACTIONS RIGHT NOW!

**Confessions of a NAZI SPY**
Sensation of Sensations at the N. Y. Strand!

**JUAREZ**
Absolute sellout at $2 - top at the Hollywood, N. Y.!

**DARK VICTORY**
Radio City hold over — ditto in practically every spot!

**DODGE CITY**
The extended-time special! Matching ‘Robin Hood’ everywhere!

Who else but WARNER BROS. shows A FULL-YEAR RECORD LIKE THIS!

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<td>THEY Made Me a CRIMINAL</td>
<td>DEVIL'S ISLAND</td>
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<td>EACH DAWN I DIE</td>
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JACK L. WARNER in Charge of Production • HAL B. WALLIS Executive Producer

(Dare ’em to compare ’em! It’s the Fair Way!)
NEELY OFFERS NAT’L DAYLIGHT SAVING BILL

(Continued from Page 1)

fusion on the theory that “if we have to have daylight saving, have it everywhere, on a national basis.”

Film channels yesterday, in discussing the new Neely daylight saving measure, asserted that it is right, in many parts of the nation where the practice is not in force, will strenuously oppose the bill’s provisions on the ground that the extra hour of daylight will mean curtailed attendance at the pitt theaters.

In New York State, there has been a notable gain in cities and towns observing daylight saving this year. Syracuse, long a holdout, swung into the daylight column, and cities and towns in Central New York generally followed its lead. Other places in Western and Northern New York also switched from Standard Time. Approximately 50 upstate cities are on daylight saving time; villages have turned to “new time” number approximately 115.

Daylight saving time on a national basis, it is estimated, might cut into exhibitor revenues from 10 to 25 per cent, contingent upon operating policy.

“U” Buys “Lone Ranger” as Serial for 1940-41

Universal has acquired the rights to “The Lone Ranger” which will be serialized for the 1940-41 program. The character currently is portrayed in serials being produced by Republic. Universal also has bought rights to “The Green Hornet,” also owned by George Trendle, for a serial to be made on the 1939-40 schedule.

William A. Scully, Universal sales manager, said yesterday that a survey of 84 towns of comparative size indicated that towns with definite business builders and Universal would concentrate on quality product of this type.
1939's greatest adventure comes thundering to your door!
GENERAL RELEASE MAY 25TH
Pre-Sold in 21 National Magazines

including Saturday Evening Post * Collier's * Liberty * Life * Look * Time * Photoplay and all fan magazines

With this advance selling, get ready to give this show everything you've got...

Howard Hawks' Production

Starring

Cary Grant * Jean Arthur

Only Angels Have Wings

Thomas Mitchell • Rita Hayworth • Richard Barthelmess

Story and Direction by Howard Hawks

Screen play by Jules Furthman

A Columbia Picture

Printed in U.S.A.
SEU GETTING FED UP

MEXICAN FEATURES

(Continued from Page 1)

ling the center of interest by
s. distributors, and major exec. opin-
ions to variance on the comedy
producing Spanish language films
by the Peruvian report attracted
d and attention here yesterday.

According to Clark, Spanish dia-
pix, especially those made in
xico, have lost considerable
, due, first, to increased ren-
and, secondly, to native disad-
with their themes. While
is continued booking is expected
cause of the language factor,
ican imports this year have de
(as on the p.p. tosm. Joe
ley of Perry, and due for in-
duction by the Assembly Speaker
Clay D. Heck.

Exhibs. are barred from leasing
allowing usage theaters for as-
msage of persons dressed in uni-
ings, resembling those of con-
critions or organizations, with stif-
ally of $1,000 for violations on
of exhibs, or theater managers.

Exception is granted film players
araterizing officials of a foreign
tate, nation or government as part
their work. Bill would become
ctive immediately.

Enactment of the legislation will
vent future theater assemblies
iformed bund groups through-
the state.

"Nazi Spy" Big in Conn.

New Haven — Warners "Con-
ensions of a Nazi Spy" opened
the open Sherman Theater here
ednesday to record box, will hold over
second week, with a third
early practically assured.

Harlow Funeral Held

Indianapolis — Funeral services
held here yesterday for Mrs.
Amaryllis Harlow, 74, veteran of
the Kinema Theater here, who died
Miami, Fla. The Hamilton The-
er is operated by his daugh-
r., Mrs. Grace D. Wolfard.

REVIEW OF NEW FILMS

(Continued from Page 1)

ings of two new productions, a din-
er at Earl Carroll's restaurant-the-
er Sunday night and a matiné to
the San Francisco World's Fair Th-
ursday.

Harry Pickford is slated to greet
the delegations from all exchanges
at a lawn party Sunday. Business
meetings get under way Monday
when the various producers will out-
line their production programs for
the season. Sales conferences are
scheduled for Tuesday and will be
continued through Wednesday.

Opening session will have add-
dresses by Silverstone, Harry Gold,
Eastern general sales manager;
Jack Schlaifer, Western general
sales manager; Arthur W. Kelly
and Harry D. Buckley, vice-prexies,
and E. T. Carr, UA's joint manag-
ing director in England.

During the UA-Hollywood session,
1939-40 line-up will be announced
and Monday evening, the delegates
will be shown Alexander Korda's
Technicolor production, "Four
Feathers."

Tuesday morning, Edward Small's
"The Man in the Iron Mask," will be
screened. This will be followed by a
summarization of next season's ad-
vertising and exploitation plans
by Lynn Farnol, ad-publicity direc-
tor and Monroe Greenthal, exploita-
tion director.

On Tuesday afternoon, Harry
Gold and Jack Schlaifer will open
sales conferences. These continue
Wednesday.

The Convention Special will leave
San Francisco on Thursday night
for the East.

Wanger Signs Loretta Young
As One of "Whose Wife?" Stars

West Coast Bureau of THE FILM DAILY

Hollywood — Warner announced
eyesterday that he has signed
Loretta Young for the roles of the
three stars to head the cast of "Whose
Wife?" which will be the first pic-
ture of that title to be produced.

It will be directed by Tar Gar-
nett, from a screenplay by Gene
Towne and Graham Baker.

702 Opens Negotiations
With Producers, Mecca

Negotiations with Producers and
Mecca laboratories have been opened
by Local 702, lab. technicians' union,
under terms that are to provide for
all eastern laboratory workers. A con-
tract with De Luxe was recently
ratified by the union and nego-
tiations with Consolidated are also
under way.

"Only Angels Have Wings" to
Debut at Music Hall

World premiere of Columbia's
new production, "Only Angels Have
Wings," will be held at the Radio City Music Hall
on next Thursday, when puj begins
engagement there. Film co-stars
Cary Grant and Jean Arthur.
the RCA-Victor receivers which are currently quoted at $69.50, the model to be added by this week, is the TT-5 to the $600 console model TRK-12. The two intermediate RCA models, TRK-6-S and TRK-6-P, sell for $395, and $350, respectively, in cash, cost respectively $295 and $245. GE demonstration sets are currently being shown at company's exhibit at the New York World's Fair.

Philco, it is understood, will formally announce prices at company's convention on June 10 at French Lick, Ind., and be prepared to market initial line of models.

Baird Television has not yet formulated a definite policy as to whether it will market home receivers in the U.S., at present concentrating on the theater field. In England, Baird is selling home receivers which range, in U.S. currency, from a table model at approximately $183.75 to a console model at $283.75. There are also five intermediate models.

Two models of DuMont Television are being demonstrated in the New York area, a table model at $395 and a console model at $550. It has been recently declared that company's full line current models would range from about $200 to $445.

The company is demonstrating a wide assortment of receivers which will shortly be marketed. At present are available in retail stores kits at about $70, without tubes, and $135 with tubes.

Westinghouse, which is demonstrating sets at the New York World's Fair, will hold a showing for dealers and the press next week, probably at the Electrical Institute. Company's announced models range from the table model at $199.50 to a large console model at $600. There are also intermediate console models at $295 and $450.

Stewart-Warner Corp. is rushing completion of their sets, which will cost about $400. Chicago dispatch yesterday declared that organization is to give an early showing in the New York market.

Crosley has a certain number of sets, but is not prepared to go into mass production. Company has applied to FCC for a tele transmitter in the Cincinnati area.

Zenith has no definite marketing program.

Lohr Believes Television Covering Country Possible

Chicago—Lenox R. Lohr, National Broadcasting Co. proxy, in a statement here expressed the hope that television networks covering the nation might result from use of the new "rifle bullet" technique, a recent development which transmits tele by micro-waves, together with the use of search lights at intervals of 15 miles. By this means, he said, it might be possible to transmit television from New York to Chicago without the use of coaxial cables. Booster stations would cost around $500 each and they would not need to be attended.

Lohr will start transmitting in Chicago until the outcome of the New York tests are learned, Lohr stated, options taken by the company on the use of the Civic Opera and the Board of Trade Towers here being "merely a protective measure." He also stated that "television may come much faster than we realize."

He expressed the hope that movie studios would devise a technique for making inexpensive pictures for television program.

Anthony Leases Quarters for Coast Tele Station

West Coast Bureau of THE FILM DAILY

Los Angeles—Earl C. Anthony, owner of KFI-AM, has leased the 14th floor of Bekins Storage Bldg. in Hollywood for an experimental telecast station, according to announcement by General Manager Harrison Holloway. Two towers will be used for visual and sound telecasts. The station will broadcast with the FCC to operate with 1,000 watts on 42,000-56,000 megacycles.

Ge, Philco Prepare to Market Tele Sets (Continued from Page 1)

Exhib. Visitors Already Using RKO Fair Lounge

Formal opening of RKO's reception and lunch room for visiting exhibitors to the World's Fair is slated for next week, although visitors already are utilizing the spacious quarters. Two receptionists, Frances Smith and Adele Purcell, are on hand to give assistance to the out-of-towners.

H. M. Rich, director of exhibitor relations for RKO, has moved his office to the lunch rooms, and he expects several hundred exhibitors to register by June 1.

Teile Stock Application

Washington Bureau of THE FILM DAILY

Washington—Majoristic Radio and Television Corp. yesterday filed application with the SEC for registration of 200,000 shares of $1 par value capital stock on the New York Curb Exchange. Stock is to be registered upon notice of issuance.

Amer. Seating Loss $55,688

American Seating for the March quarter reports a net loss of $55,688 as compared with a net loss of $30,051 in the first quarter of 1938.

DuPont Quart. Profit $395,751

DuPont Film Mfg. Co., reports a profit for the first three months of 1939 of $395,751 as against $329,937 for the same months in 1938.

Reisman Promotes Four in RKO's Foreign Setup (Continued from Page 1)

pointed manager of the territory comprising Central America, Cuba, Mexico, Puerto Rico, Panama and some of the northern countries in South America.

Ben Cammack, who has been in charge of the Latin American territories, has been named assistant to Reisman.

Leon Britton, now manager for China and Japan, has been given a wider territory, including the Far and Middle East.

Nat Liebeschid, present manager for Argentina, has had his area increased to include Uruguay, Brazil, Chile, and Peru.

Neb.-West. la. MPTO Plans Meeting Late in Month

Omaha — Charles E. Williams, president of the Nebraska and Western Iowa MPTO, announced yesterday that a meeting of the organization will be held at the $1250 hotel, and Neely will be held the latter part of May.

Williams is awaiting word from members of the organization's board of directors to determine whether a general meeting will be held, in Omaha, or whether exhibitors will gather at regional sessions.

Actor Unions Battle Today Over Tele Jurisdiction

Four major actor unions will meet today in the offices of AAAA in an attempt to work out television jurisdictional difficulties. In addition to the AAAA, AFRA, Equity and AGMA will be represented. SAG may be drawn into the negotiations.

Roxy to Pay 37½ Cents

Board of Directors of Roxy Theatre, in its meeting yesterday declared a quarterly dividend of 37½ per cent on the outstanding Preferred Stock of the Corporation, payable June 1, to stockholders of record at the close of business on May 18.

Mayer Quits Pathes News

Peter Mayer, West Coast editor of Pathes News, was reliably reported last night to be resigning from that post to leave this week-end with Herb Kline, producer of "The Crisis," to Europe for production of a documentary film.

CFl Quarter Profit $217,733

Consolidated Film Industries and its parent company both by the March quarter this year report a profit of $217,733 as against a profit of $157,681 for the same quarter in 1938.

McPherson Leaving NSS to Distribute "Movie Cash"

(Continued from Page 1)

states. His association with Di-Beck, of Chicago, McPherson has organized Macbeek Distributoi Inc., with headquarters in Los Angeles.

"Movie Cash" is a new business-stimulation plan owned by National Wide Coupon Distributing Co., which is headed by Morton V. Prang.

McPherson will open offices in St. Francisco, Portland Ore., Seattle and Denver. It is reported that a number of prominent Chicago businessmen are interested in the Macbeek company.

Jack Kissch, Illinois Allied press is arranging McPherson and Be a testimonial dinner at the Congre Hotel Tuesday night.

From, Long with Metro, Dead; Coast Rites Tod

(Continued from Page 1)

since 1925 when he was appointed office manager in Pittsburgh. I was the Atlanta manager 1927 and was transferred to San Francisco branch in 1936.

Serious illness about six months ago made the position necessary for him to come inactive. Langan Winges, was appointed branch manager succeed him about a month ago.

Norwegian Private Exhibition on Way (Continued from Page 1)

Strange said that now only about five per cent of the theaters in Norway are being covered, and it is probable that these houses would be taken over by the cities in which they were located in the near future, virtually ending private exhibition.

The Norwegian excise stated that six to six pictures would be produced in Norway this year, in addition to an educational program. Improvement of economic conditions in Norway and throughout adjoining Scandinavian countries has helped a considerable amount of the past year, and further improvement is looked for, he asserted.

American equipment is general initiated in the Norwegian market, Strange said. He reported that when construction on a new theater in Oslo was completed this year would bring the total of first-class houses in the city itself, exclusive of suburbs, to 20.

Kr. Aamot, managing director Oscar Cinemas, and Gunnar Fo-berg, managing director of Ko-nunnes Filmcentral, Oslo municipally-controlled circuits, who arrive here on the Bereagsworth for another week to 10 days.

Friday, May 5, 1939
For the Big Race!

William Woodward's

JOHNSTOWN

The Bookies' Favorite

Paramount's

"THE LADY'S
from
KENTUCKY"

The Bookers' Favorite
23 OF 30 MONOGRAM FEATURE TITLES SET

(Continued from Page 1)

anniversary Specials, 12 Box-Office Attractions and as many Showmen's Success Series.

Among the more ambitious productions listed for the new season are: "In Van Wyck," based on the Washington Irving story; "Queen of the Yukon," by Jack London; "Son of the Navy," by Grover Jones and True Boardman; "His Father's Son," by Matt Taylor; "Oliver Twist," a screen version of the Charles Dickens classic; and "Under Northern Lights," inspired by the music and lyrics of Charles Wakedfield Cadman.

"Freckles Comes Home," continuing the Jeannette Stratton-Porter series, will be made on a large budget.

Karloff, Trent in Series

Boris Karloff will be seen in four Mr. Wongs—Mr. Wong Vanishes, "Mr. Wong in Chinatown," "Mr. Wong in New York.

John Trent will continue as Taulspum's Tommy in four—"Aces of the Air," "Transcontinental Plane," "Danger Flight," and "Sky Patrol."


Frankie Darro also will be seen in four—"Arm of the Law," "East Side Kid," "Teen Gang of Mine," and "Boys of the City.

Tex Ritter will play in eight westerns as will Jack Randall. Two of the action dramas in which Randall will appear are based on James Fenimore Cooper classics, "The Pathfinder" and "The Pioneers.

The eight reissues will star John Wayne.

Prexy Johnston will bang the gavel at 9:30 a.m., introducing Mayor Edward J. Kelly, who will be followed by Ed Kuykendall, MPTO prexy; Harry F. Jaffe, JPEG; John M. Stringer, Illinois Allied; Morris Leonard, MPTO of Illinois head, and Henri Elman, host.

Weeks, Dunlap to Speak

George W. Weeks, vice-president of distribution, will review current progress. 1933-40 production plans will be discussed by Scott R. Dunlap, vice-president of production, after which Weeks will again take the floor to point out the highlights of the new program.

Louis S. Lifton, director of advertising and publicity, will inaugurate the afternoon session, and will be followed by Lloyd Lind of the contract department; Floyd Williams, William Shulman and Sidney Spiegel of the Esaness Circuit; and William Jaffe of Rosenbalt & Jaffe, Mono, legal counsel.

Martin Spellman will be introduced by Johnston.

Joe Alperson, John Frankoni and William Hurbut are to be heard before Edward A. Golden, vice-president of distribution, closes the session.

The agenda for tomorrow morn-

Take the Center of the Stage at Monogram Conventino

W. RAY JOHNSTON  ED KUYKENDALL  EDWARD A. GOLDEN  GEORGE W. WEEKS  SCOT R. DUNLAP

These four company execs, and the MPTO's prexy, among others, will be seen and heard at the Monogram sales convention, opening today at the Drake Hotel, Chicago.

"Union Pacific" Special

Due at Weehawken Today

"Union Pacific" special, heralding Para.'s Cecil B. DeMille pix from Coast to Coast, is scheduled to complete the East-bound trip this afternoon, arriving at Weehawken, N. J., after a final stopover at West Point earlier in the day. On board are Lynn Overman, Brian DePatie, Patricia Morrison, William Henry, Evelyn Venable, Robert Preston, Anthony Quinn, Shelley Darcy, Judith King, Luana Walters and Evelyn Luckey. The party is head-


Radio broadcast over Station WMCA will emanate from the outer lobby of the Paramount Theater in Times Square from 8 to 8:30 P.M. tonight. Martin Starr, WMCA commentator, will emcee.

Coleman Hearing Today

Springfield, Mass.—Charges that George W. Coleman, former manager of the Arcade Theater, was discharged for union activity and a petition that he be reinstated with back pay will be heard here by the State Labor Relations Board today.

Judge Clancy is expected today to refer the Government's application to the judicial board. The bill of particulars, since its submission by the D. of J. has been under constant critical fire of industry legalists who have termed it a "rehatch of the original complaint" and, in reality, no bill at all.

Hungary Moves toNazify Domestic Film Industry

Budapest (By Cable)—New anti-

Jewish laws voted by the Hungarian Parliament will drastically affect the domestic motion picture industry. Statutes provide, among other things, that Jews may hold no lead-

ing position in cinema, theater or journalism. Only exemptions are Jews whose forefathers have been Hungarians since 1848 and who have possessed Christianity in 1919 or before, and Jewish war veterans.

Rosenthal Opens Office

West Coast Bureau of THE FILM DAILY

Los Angeles—Aaron S. Rosenthal, former comptroller of Grand National studios, has opened his own accounting and tax consultant office here.

WB Subsidiary Passes

Albany—Warner Bros. Stage Productions, Inc., New York City, has filed a certificate of voluntary dissolution in the office of the Sec-

etary of State.

Alperson, Ezell Organize Contest Nite Corporat

(Continued from Page 1)

short subjects in connection with the new legal cash award contest known as "You Title the Song" or "Tests." Subjects will be produced with an eye to novelty of presenta-

tion. Each subject will be a minia-

ture motion picture production ru-

ning approximately 350 feet in a well written, unitted, unpub-

lished song. Theater will offer cash and other awards to patrons by titles selected by judges as best and original titles for so-

contained in each subject.

Sue Hastings has completed in-

which were photographed in natural color. Original music and lyrics for the untitled, unpublished songs in initia-

series were written by Morg Creel and Hal Borne.

Contest Nite subjects will be distributed through franchise hold-

and a number of territories have already been closed. Negotiations pending for the rest of the country. Canada and other foreign countries. Exploitation men will handle c-

operative exploitation campaign with theaters.

Kimmel, Order Asks $380

Order was issued yesterday before Justice Aaron J. Levy in the Bronx County Supreme Court to the case of Joseph Kimmel vs. Abrahm I. Kindler and the Empire-St-Motion Picture Operators union asking that Kimmel be paid $380 back salary as per direction of a court in a previous decision order-

ing the defendants to pay Kimmel his salary weekly until he had been restored to his job. Kimmel was also previously paid the sum of $712.50 a court order.

Rex F. Glasson Dead

Detroit—Rex F. Glasson, 46, a count executive of Brodick, in makers of sound slide films, died Providence Hospital from pneu-

monia. His widow and four children survive.

New Quarters for Metro?

Cincinnati—M-G-M are con-

sidering new quarters, and will lease a new office building adjacent to their present quarters in Film Row according to report.
N. Y. Allied Sponsoring Open Forum on Code May 25
IA'S MINIMUM OF 32 FOR 1939-40 TO SET RECORD
Columbia Policy Seen Aid in Handling Code Disputes

THE WEEK IN REVIEW
Allied's Reforms Vote

By GEORGE H. MORRIS

Jewett: Trade Reforms: Col. H. A.

Allied proxy, announced at exhibitors, regardless of organizations and affiliations, will be asked to vote on a series of trade proposals or organization's Minneapolis conclaves June 13-15.

Ray Brandt's expressed willingness to send an ITOA group from Toronto during week came word at Canadian indies exhibitors will lift their own trade reforms.

FINANCIAL: Solidity of film industry's economic position, vis-à-vis the contrary, was exemplified by union and financial reports issued.

Joseph M. Schenck predicted 20th-Cent. net may exceed 1938 level. The company's earnings for 28 weeks ended March 16 were a net $6,368,847; rumour's net profit for 1938 called $2,865,676; while first quarter profits for current year of consolidated Film Industries and Movietone Film Mfg. Co. were respectively $217,738 and $395,751.

PRODUCTION: Monogram's condition in Chicago heard W. Ray Stone, president, assert that his company is tilting 1939-40 production budgets 28-50 per cent, and that 26 of the 30 Monogram pictures have been set for the coming season. Metro, adding stars and scenarios, announced revamping of new lineup, and that 44 to 52 features will be delivered.

TELEVISION: Few sales of relaying sets were in evidence as at week of public tele programs. N. Y. area waned. Baird report's list was prominent, concentration of a receiver sale policy in the city.

(Continued on Page 7)

MONO. ADDS TO PROGRAM
Jackie Cooper, Jean Parker Signed for 1939-40 Pix

Chicago — Monogram closed its seventh annual contract at the Drake Hotel over the week-end with the announcement by Production Chief Leon M. S. Brandt and his associates that Jackie Cooper and Jean Parker had been added to the company's roster of players. Cooper will make his first appearance in a Monogram film, together with his sister, Jean Parker, in a series of scenes starting May 10.

(Continued on Page 10)

CIRCUIT CONTROL BILL IN ILL. LEGISLATURE

Springfield, Ill. — A bill designed to set up a close supervision of circuit-owned theaters is one of three new measures affecting motion picture industry introduced in the Senate. The other two calls for the regulation of juvenile attendance in theaters and the creation of a censorship.

All three measures are sponsored by Joseph Mendel of the Second District, Chicago.

The circuit control bill would require theaters owned or controlled, in whole or in part, by film producers or distributors to file annual ownership affidavits with the Senate. The measure is presented by Maurice Silverstone, general manager in charge of all world operations.

While no budget figures for the bill were given, the authors expect to open the session of Congress on March 10.

EXPECT BONDY WILL DENY RESCIND MOVE

Federal Judge William Bondy on Monday reserved decision on Government's application to rescind Item 8 of the bill of particulars in the N. Y. equity action against the majors.

Brit. Execs. Expect Revision of New Taxes on Newsreels

London (B. Cable) — Following discussions last week with the Customs Board, executives of the Newsreel Association, CEA, and KBS were optimistic that some revision may be expected.

N. Y. Pix Industry Spurs Campaign for GNY Fund

Further impetus will be given to the already swift-moving campaign of the local film industry on behalf of the fund.

(Continued on Page 10)
The Broadway Parade

Picture and Distributor
Pygmalion (Metro-Goldwyn-Mayer-Pascall)—2nd week
Astor
Wuthering Heights (Universal-Goldwyn)—2nd week
Romance
Confessions of a Nazi Spy (Warner Bros. Pictures)—2nd week
Strand
The Lady’s from Kentucky (Paramount Pictures)—2nd week
Paramount
Night of the Juggler (Metro-Goldwyn-Mayer)—1st week
East Side of Heaven (Universal Pictures)—1st week
Music Hall
Rose of Washington Square (Columbia)—1st week
Roxy
Big Town Czar (Universal Pictures)—1st week
Criterion
The Warning (Alliance Films)—1st week
Criterion
Firey Dust (RKO Radio Pictures)—1st week
International
King of the Turks (Warner Bros.—First National)—Central
Globe
Boys’ Reformatory (Monogram Pictures)—1st week
Catch
Three Smart Girls Grow Up (Universal Pictures)—1st week
Palace
House of the Bad Seeders (20th Century-Fox)—1st week
Lobby

TWO-A-DAY RUN *
Junoes (Warner Bros. Pictures)—3rd week
Hollywood

FOREIGN WEEKLY FEATURES
Alexander Nevsky (Ammalis)—7th week
Cameo
Three Waiters (Vedis Films)—3rd week
Filmar
Indiscretions (Tri-National Pictures)—2nd week
5th Ave. Playhouse
Escape from Yesterday (J. H. Hoffberg Co.)—2nd week
Little Carnegie
11 Corso New (Esperia Film Distrib. Co.)—2nd week
Cinema
Champs-Elysees (Tri-National Pictures)—1st week
World
Send Home No. 1 (Scandinavian Talking Pictures)—1st week
26th St. Theater
Crime in the Maginot Line (Universal Pictures)—1st week
50th Street Playh.

FUTURE OPENINGS
Union Pacific (Paramount Pictures-DeMille)—May 10
10th Year

FILM REVIEW

GN Names 7 New Br. Mgrs.

Grand National has appointed seven new branch managers and has made several promotions in recent weeks, according to Sol Edwards, eastern division sales manager, who announced the changes at the first step in augmenting the field force following the recent announcement of increased production activity.

New appointments to branch manager posts include the following: Mark Kozlenko (United Artists), Boston; Freece; Max Stahl, Cleveland; William Minder, New Orleans; Herbert Given, Philadelphia; Joe Hartman, St. Louis, and Joe Kasiulis, Washington, D. C.

Stahl, who is a former branch manager for United Artists in Cincinnati, and (three former instructors with Gaumont British, were associated with Educational for several years.

Paul Richrath has been promoted from home office sales representatives to Albany as manager. William Benjamin has been transferred from Detroit to Chicago as exchange head, while Ralph Penniman recent from Detroit as manager, following a brief period as head of the Buffalo office.

Film Carriers Slated To Re-Elect J. P. Clark

Sixth national convention of Film Carriers, Inc., organization of film shippers, opens today at the Park Central Hotel for three days. A special luncheon for the press and branch supervisors of all distributing companies will be held tomorrow, James P. Clark, Philadelphia, president, proposed.

Routine biz, a general discussion on the shipping and handling of film, and also the handling of film in exchanges, along with the election of officers, will occupy the members. Clark, Thomas Gilboy, vice-president, and Clint Weyer, secretary, are slated for uncontested re-elections.

Show New WE Sound System

Exhibition of the new Mirrophonic Master Sound System developed by Erpil for the foreign distributors of WE theater equipment will be held on May 15 in the Yacht Room of the Hotel Astor from 4 to 7 p.m.

WANTED!

POSITION AS SECRETARY
Young Lady—Excellent—Experienced Thoroughly familiar with the WE sound system. Address, Exhibition and general office work. Complete knowledge of the handling of the foreign Film. Knowledge of names of companies, executives and their affiliations.
Excellent references.
Willing to sign an agreement at nominal salary.

THEATRE

George Abbott Productions

"There have been a number of good girl and music shows in town of late, but this is by all odds the most brilliant of the lot."—The New York Times.

George Abbott—Rodgers and Hart

The Boys from Syracuse with Jimmy Winn Eddie Teddy Savo Murray Albert Hart

Alvin, W. 52d St. Mat. Wed. & Sat. Columbia 5-4134

"The lowest, roughest, toughest, tenderest, dirtiest, most decent, and certainly the most famous plan for you youngsters ever put on sale this season."—George Jean Nathan, Review.

PRIME ROSE PATH

By: Bob Lh. Bursdel and Warner Hart with Helen Hayes Mary RCord WESTLEY GARDE MARGIE HARDIE

Cort, W. 48th St. Mat. Wed. & Sat.

Bryan 9-0406

What a Life

With Ezra Stone as Henry Aldrich


Circle 6-0640

COMING AND GOING

WILL H. MAY, film industry administrator left New York for the Coast on the week's
and will return about June 1

SIDNEY R. KENT sails for South America May 20 to attend the company's first convi
in that territory.

HENRY FONDA, 20th-Fox star, is in the

CONSTANCE BENNETT is stopping at

GEORGE RAFT, EDMOND LOVE, M. BRIAN and FAY WRAY are scheduled to

PATER CASEY, producers labor representative will remain here until after May 18 for the producers meeting with the APA.

JOHN HAY WHITNEY, who arrives today the Queen Mary, will stop here a day and

EDMUND GOULDING is coming here from

JASCHA HEIFetz left Hollywood for the

W. J. SHINE of Ross Federal Research Co Cincinnati branch has been visiting the

Albert Sackett Buried

Springfield, Mass.—Private fun services were held here yesterday for Albert Sackett, 78, veteran ac and father of Julia Sanderson, who died in St. Luke's Hospital, New York, after six weeks' illness.
Y. ALLIED SAID TO OPPOSE CODE STAND

(Continued from Page 1)

The open forum is to be held on a last day of the New York Allied convention and Motion Picture organization which opens at the Hotel on May 29. A confab of Alan’s Eastern units has been called for the opening day by Frank Lydon, Eastern regional vice-president. It is reported that the New York Alliance feels that, while the present proposed code is not 100 per cent satisfactory, it is a move in the right direction, provided a fair system of arbitration can be worked out. New York Allied, it is understood, of the opinion that the national organization should take a more liberal attitude of fashion policy towards industry regulation. Policies that are the New York Alliance and others believe that the national policy reflects the opinions of small group of leaders and not the rank and file of its members. All exhibitors, regardless of affiliation, will be invited to express their views at the open forum.

Frank Lydon, in a message to THE FILM DAILY, said the regional meeting on May 29 would cover usual business routine and reports from the various units on their progress and problems. It also will afford regional directors an opportunity to pay their respects to the new and very aggressive New York unit.

Para. Victory Reversed

By a three to two decision on Friday, Appellate Division reversed in Paramount’s Supreme Court Justice Samuel L. Rosenman had awarded Paramount, which, in effect, retried Ben Blumenthal, in his action against the film company, from bringing suit in England for commissions on sale of Paramount pictures there. Court ruled that the inconvenience of Paramount could not control the plaintiff, and latter will institute action in that country.

Happy BIRTHDAY

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

George A. Schenck
James T. Tinling

Monday, May 8, 1939

EXPECT BONDY WILL DENY RESCIND MOVE

(Continued from Page 1)

however, it was apparent that probability is he will deny the application, although he may allow the Government to hold off naming witnesses until defendant’s answers are served.

Representing Government at hearing were Paul Williams, special assistant to U. S. Attorney General; William McGowan, special attorney; and David Podell. Latter's presence at this stage of the proceedings gave rise to belief that he may try the case as a special assistant to the Attorney General.

William J. Donovan, defendant counsel, read to Bondy the affidavits of William F. Rodgers and Sidney R. Kent. These, and affidavit of Goodwill L. Sears, were filed.

Judge Bondy said that if majors were engaged in tactics charged “they should be dealt with specifically,” and added that the Government charges the defendants with commission of a crime and one of a continuing nature if charges are true.

The affidavits of Kent, Rodgers and Sears finally assured the Government’s allegations and denied justification of Williams’ statements in the application.

Kent’s affidavit declared 20th-Fox “should not be recklessly indicted before the public for the sole reason that in some quarters a belief apparently exists that any apprehension may be attached with immunity to a company engaged in the motion picture industry.”

Donovan said he is not satisfied with the bill and will probably seek a new bill next week.

MacDonald Tour Near End

West Coast Bureau of THE FILM DAILY

HOLLYWOOD—J. MacDonald, who attracted a record crowd of 8,000 at the Tabernacle in Salt Lake City, will complete her concert tour at Tacoma, Wash., Thursday. Her itinerary covered 25 cities in Kansas, Kentucky, Indiana, Mississippi, Utah, Alabama, Georgia, Illinois, Minnesota, South Dakota, Washington, Oregon, and Vancouver, B. C.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

HOLLYWOOD—Mr. and Mrs. Harry M. Warner have announced the engagement of their daughter, Betty, to Milton Sperling, screen writer at the 20th Century-Fox studios.

Chicago—Jerry Shurley, assistant manager of the Blackburne Hotel, and Miss Ruth Eggers of the local Warner Exchange were married.

Phoenix, Ariz.—Nan Grey, film actress, and Jack Westrobe, well-known jockey, were married here by Rev. Richard Nye Merrill, pastor of the First Methodist Church.
Nationally Available

June 10

and

In Response to Overwhelming Demand, In Selected Situations on Decoration Day
SO MOMENTOUS IT REQUIRED SIX ACADEMY AWARD WINNERS AND A SUPPORTING CAST OF 1186 PLAYERS, INCLUDING

BRIAN AHERNE
CLAUDE RAINS • JOHN GARFIELD • DONALD CRISP
JOSEPH CALLEIA • GALE SONDERGAARD • GILBERT ROLAND • HENRY O'NEILL

Directed by WILLIAM DIETERLE


“EVERY INCH A GREAT MOTION PICTURE!” — N.Y. HERALD-TRIBUNE

WARNER BROS., Producers
UA'S MINIMUM OF 32
TO ESTABLISH RECORD

(Continued from Page 1)

11 producers who will contribute were announced, it is estimated that the picture of the towers will represent an investment of approximately $30,000,000.

Selznick-International will supply three features, while Samuel Goldwyn, who is suing to cancel his contract, is down for two. Charlie Chaplin and Douglas Fairbanks are listed for one each; Alex Korda, for five, all in Technicolor; Walter Wanger for six, Hal Roach for five, Edward Small for seven and Ernst Lubitsch-Sol Lesser and David L. Loew for one apiece.

Roach, in addition to his feature, will have three for re-release, including Stan Laurel and Oliver Hardy.

Breakdown on the program, as outlined by Selznick.

DAVID SELZNICK—"Intermezzo," by Gustav Molander and Gaesta Stevens, starring Leslie Howard, who will be the first of a series of associate producers; "Rebecca," directed by Alfred Hitchcock from the Daphne Du Maurier novel; third film in the Pavlowan entitled.

CHARLES CHAPLIN—"The Dictators" (tentative title) written, directed and produced by the star, will portray Chaplin in his first speaking role.


WALTER WANGER—"Winter Carnival," starring Ann Sheridan and Robert Young, directed by Charles F. Kiesner from the screenplay by Budd Schulberg, Maurice Rapf and Lester Cole; "House Across the Street," starring Joan Bennett, and directed by Archie Mayo, from the original story by Myles Connolly and the screenplay by

Registered at UA Sales Conclave

WEAT Co-Bureau of THE FILM DAILY

Los Angeles—United Artists' convention, opening today at the Ambassador Hotel, is being attended by these district and branch managers and salesmen:

District Managers—Dave Prince, Haskell M. Master, Ben Fish, Charles Stern, Jack Sandler and Bert Stern, plus Moe Streimer, UA special rep. in New York.


S-1 Signs Paulette Goddard

West Coast Bureau of THE FILM DAILY

Hollywood—Paulette Goddard has signed a one picture deal with Selznick International for the feminine lead in "Titanic." 

On the Program for United Artists' Convention

HARRY GOLD
L. J. SCHLAIFER
HARRY BUCKLEY
ARTHUR KELLY
LYNN FARNOL

Top executives of UA, these five men occupy prominent places on the program for the company's sales parlour, opening today in Los Angeles.

EXHIBS. OF 9 STATES
CALL AT RKO LOUNG

Visiting exhibitors, their wives and friends from nine states were registered at the RKO reception suite last week.

The lounge suite embraces fabulous rooms where out-of-town shown may obtain information, and is the "World's feet" and reception suite.

THE FILM DAILY.

H. M. Richey, director of exhibitor relations, is the official greeter.

Last week's callers included:

Mr. and Mrs. Leon Rich and family, PYRTANIA Theater, New Orleans, La.; Mr. and Mrs. A. C. Gordo, Rialto and Rio Theaters, Boise, Idaho; Mr. and Mrs. B. P. McNickik, Colorado and New Mexico Theaters, Canon City, Colo.; Mr. Jam. H. Eschelman, Huron Theater, Rochester, N. Y.; Mrs. I. S. White, Lewis and friends—Park, Pasadena and Lyons Theaters, Houston, Tex.; Mr. and Mrs. L. C. Klop, Theater, Hazen, Ark.; Max Fog Weber Theater, Rochester, N. Y.; William Tishkoff, Murray Theat, Rochester, N. V.; Robert O'Donnell, Hoblitzelle Circuit, Dallas, Texas; Herman Blum, Little Theater, Baltimore, Md.; Charles Perry, the Family, and Mrs. Lewis and family, Hastings, Mich.

"La Fin du Jour" Ready

Editing and titling work on "Fin du Jour," latest Julien Duvivier production, has been completed. Herman G. Weingarten and Milb Douchkiss. Picture is slated for July release.

Joins Motograph

Chicago — Fred Matthews has joined Motograph, Inc., in a supervisory capacity. He is a brother of Thor Matthews, recently named president.

French CC Gets "Harvest"

The French Cinema Center, Inc., announces the acquisition for distribution in the U. S. of "Harvest," latest production of Marcel Pagnol.
MEX. PRODUCERS BID FOR SPANISH MARKET

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent

Mexico City — Virtually without exception, Mexican film producers plan to enter the newly reopened Spanish market and bid for supremacy.

In line with this, the Mexican Association of Motion Picture Producers is exerting pressure on the Confederation of Mexican Workers to rescind its decision to boycott all pix made in Spanish studios under Franco's Fascist regime.

Among the first domestic producers to move into Spain with a distributing agency is Producciones Hermanos Soria which will be represented in Seville by Antonio Soria. Latter will take over distribution for several leading Mexican producers, it is understood.

United Artists is talking a distribution deal with Films de Artistas Mexicanos Asociados for "The Twilight of the Mayas," Francisco de P. Cabrera's second production. UA would take the pix for world-wide distribution outside of Mexico.
"Rose of Washington Square"
with Tyrone Power, Alice Faye, Al Jolson
20th Century-Fox 85 Mins.
SENTIMENTAL ROMANCE OF SPEAK-
EASY DAYS FEATURED BY OLD HIT
SONGS.

This production follows in the line of
"Alexander's Ragtime Band," in that it is a
reconstruction of the good old days of
the speakeasy era during prohibition, and
in that it has the same stars, Tyrone Power
and Alice Faye. Their songs are sung,
highlighted by the famous melodies of Al Jolson, who appears in
blackface and does his "Mammy" and all
the songs that made him popular in an
earlier period. The story is sentimental,
romantic and somewhat weepy, for it tells
the tragic story of an alcoholic and his
fate. This is all in the atmosphere of
the celebrated old favorite, "My Man,"
which Alice Faye sings as her big number
near the close. The singing of that song
is heard by Tyrone Power, a fugitive from
justice, who has deserted the girl a short
time before. He realizes that there is
only one thing to do—give himself up to
the police, and take his prison stretch.
Five years. This he does, and so the film
ends on a slightly somber note, with prom-
ise of a fine future when he joins his
wife and the romance of Rose, who rises from a speakeasy singer
to the Folies, is heard with silent de-
vo tion. Miss Jolson has risen from
to the saloon and music hall atmos-
phere to become the great Broadway favor-
it with her Mammy type of songs. Jolson
becomes the character collecting the sym-
pathy, for he loses the girl and also the
$50,000 bond he puts up when Power jumps it.
This brings a genuine emotional appeal. Jolson is grand as ever.
Tyrone Power being cast in an unsym-
pathetic role of "Alexander," which helped to
make up for rather a small heart of steel may shock a
lot of his fans, who have been educated to liking up with him as a glamor boy. But the songs and the sentimental acci-
nories they evince will be the big pull for this
production. It lacks the big patriotic punch of "Alexander," which helped to
make up for rather a lot of sentimental
stuff of the dance hall dame who loves her man
even though "he done her wrong." Only
the box-office will tell.

CAST: Tyrone Power, Alice Faye, Al Jolson,
William Frawley, Joyce Compton, Hob-
bat Cavanaugh, Monori Olsen, E. E. Clive,
Louis Prima, Charles Jackson, Hal K. Dow-
son, Paul Burns, Ben Welden, Horace Mac-
Aloon, Paul Stanton, Maurice Cass, Bert
Beauchamp.

CREDITS: Producer, Nunnally Johnson;
Director, Gregory Ratoff; Authors, John
Larkin, John Latouche, S. N. Swenson, Nunnally
Johnson; Cameraman, Carl Freund; Editor,
Louis Loefler.

DIRECTION, Very Good. PHOTOGRAP-
HY, Fine.


Okay Early Sunday B. O.
Baltimore—Moving picture theaters
in the Baltimore area may now sell tickets prior to the
2 p.m. starting time for the performance
on Sundays here.

"Captain Fury"
with Brian Aherne and Victor McLaglen
UA-Roach 91 Mins.
(HOLLYWOOD PREVIEW)
RIP-ROARING ACTION MELODRAMA WITH AUSTRALIAN BACKGROUND.

Here is a rip-roaring, action melodrama, which has an Australian background. It
also has comedy and romance and has been given vigorous direction by Hal Roach.
Shots down Zucco with admirable
work by the producer. We are in good
shape with the story, with the exception
of the scene in which the horses of the
police are lured into the firehouse by the
use of a second cow. This is a bit of
adventure which has been used before.

CAST: Brian Aherne, Victor McLaglen,
Paul Lukas, June Lang, John Carradine,
Douglas Dumbrille, Virginia Field, Charles
Middleton, Lawrence Grossmith, Lum
sdon Hare, Mary Gordon, John Warburton,
Claud Allister, Will Stanton, Edgar Norton,
Margaret Roach, Billie Bervan, Edwin Brian.

CREDITS: Producer, Hal Roach; Direc-
tor, Hal Roach; Authors, Grover Jones, Jack
Jenne, Willard Halsey; Screenplay, same;
Cameraman, Norbert Brodine; Photogra-
phic Effects, Roy Sawright; Art Director,
Charles D, Hall; Musical Score, Marvin
Hattie; Editor, William Ziegler.

DIRECTION, Vigorous. PHOTOGRAPHY,
Very Good.

Lewis as Spot Film Exec.
Leonard Lewis has been elected
vice-president of the Spot Film
Distributing, Inc., in charge of the radio
and television division, it was an-
nounced yesterday. Company's plans
for the new season call for produc-
tion of several television films in
addition to their program of com-
mercial and educational films.

"For Love or Money"
with June Lang and Robert Kent
Universal 67 Mins.
(HOLLYWOOD PREVIEW)
GOOD DIRECTION TURNS ROUTINE
STORY INTO ABOVE AVERAGE COMEDY.

Al Rogell, directing the performances of
a well-balanced cast, turned a routine story
into above-average comedy fare. June
Lang and Robert Kent handle the romance
sections from such dependable players as
Horace MacMahon, Etienne Girardot,
Karl Brooke, and the like without
making a mess. June Lang and Robert Kent
make a lovely couple, and also are well
matched in this part.

CAST: June Lang, Robert Kent, Hal
Welden, Claude Allister, Etienne Girardot,
Edward Brophy, Richard Lane, Horace Ma-
cMahon, Karl Brooke.

CREDITS: Associate Producer, Max Gold-
den; Director, Albert S. Rogell; Authors,
Julian Blaustein, Daniel Tashard, Arnold
Feins, Screenplay, Charles Grayson and Ar-
thur T. Homan; Cameraman, Stanley Cor-
tes; Art Director, Jack Oxtonor; Associ-
ate, Charles H. Clarke; Editor, Maurice
Wright; Musical Director, Charles Prewin.

DIRECTION, Good. PHOTOGRAPHY,
High-grade.

Gottlieb Forms New Firm
Eli Gottlieb has formed Stardom Sales
Corp., 285 Madison Ave., exclusive distributor for all Artis
grift boxes and assorted novelties. Two
hundred and fifty movie theater-dealer
items have already been made in Nicola
C. Gottlieb, of grand National Pictures and RKO, and an associa
tion of the companies for exploitation
at the "American Way," have joined the organi-

"Diving Rhythm"
Columbia 10 Mins.
An evocative of some of the
world's greatest divers performs in a
Southern pool provides a thrill with
graceful perfection in the world
of diving seen at its best. Among those seen are Pete Dede-
dines, Charlie Diehl, Marvin Warehouse, Ken Zuck, and
champions do their stuff and make
a diving look easy as they go through
routines that includes the
difficult dives known. Ted We
gaard and Frank Foster prove
some laughs with their

"Muscle Maulers"
(Dribble-Puss Parade) 20th Century-Fox 10 Mins.
A Scream
Made for the belly-laughs, a gettin' em plenty, with Lew Le.
off-screen giving his dialect com-
sents on the nutty wrestlin' match of all
matches, one
faster than the other. The "wee-
lers" are staged in all sorts of co-
ditions, doing their stuff on the es-
m, in mud and snow and out in the
arena where the opponent som-
times throws them. Probably it's
most wrestling reer ever sh
Produced by Truman Talley,
pranged by Jack Gordon. Edited
Russ Shields.

V. C. to Honor Mayor
Pittsburgh — The local V. C. club will present Mayor Cornel
D. Scott with a banquet and a presen-
tion of a check for $1,000 to the
ship at a dinner to be held in his
The search for something that
blessing in the William Penn Hot
Monday.
today we offer you an entirely new show

BUT every attraction you put on your screen is a new show for you.

- YOU'VE GOT TO GO AFTER THE CUSTOMER AND BRING HIM IN WITH SMART SHOW-SELLING . . . AT THAT TIME WHEN HE'S RIPE FOR SELLING.

The surest and most effective way to do this is with visual advertising at the point of sale . . . while he's in your place of business.

That brings us right up to the National Screen Trailer—

- THE ONLY KNOWN METHOD OF SHOW ADVERTISING WHICH GETS ALL THE CUSTOMERS EVERY TIME.

- THE ONLY KNOWN METHOD THAT MAKES THEM HEAR AS WELL AS SEE WHAT YOU'RE TRYING TO SELL.

- THE ONLY KNOWN METHOD THAT SELLS BY SAMPLES.

And the cost is figured in fractions of a cent per person reached, making the National Screen Trailer the cheapest seat-selling means at your command.
DOMESTIC

poised special tele for theaters, with RCA feeling this is feasible.

* * *

LEGISLATION: In Washington, Senator M. M. Neely, introduced a measure for national daylight saving and precipitated widespread ex
dibu squawks.

FOREIGN

DISTRIBUTION: Phil Reisman, RKO foreign dept. head, on return to New York from a survey of Europe, said that despite political unrest, his company's biz abroad

Okla. Indie Unit to be Organized at O. C. Meet

creation of and sponsorship of a state-wide buying pool.

Orville Van Guker of Okiee is temporary chairman and will proba-

bly head the new association which will have two directors from each of eight sections of state to form a board of directors which in turn will elect officers.

Under the plan, district meetings will be held every three months. To-
morrow's meeting is for the purpose of presenting the plan for organi-
zation. Another meeting will be called two weeks later to adopt the plan.

Tomorrow's meeting will consider the buying pool plan but it is ex-
pected to be shelved to await the outcome of government's anti-trust suit against Griffith circuits and the majors.

While Col. H. A. Cole, national Allied's prey, will address tomor-
row's meeting, the new associa-
tion is designed to compete with the MPTO, it is definitely stated it will

Winifred Johnson of the Univer-
sity of Oklahoma will also speak.

Await Exchange's View

On Cassel Appeal Action

At hearing before Federal Judge Bondy on Friday re application of H. Cassel & Co., RKO reorg. appel-

lant, seeking extension of time until 20 days after Circuit Court's deci-
sion to elect one of two plans for de
buretional conversion, Court sug-
ggested that entire application of Cassel be deferred until after the appeal.

This met with approval of Hamil-

ton Rice, Richard Film Industries group, plan's proponents, but Otto C. Toering, Jr., trustee representa-
tive, raised point that New York Stock Exchange might object to this, and suggested adjournment un-
til May 12 until the NYSE could be approached to determine its willing-
ness.

N. S. Control Measure

To Be Held in Abeyance

BILL 92 which would give the Nova Scotia government control over the distribution and cost of films will be held in abeyance until further representation is made in favor of proclamation or resignment.

A conciliation board has been formed to hear all grievances and to settle them by vote. Both parties concerned must adhere to the board's decision. The board is composed of eight representatives of exhibitors, distributors and theater chains.

Malcolm A. Patterson, member of the legislative assembly who intro-
duced the bill after complaint from Cape Breton independents, who a second Famous Players Canadian theater there would ruin them by obtaining early films, says, "I am quite satisfied that this conciliation board will prove the solution of all our theatrical difficulties in this province."

Indie exhibs. will name four to the conciliation board, distributors, two, Famous Players Canadian Corn, one, and Spencer Theaters of St. John, N. B, one.

Two Para. French Pictures

Not for Release in U. S.

Titles of the two pictures to be made in Paris for Paramount release in France are "The World Tren-
bles" and "The Sixth Floor." The two features, which were announced at the time Fred Lange, European manager, arrived in New York recently, are not slated for distribu-
tion in the U. S.

C F I Sales at $8,799,875

Washington Bureau of THE FILM DAILY, A. S. Pah as we re good news from the Motion Picture Film Industry today filed its annual report with the SEC for 1938, reporting sales of $8,799,875.68 and net

profit for the year of $815,696.94 on the consolidated statement. Unconsolidated statement reported sales of $8,693,935.77 and net profit to earned surplus of $670,994.22.

CIRCUIT BOARD BILL

IN ILL. LEGISLATURE

possibly two, pictures, while Jean

Parker is slated to appear in two pictures this season.

Jerry Brandt, who, with E. B. Derr, has formed a new producing company in South America, discorved through Monogram, addressed the convention.

Describing Monogram as the "gamecock of the industry," Ed. Kuykendall, MP
tOA president, paid tribute to the company and hailed its record and promising future. He also expressed hope for early re-

cus on changes in current trade practices.

plan to acquire a number of

Spanish language pictures to be produced in Hollywood or Mexico for distribution in South America, was disclosed by Norton Y. Ritchey, manager of the foreign department, who outlined conditions in the for-

terior.

Monogram also is planning a se-

ries of productions with a definite appeal to the Latin-American mar-

ket, Ritchey said. These will include "Girl from Rio," with Movita; "Mr. Wong in Havana" and "Wings of the Andes," one of the Tallapin

series, Ritchey stated, add-
ing that the company is concentrat-
ing its efforts on high quality ma-

terial and players with the view to making "a large portion" of the pro-

gram particularly suitable for below the Rio Grande.

Monogram, which is upping bud-

gets 25-50 percent, is increasing its sales quota for 1939-40 by $2,500-

0 to $8,500,000, it was announced by Prexy W. Ray Johnson, who reviewed the promises kept by the company, Edward Golden, president, and George Weeks, genera-

l sales manager, commented on the efficient manpower of the organiza-

tion.

Sol Francis, new Monogram franch-

ise holder in Omaha, spoke briefly. Other speakers were John Trent,

Martin Spellman and Frankie Darro.

Brit. Execs. Expect Revision

Of New Taxes on Newsreels

in the new tax scales might be made as far as the newswel companies

were concerned, but doubt was ex-

pressed as to any other concessions

would be granted.

Inform sources here believe that the Government would certainly not want to force out of business the newswel companies, which could serve as a valuable propaganda agency in a critical situation abroad.

Official estimates here now set a figure of $4,000,000 as the cost to the American companies under the new measure. This figure was given in THE FILM DAILY when the measure was first announced, Ed. An early meeting with Sir John Simon is anticipated.

THE WEEK IN REVIEW

Allied's Reforms Vote—RKO Foreign Biz Soars

By GEORGE H. MORRIS

from Jan. 1 to April 15 is some 40 p.c. ahead of the corresponding period a year ago . . A. G. Doyle, 20th-Fox manager in Japan, arrived in Hollywood last week, and asserted that 100 U. P. x have been imported by Japan since last Oc-

tober, and concluded that this same number will be matched during bal-

dance of 1938.

IN BRITAIN: Government received deputation of pic interests objecting to burdensome levies of new national tax. Some hope was held out that taxation of news-

reel organizations might be modi-

fied.

N. Y. Pix Industry Spurs

Campaign for GNY Fun

of the Greater New York Film

through the meeting called for a.m. at the Brooklyn Palace by the Fabian Circuit, who will also hold a similar meeting next week at the Brooklyn Fox.

At both conclaves, which will be attended by employes, Sidney T. neau, acting for Si Fabian, has arranged for Greater New York Pix speakers and for the showing of special motion picture on the drive ins compiled by the March Tree.

Furthermore, the Fabian host on Staten Island and in other cities in the metropolitan area are arranging meetings this week.

On the week-end, it was learnt that Warners, through Harlow Rodman, are planning conclaves, both the New York Strand and the Brooklyn Strand to forward its drive.

Also will be held this week, a date yet to be formerly set, a fur-

ther meeting of the foreign film distributors and exhibitors, with a group, including Jean Lenauer, J

Joseph Burstyn, Max Goldber a Charles S. Bregaglio, executive com-

menteen, and J. H. Hoffberg, Carr.

Townbridge, I. E. Lopert, Irving Shapiro and Martin Lewis as com-

mittee representatives, held a ses-

sion on Thursday last at the Ta-

tern to organize campaign efforts

account to conditions from the field of industry activity.

Imminent is said to be a meet-

ing at the New York Paramount.

Massco & Co. Moves

Massco & Co., film shippers, h

moved its headquarters to 729 8

th Ave. where it now occupies 2

floors.
Thanks to:—

Sandy
Universal
Milton Feld
Dave Butler
Herb Polesie
Bill Conselman
Johnny Burke
Jimmy Monaco
George Robinson
Irene Morra
Bernard Brown
Chas. Previn
John Scott Trotter
Frank Skinner

and all who assisted

"East Side of Heaven"
Bing's Singing 'Em In at the Radio City Music Hall

As the Critics Chorus:

"... 'East Side of Heaven' is the most delightfully amusing film Bing Crosby has ever done... Sandy is the most adorable infant in a film since Baby LeRoy." — Kate Cameron, Daily News

"... much too ingratiating to be missed..." — Ben R. Crisler, New York Times

"... totally delightful... Sandy Henville... is one of the most beguiling infants to be found..." — Bland Johaneson, Daily Mirror

"You'll find it great fun." — Rose Pelswick, Journal-American

"Sandy Henville... is our favorite actor of the month." — Herbert Drake, N.Y. Herald Tribune

"One of the finest pieces of unadulterated screen entertainment to come along in months." — William Boehnel, World-Telegram
Brant to Send ITOA Committee to Allied Convention

JA TO SPEND RECORD $3,000,000 ON ADVERTISING

Col. Sees Duals as Issue for Exhibs. Alone to Decide

ONTAGE SAYS PRODUCERS, DISTRIBS. SHOULD STICK TO OWN BIZ

By W. H. McMahan

FILM DAILY Staff Correspondent

Atlantic City—Advising producer-distributors, to stick to their own knitting and permit theater owners and operators to determine exhibition policies, especially insofar as single

"twin" bills are concerned, A. Monique, Columbia's general sales manager, struck out at "some highly-advanced individuals in our business," the company's Eastern sales con-

(Continued on Page 5)

ITOA STILL FAVORS CONCILIATION SETUP

Describing the distributors' present proposals for arbitration as being "obscene," Ed Kuykendall, ITOA president, in a bulletin yesterday made another plea for considera-
tion of his organization's conciliation board idea. Obstacles which a says exist in the proposed arbi-

(Continued on Page 7)

Kuykendall and Cole Rap Neely's "New Time" Bill

National daylight saving, proposed in a pending U. S. Senate measure sponsored by Senator Matthew Neely, proponent of anti-block-book-

(Continued on Page 5)

To Offer Drastic Amendment to Fire Rules for M. P. Film

The National Fire Protection As-

(Continued on Page 5)

18 Pix in Work During May at Metro

West Coast Bureau of THE FILM DAILY

Hollywood—Production is hitting an all-time high at Metro's studios, with total of 18 set to go before cameras during May. Six are now shooting, 12 starting, requiring the services of 70 per cent of Metro's stars and featured players.

Pix going before cameras before June 1 include "Babes in Arms, "Batalikia, " "Kinochka, " "Day at the Circus, " "Northwest Passage, " "Thunder Afloat, " "Blackmail, " "Miracles for Sale," "It Can't Happen Here, " "The Emperor's Stalion, " "The Great Canadian, " "Willow Walk, " "A Lady Comes to Town" may also start.

DIUMONT TO GET PARA. THEA. DIVORCENCE "TELESOUND" STAGES MEASURE IN ILLINOIS

Paramount will set up "telesound" stages in a new glass-enclosed television studio which Allen B. DuMont Laboratories, Inc., Paramount affiliate, will build on a terrace atop the building at 515 Madison Ave., as soon as FCC has granted DuMont a license to erect a transmitter on roof of the premises. Mortimer W. Loewi, vice-president and chairman of the board of the television or-

(Continued on Page 4)

Pix Rental Tax Exemption Assailed in New Ohio Suit

Columbus, O.—The Ohio Tax Com-

mission has been named in a second taxpayer's suit challenging its au-

thority in exempting film rentals

(Continued on Page 5)

ITOA GROUP WILL DISCUSS TRADE PRACTICE PROPOSALS AT ALLIED MEET

Cinecolor to Introduce New 16mm Color Process

West Coast Bureau of THE FILM DAILY

Hollywood — Cinecolor yesterday announced the perfection of its own revolutionary method of processing single-coated 16mm films in color. Cinecolor's president, A. L. Mc-

(Continued on Page 4)

Harry Brandt, ITOA president, will send a committee to the national Allied convention in Minne-

(Continued on Page 5)

Oregón Picketing Statute

Under New Union Attack

Portland, Ore.—The Circle Thea-

(Continued on Page 5)
**FINANCIAL**

**NEW YORK STOCK MARKET**

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<td>Paxte Film 7 pf.</td>
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</tr>
<tr>
<td>Loew's Tha. Bldg. 4% &amp; 5%</td>
<td>Bid/Asked</td>
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</table>

**THE THEATRE**

George Abbott Productions

*“There have been a number of good girl and music shows in town of late, but none of them would make the most timid of audiences feel that the lot wanted the lot.” — Watts, Rex-Trib.*

George Abbott—Rodgers and Hart

**The Boys from Syracuse**

With Jimmy Wynn, Eddie Todd, Savy Murray, Albert Hart

ALVIN, 52d St. Mat. Wed. & Sat. 
COLUMBUS 5-4114

*“The shortest, roughest, toughest, ten- derest, dirtiest, most decent, and cer- tainly finest play for your money put on sale this season.” — George Jean Nathan.*

**PROSE POET**

By Bob L. Bock and Walter Hart with Helen Betty Mary Russell WESTLEY GARRIE, MASON HARDIE, CORT, West 41st St. Mat. Wed. & Sat. 
BRYANT 5-0466

*“Roars of Pleasure” — Atherton, Tennis.*

**WHAT A LIFE**

With EZRA STONE as Henry Aldrich

MANSFIELD, W. 47th St. Mat. Wed. & Sat. 
Circle 6-0640

**COMING AND GOING**

JOHN HAY WHITNEY and JAMES ROOSEVELT arrived yesterday on the Queen Mary. Room H152. On the East and today and will remain this week-end for Hollywood.

*“COLONEL” CHARLES E. McCARTHY*—For the last 14 days, and ROHN, the exploitation manager, have returned from Chicago.

BOB SAVINI, president of Astor Pictures, left for Buffalo last night.

EDMUND GOULDING, director, leaves for a few days for a New York visit.

ERICH POMMER, production head of Maytag Pictures, sailed from England May 17 for the Queen Mary for New York.

GEORGE BALANCHINE, dance director, arrived on the Queen Mary for New York.

**DAILY DRIVE**

1013,4 8'/s

Hampden County court resulting from a complaint filed by George L. Colman, former manager of the Arcade Theaters, against Western Massachusetts Theaters, Inc.

Voting will be conducted on this city on May 15, and will cover employees in theaters here and in Westfield, Greenfield, Northampton, Holyoke and Chicopee. At the same time, an election will be held in Pittsfield covering theaters in that city and North Adams.

Appoint Beck Eastern Rep.

For Birdwell & Associates

Appointment of Myer P. Beck, formerly publicity manager for UA, as Eastern representative for Russell Birdwell and Associates was announced yesterday. Beck will be in charge of headquarters to be opened here within the next two weeks. Birdwell firm has signed to handle Norma Shearer, Loretta Young, Doug Fairbanks, Jr., and Edmund Goulding, among others.

Rose Draws 60,650 in 3 Days

"Rose Of Washington Square" played to 60,650 people in first three days at the Roxy and business yesterday was well above usual Monday biz. Pix is likely to go three weeks or more in Baltimore where the picture opened to business only slightly below the record set by "Alexander.

Bernie Quits Myron Selznick

Resignation of Herman Bernie as head of the New York office of Myron Selznick, Ltd., was made known last night. Bernie plans a vacation before making any announcement of his future plans.

Meet Today Against Nazi Pix

Meeting of the film division of the Non-Sectarian Anti-Nazi League will be held today to discuss ways and means of tightening the boycott against Nazi-made and Nazi-financed French pictures.

Mich. Censor Bill Dead

Lansing, Mich.—The Senate State Affairs Committee has "pigeon-holed" measure creating a state censorship board.

To Fight Chi. Truck Fee

Chicago—Chicago city license fee of $5 to $15 for each truck used commercially in Chicago will be tested in the courts. Loys applies to film carriers.

Stage Shows Set for Cincy

Cincinnati—Stage shows are invading downtown Cincy's pic theaters, with the announcement this week that RKO Albee will begin a summer policy, May 26 of stage and films, and RKO Shubert, by signing on a similar policy at Taft's (independent) opening May 12, with Mac West.

On Sept. 1, RKO Shubert will inaugurate its own regular show-film policy, with a new program weekly at popular prices.

New York and Chicago booking offices for RKO will handle booking for the larger attractions at RKO theaters.

CIO Seeks Amendment of Sherman Trust Law

Washington Bureau of THE FILM DAILY

Washington—CIO opened a drive here yesterday for amendment of the Sherman Anti-trust act, which it totally inapplicable to labor unions.

Recent film projectionists' strike in the New York area found the Sherman law a barrier in the path of the A P of L's L AIF. The U. S. Supreme Court has ruled on several occasions that labor is subject to the provisions of the basic articles of the Sherman law. Labor's contention is that "labor is not a commodity."

Miners' Strike Hits Films

In 11 W. Va. and Ky. Towns:

Cincinnati—Due to the coal miners' strike theaters closed last week in the following towns: Debut, Helen, Kenner, Lorado, Powellton, Stonesby and Ward, W. Va., Hardbarly, Lackey, Wayland and Van Lear, Ky.

Distribute Art Fund Cash

The committee handling the funds collected by the Motion Picture Art Fund for German Refugees has distributed the $10,500 collected to the following three organizations: American Jewish Joint Distribution Committee, Committee for Catholc German Refugees and the American Committee for Christian German Refugees.

Each organization received a check for $3,500.

**HAPHAIR**

1500 Broadway

OFFICE 3-1314

**PROGRESS FILM LIBRARY**

STOCK SHOTS

of Every Possible Description

Conveniently Catalogued.

729 SEVENTH AVE. N.Y.C.
FROM A FULL BELLY—

This cat lives on East 117th Street.
It’s a crowded block.
You’ll find all creeds and races on it
You’ll find Protestants, Catholics, Jews
You’ll find French, Greek, German, Italian
They get along all right with each other—
It’s nice.
Americanism grows that way!
Like a beacon of hope in a distressed world.
You’re part of it today!
You’re helping to encourage it in New York City
By your support of the GREATER N. Y. FUND
It sets an example to the entire country—
A thrilling challenge to a bigoted world!
A city’s people joining hands regardless of race
To help their sick, their needy, their unfortunate—
380 allied groups in one united drive annually
Covering all communal obligations at one time.
Rich man, give in proportion to your means!
And you and you and you—give a day’s pay!
Be part of GREATER N. Y. FUND’s most successful year
It’s your chance to show the world of 1939
The true meaning of the American way.

The Fund Chairman of your company will communicate with you. Others kindly send contributions direct to Motion Picture Division, Greater New York Fund, 1540 Broadway, New York City
DUMONT TO GET PARA: "TELESOUND" STAGES

(Continued from Page 1)

organization told THE FILM DAILY yesterday.

Further, it is understood that Paramount will make available in the future those film productions which are needed by DuMont as the tele field progresses, which it is held, will be rapid as soon as FCC permits commercial sponsorship of programs.

In addition to the glass-enlosed studio, DuMont has plans for several subordinate indoor studios plus the eventual erection of a large version of the terrace facilities by building, when the time comes and the need arises, a glass-enlosed unit which will occupy the entire roof.

DuMont's proposal to FCC covers commercial transmission from the Madison Ave. plant, and the retention of the Passaic station for experimental purposes. The application for new setup has been in FCC hands now for some six weeks.

Since expense factor in a national tele hook up is still regarded by tele experts as a huge hurdle, DuMont is figuring on its future film programs to cover the various individual areas in the country to which such features could be supplied. This angle, it is stressed, is a "long range view," but doubtless a practical one for the reason that in each such area a film can be televised in a central station and supplied to the many theaters which are expected eventually to be devoted to some extent, if not exclusively, to presentation of telecast entertainment pic.

The glass-enlosed terrace studio project covers an area of some 2,600 sq. ft.

First 20 by 15 Foot Tele Screen In London Theater

Installation of a 20 by 15-foot Baird Television screen has been completed at the Gaumont British New Victoria Theater, London, it was announced yesterday by Baird. It's the first of its kind. Company expects to have 12 London houses completely equipped by May 24. Work is being rushed at the GB office in New York where apparatus is being installed for demonstrations.

THEA. DIVORCEMENT MEASURE IN ILLINO

(Continued from Page 1)

part, by producers or distributors. It is reported out of the Legal and Miscellaneous Committee, of wh. Sen. Peter P. Kielniski of Chicago is chairman.

Bill will affect any theater, which producers or distributors, may, in any way, directly or indirect, interest, direct ownership, or equitable, through stock ownership or otherwise. State courts would be empowered to restrain violations of the act.

Cinecolor to Introduce New 16 mm. Color Process

(Continued from Page 1)

of printing and processing equipment of its own design and development, which, when installed, will g. the Burhans plant a volume capacity of 600,000 feet of film a week. Price range, according to McCormick, will be "ridiculously low."

No say of that advent of practical, low cost, 16mm color press will increase the distribution industrial pictures a hundredfold, it is McCormick's belief that the potential 16mm color market will run into millions of feet of film a month. It is claimed as, and must be, Single-coated film for example, require no change of focus on part of projectionists. Also, as new projection machines were originally designed to accommodate sing coated stock, danger of scratching will be minimal. Splicing will be as simple as with black and white and as color images will be with one layer of emulsion, film will be a sharper image. Finally, beers 1,000-foot roll will be same size standard black and white, projectors will find the new film easy handle.

McCormick also pointed out the because of the increasing demand for all types of subject material on mm stock, major film companies are eying this new process with more than usual interest.

FC Talk Rates, Tariffs

Reading of the presidential repo in the morning and a general council session in the afternoon featured the first day of the Film Carriers three day convention yesterday. Electors of officers will be held today, with all incumbent executives slated for re-election. Rates and tariffs were discussed at the council meet yesterday.

Like Heintz—"57"

The industry, although absent as an "exhibitor" at the current New York World's Fair, is nevertheless well represented by motion picture footage. Some 18 buildings at the exposition are now featured, the number of taken, totaling 57. Largest volume of foot- age is shown in the Finnish Pavil- lion where some 20 different travelogues are on tap.
Ark. Threatens Secession—From Fair
Possibility of secession of Arkansas from the New World's Fair was threatened yesterday by a filibuster operation of a small 16 mm. home special projection machine raped with local 306. The local charged a service fee and also what operator used, Arkansas abrogated its agreement with the local with the advent of the operator demand. The Arkansas National Guard was called out last night and all was quiet at the Fair, as the projection machine hummed along, operated by the State of Arkansas.

Offer Drastic Amendment To Fire Rules for M. P. Film
(Continued from Page 1)

Oregon Picketing Statute Under New Union Attack
(Continued from Page 1)

I TOA to Send Group to Allied's Meeting
(Continued from Page 1)

COLOR PROCESS
- The end of double features may arrive sooner than its advocates expect. This will mean a lot of one-reeler duplication, the one-reeler dupes will do. More will be expected of shorts than features. Color is one answer. Are you prepared to manufacture color prints?
- A specialist in this field, who has the accumulated knowledge of over twenty years of patent and technical study, the research experience and inventive ability, can help you avoid expensive and ruinous mistakes already made by others.
- This is the opportunity to go on your life's greatest adventure, — IF you have the guts to start now.

Address: COLORTECH, c/o Film Daily, 1501 Broadway, New York, N. Y.
“Invitation to Happiness” with Irene Dunne and Fred MacMurray
Paramount 95 mins.

(HOLLYWOOD PREVIEW)
SWELL HUMAN INTEREST STORY SHOULD MAKE HEAVY GROSSES IN ALL THEATERS.

Here is one of the most human pictures that has come to the screen in many moons. Although one of its central characters is a prize fighter, it is far off the beaten path of fight stories and will have as much appeal to feminine fans as to men. Properly exploited the picture should play to heavy grosses in all types of theatres. Wesley Ruggles, producer-director, has done a masterful job of driving the story warm, sympathetic, direct.

Claude Binyon contributed an excellent script, containing effective dialogue and human touches. Irene Dunne, well cast as the pampered socialite, falls in love with Fred MacMurray, a prize fighter. MacMurray has done a better job than usual, as the uncouth, cocky fighter set to win the world’s heavyweight championship. Billy Cook, a newcomer, is very convincing as the boy, who is finally won over by his father, MacMurray, when the latter loses the most important fight of his career. Charlie Ruggles, in a straight role as MacMurray’s manager, delivers solidly, while William Collier, Sr., is very much like Irene Dunne’s father. Irene meets Fred, when Ruggles, an old friend of her father, Collier, Sr., induces the latter to buy a half interest in Fred for $2,000.

They fall in love and marry. Fred, determined to make a crack at the world’s heavyweight title, keeps on fighting and is fighting out of town when Irene gives birth to their first-born, Billy. The son grows up, seeing little of his father and having no affection for him. Fred, for his part, has to raise his son single-handed, feeling that Irene no longer loves him, leaves him. Irene loves for divorce, wins the decree, but Fred is given the custody of the child for the first six months. Fred does everything possible to win the love of the boy, but it is not until the night of the championship fight that he is finally beaten that the boy shows whole-hearted love for him. The reconciliation follows with Irene. Selling angle: Fred MacMurray loses the biggest fight of his life but wins back his wife and son.


CREDITS: Producer, Wesley Ruggles; Director, Wesley Ruggles; Author, Mark Jenner; Screenplay, Claude Binyon; Cameraman, Leo Tover; Process photography, Farciol Edouart; Art Directors, Hans Dreier, Elmer Plummer, Earl Hamyn, Richard Olson; Musical Score, Frederick Holland.

DIRECTION, Masterly. PHOTOGRAPHY, Very Good.

Develop Facsimile Film
Chicago—M. W. Spoor and C. K. Spoor are developing a new type of facsimile film.

“Some Like It Hot” with Bob Hope, Shirley Ross, Una Merkel, Gene Krupa
Paramount 96 mins.

(HOLLYWOOD PREVIEW)
GOOD ENTERTAINMENT, EMPIRICAL IN COMEDY, SINGING AND KRUPA’S ORK SHOULD DO BIG.

This picture is good entertainment and should do business for the houses in which it is booked. George Archainbaud, director, kept things on the move and brought out the comedy to its best advantage. William C. Thomas rates credit as associate producer. The story is a bit old but with Bob Hope’s fast-talk and wise-cracking, Shirley Ross singing, and Gene Krupa’s playing drums, the picture moves along at a fair pace with only a few lagging spots. Hope is a fast-talking fellow who has had a successful concession at Atlantic City. Krupa and his boys play in front of the concession to help bring the customers in, but nothing helps and the landlady has them up for rent. Hope is just full of ideas and goes to Bernard Nedell who is head of the gang of hoods in the neighborhood. He sends him to Krupa, but he turns him down. While in Nedell’s office, Hope meets Shirley Ross and starts giving her the fast talk. He gives Nedell his word andHope is a phoney, but still wants to team up with him. She gives him a ring which is the key to the hoods, and he breaks into the joint, with which she wrote. Krupa and Shirley get fed up with Hope’s empty promises and get a break on the pier where they pack in the bitters. Hope, through his banking and hard work at odd jobs gets together enough money to get Shirley’s ring back, and in the end he finally wins her back. The jokes and fast talk are entertaining.

“The Lady’s In Love With You,” by Frank Loesser and Burton Lane should be another hit tune. The screenplay by Lewis R. Foster and Wilkie C. Mahoney based on a play by Ben Hecht and Gene Fowler was the best but was adapted by Irene Dunne, Frank Saly, Bernadene Hayes, Rich dung Denning, Clarence H. Wilson, Dudley Dickerson, Harry Barris, Wayne Whitman, Edgar Dearing and Jack Smart are among the principals in the cast who do good work, while Bernard Nedell, ash, did his part well enough not to be disliked too much. Selling Angle: Krupa’s Jitterbug fans, as well as those who enjoy Hope and Shirley Ross, should help fill the houses that run this picture.


CREDITS: Associate Producer, William C. Thomas; Director, George Archainbaud; Based on play by Ben Hecht and Gene Fowler; Screenplay, Lewis R. Foster, Wilkie C. Mahoney. Art Directors, Hans Dreier and Earl Hedrick; Editor, Edward Dmytryk; Sound, George Denning, Walter O. Mott; “The Lady’s In Love With You” by Frank Loesser and Burton Lane; “Some Like It Hot” by Gene Krupa, Renu Biedel, Frank Loesser; Musical Director, Wally Wallace; Director, Adept. PHOTOGRAPHY, Good.

“Tumbleweeds” with William S. Hart
Astor Pictures 86 Mins.

GRAND REVIVAL OF BILL HART CLASSIC IN WHICH OLD WESTERN STAR SPEAKS.

This is not to be taken as an ordinary revival of an old silent classic. In fact it marks many one of the most successful tie-ins of the field of reissues. For the first time, that great western actor who set the standard for all western stars who followed, Bill Hart, appears on the screen in a make and speaks. And what he says is not just an ordinary speech. Hart delivers himself of a fine tribute to the Old West as it has ever been written. He wrote it himself. He makes you understand and feel the old days of the Old West in the old country. But the big surprise that will come to everybody is the remarkable quality of Hart’s voice. It is one of the most warm, dramatic and emotional male voices that has ever been heard on the screen. If Hart was a younger man and came down to Hollywood today, he would zoom to the top as one of our finest actors not only because of his voice but for the great dramatic qualities in his face which he displays in his eight-minute talk right after the main title flashes. He will prove a revelation to all motion picture lovers that have not seen him from the days of the silent stars in the distant days. To the younger element, they will see how a real cowboy handled his camera and how the western was to be handled by the best cameramen of today. It is too well known to repeat in detail. It involves the land rush on the Cherokee Strip when the government opened it up in 1899. That ride that Bill Hart, after waiting long after the homesteaders have dashed madly across the plains in all kinds of vehicles and with the latest camera and film of that time show the horses legs in a continuous blur. A fine musical score has been specially composed by James Bradford and Arthur Gutman. The picture has been re-edited and re-titled, and sound effects have been synchronized with the musical score. Here is a picture of the silent days that stands up remarkably well with the modern western action film. There is no western star today that can outride Hart, or handle his six-guns better than he does in this classic of 1922. Exhibitors can book this merely on the strength of Bill Hart’s talk as he comes riding over the hill on his California ranch, and starts talking chatty to the audience about the good old days when the West was really wild. As we have said elsewhere, only the Gettyburg Address of Charles Laughton in “Ruggles of Red Gap” can equal it for dramatic power and emotional appeal.


CREDITS: Producer, William S. Hart; Director, Ken Bagnett; Author, Hal G. Evans; Screenplay, C. Gardner Sullivan.

DIRECTION, Very Good. PHOTOGRAPHY, Good.

“Panama Lady” with Lucille Ball, Allan Lane, Steffi Duff RKO Radio Pictures 64 mins.

(HOLLYWOOD PREVIEW)
FAIR MELODRAMA HAS WEAK STORY, BEST SUITED FOR LOWER HALF DUALS.

This picture will serve as a filler on double feature bill. Jack Hively, the director, did the best he could with a weak story. Cliff Reid acted as the producer. The story is the old theme of a girl, played by Lucille Ball, in a Bee joint in Panama who gets stranded and is put up to helping in a roll of a customer, Allan Lane. When Lane comes out of the drunk gets finds his money gone, he starts breaking the furniture. The cops come and tells the story. They arrest landlady, and Lucille tells Lane she get his money back if he doesn’t send her to jail. She can’t produce, and he has to go to South America where he starts digging for oil. She leaves a note for her boy friend, Donald Briggs, telling him she is going away with him. The friend is a gun-smuggler and he has to be raided. Believing that Lucille has hipped off the opposition, he goes to find her with the intention of bumping her off. Lucille has fallen for Lane. Briggs finds claim papers when he comes for Lucille and finds out she is going away with them. Briggs is killed Lane’s native sweetheart, Steffi Duna, puts the blame on Lucille. When Lane returns from his oil camp he sends Lucille back to the States. He comes looking for her later and wants to marry her. Abn Biberman, Evelyn Brent, William Powell, Bernadene Hayes and Earle Hodgins all good in supporting roles. Story by Garrett Fort and screenplay by Mick Kanin.

CAST: Lucille Ball, Allan Lane, Ste Duna, Evelyn Brent, Donald Briggs, Bernadene Hayes, Abner Biberman, William Powell, Earle Hodgins.

CREDITS: Producer, Cliff Reid; Producer, Thomas D. Meehan; Director, Jack Hively; Author, Garrett Fort; Screenplay, Michael Kanin; Cameraman, J. Roy Hu; Special Effects, Verner L. Wally ASC; Art Director, Van Nest Polglase, Albert D’Agostino; Editor, Thon Hvar; Sound, Hugh McDowell, J. Musical director, Robert Webb.

DIRECTION, Handicapped by Materi PHOTOGRAPHY, Okay.

Gaspars Visiting Coast
West Coast Bureau of THE FILM DAILY Hollywood — George Converse Filmex Co., distributors of Gve films, is entering Dr. Bela Guppar and his brother of the Gspars color Co., London. They are recent arrivals in Hollywood.

“May Fight Ecstasy” Ban
Atlanta, Ga.—Management of T-Examiner theater, informed the bureau on “Ecstasy” story, may apply I an injunction.
“Back to the Soil”

If you are one of those who visits the office of Dave Bernstein, Lew's executive, you pass through the outer office of Miss Lee Cohen, Mr. B.'s girl Friday. You may have noticed all those phone numbers on Miss Cohen's window sill. There's sentiment in every one of them. Each started its Broadway career with a "slip" from the Kings Point gardens of Nicholas M. Schenck.

I A TO SPEND RECORD $3,000,000 ON ADVTG.

(Continued from Page 1)

the company's distribution personnel.

Although UA is sympathetic with the proposed trade practice code, because of its peculiar structure the company cannot participate as a signatory.

5. There is a distinct danger that continuance of double features will make people want television, but that if the industry arms itself with good pictures, it need not worry about the same opposition.

6. Exclusive contracts with Mary Pickford, Doug Fairbanks, Charles Chaplin, Samuel Goldwyn, Hal Roach, Edward Small, Walter Wanger, and Edward Korda, for a period of five years, will assure a regular supply of films to the company.

7. Amplifying Silvertone's budget announcement, Lyn Farrell, UA publicity-ad head, said that features out season will have "hand-tailored" campaigns with an average of $60,000 to $100,000 to be spent in dailies and the trades. Additionally, such pix as "Four Feathers" and "Winter Carnival" will get easy play in the mags. Special exploitation is also planned for "Immezzo" and "Rebecca." At present, in association with the Hayaace, a campaign is under way to draw support to the Jascha Heifetz recital, "Music School."

Silvertone told the convention that next year $400,000 worth of pictures had been delivered to UA by its producers. It is believed that the company will sign a $500,000-a-year contract to join UA.

In commenting on the problems of the producers, Silverstone gave details of the Producers' Fund which is in operation. He pointed out that the higher the grosses on pictures, the lower the percentage paid to the producers. The basis of the plan terms charged against the successful producer. "You do not have to block-book a good picture," commented Silverstone. "You do not have to make two-three points, only break even and make any further comment."

MPTOA STILL FAVORS CONCILIATION SETUP

(Continued from Page 1)

...ination setup are absent in the conciliation plan, Kuykendall points out. Mediation of complaints does not involve hard and fast rules and regulations, he contends, nor does it involve arbitrary, irrevocable decisions over the protests of one of the parties. "Settlements of complaints through conciliation," Kuykendall said in his bulletin, "are worked out by voluntary agreement between the parties to the dispute, no finely balanced mediation board or binding agreement to submit the complaint to a final decision is required. This a mediation board to work on many vital matters not possible to reach a final agreement, as any other body can be hurt by such efforts to conciliate complaints."

Kuykendall's bulletin concerned itself mainly with attacks on the Neely Bill and the good and bad points of the trade practice code.

Further Tele Holdings Wait on Developments Whitney

(Continued from Page 1)

...nn and financier, stated yesterday when he arrived on the television field in England. The United Artists deal with Selznick International will be signed in the near future, Whitney said. He stated that the deal would probably run at least a year as it covers a minimum of three pictures. Any agreement with the studio on any project will certainly be released by UA as long as the current contract is effective, he said.

...spring Production Boom Under Way at Universal

West Coast Bureau of THE FILM DAILY

Hollywood — Spring production boom is on at Universal's studio with five pictures being launched almost simultaneously, and several others being readied for filming.

John M. Stahl has started "The Under Pup," a Joe Pastorath production, directed by Richard Wallace. Wallace's next move into immediate production is "Brecht Victory," directed by Joseph Santley.

S-1 to Produce 6 or More High-Budget A Pix for '39-40

West Coast Bureau of THE FILM DAILY

S-1 will produce at least a minimum of six high-budget A's for 1939-40, it was announced here yesterday. "Intermezzo," starts late this month, and will be followed by "Rebecca" and "Orleans!" The latter two sequels. Seven others planned are "Titanic," "The Flashing Stream" and "Freedom of the Press."

Company additionally is making "Gone With the Wind" for Metro release.

STORKS!

Clintin, Ind.—Mr. and Mrs. Kenneth E. Maurice are receiving congratulations on the birth of a baby boy, Kenneth J. Father is he manager of the Wabash Theater here.

Cincinnati—Morris Zeldins, manager of the Gaity theater is the proud dad of a son born at the Jewish hospital.

Inspectors Saved

Important Event, House Owner Says

Gary, Indiana—For nearly a year, we had been having trouble with our public address system at the Palace Theatre here," said V. U. Young, president of the Theatrical Managers, Inc., Circuit, "and we were particularly concerned about its functioning properly during a style show for which we had enlisted large community interest and support."

"Our Altec Inspector R. C. Gray, and D. A. Swangard, from the Altec Chicago office, cheerfully put in long hours working under high tension on the problem, and never gave up until our troubles were licked. Our style show was a complete success."

"It is that kind of work by Altec field men that reminds theatre operators of the value of Altec service and forcibly reminds them of how great a protection Altec service is to owner and manager alike."

The Altec service inspector takes personal pride in belonging to an organization which renders to its exhibitor customers service that goes beyond the required obligation. Let the Altec man in your locality explain how Altec service can "bring out the best" in quality and performance, in equipment now in your theatre.

ALTEC
SERVICE CORPORATION

250 West 57th Street, New York City

THE SERVICE ORGANIZATION OF THE MOTION PICTURE INDUSTRY
Fawcett’s Screen Book Magazine Lines Up Afternoon Sheets

A nation-wide newspaper poll on the subject of double features will be launched in approximately 500 afternoon newspapers during the week of June 12. The poll is sponsored by Screen Book Magazine, a Fawcett publication, and is said to be the first extensive move of its kind ever attempted.

A daily build-up feature will appear in each of the participating newspapers from June 12-16. On Saturday, June 17, the co-operating newspapers will publish a ballot and urge readers to send in their votes. Each newspaper will publish its own local results. National totals will be compiled by the Gloudon News Service.

With the subject of double features such a controversial one, the editors of Screen Book hope to determine whether the majority of picture fans prefer two features on a program, or one feature plus short subjects. Russell J. Smith, managing editor, said yesterday that an extensive studio survey was made before the newspaper poll was undertaken. Darryl Zanuck, David O. Selznick, Jack Warner, Walter Wanger and others prominent in production expressed keen interest in the newspaper poll, Daigh said. William Parker is in charge of the campaign for Fawcett.

Cleveland Metro Trio Ill

Cleveland—Local M-G-M exchange is operating under a handicap. Three of its members have been patients at St. Vincent’s Hospital. John Coyne and Dorsey Brown, both bookers, are suffering from as yet undiagnosed illnesses. M-G-M’s head biller, is still convalescing from an appendectomy. Phil Harrington, M-G-M office manager, appeared moments back of the booking counter with the help of Bill Sheehan, the one remaining healthy booker and Harold Schlegel, loaned from the Cincinnati office.

Sack in Coast Parleys

West Coast Bureau of THE FILM DAILY
Hollywood—Alfred N. Sack of the Sack Amusement Enterprises, Dallas, arrived yesterday to spend a couple of weeks for conferences with producers on product and distribution of pictures that he will handle, and will also negotiate for new product. He is making his headquarters at the Roosevelt Hotel.

Turnig Table

“Hollywood Cavalcade,” which 20th-Fox is producing in Technicolor, will be the white clad folio to have a black and white sequence. It was learned yesterday that a six-foot lead and a six-foot lag will be used on the set of the film and interior scenes of the story will be shot in color.

Anyway, It was Not the Humidity

A temperature record of 98 on Sunday last, which was one of the few of the current Spring’s more seasonal days, then add the World’s Fair, the Giants and Dodgers playing in town, the ticket agents pushing tickets beyond limits,thumbing at amusement parks, particularly at Coney and Palisades; throngs in municipal parks; the fact that another army visited the Navy pageant in the North River and the Army pageant on the Battery and you have the dish which Broadwy and nabe picture theatres faced (and philosophically) this Sabbath past.

Which it is to say, grosses were naturally down. But all’s in the game!

Iowa Solons Adjourn; One Industry Measure Passed

(Continued from Page 1)

of prize fight pictures in motion picture theaters. A House bill requiring two operators in films did not pass the Senate. Other bills introduced, but given little consideration, provided a nine-member film censory board; one that would banish Bank Night by making it a lottery and another that would legalize Bank Night and place a five cent tax on each admittance ticket.

Elizabeth and Essex

Will Start Thursday

West Coast Bureau of THE FILM DAILY
Burbank—Warners’ Technicolor production hereof to be called “The Thirteenth,” a co-operative project of Associated Producers, Inc., and Warner, was leashed as “Elizabeth and Essex.” It was announced yesterday. Shooting starts Thursday, with a cast headed by Errol Flynn, Bebe Daniels, Olivia de Havilland, Donald Crisp, Alan Hale, Vincent Price, Henry Stephenson, Henry Daniell, Robert Warwick, Rosella Towne, James Stephenson and Maris Wrixon. Michael Curtiz is directing.

Anderson and Uring

Circuit Adds 2 Houses

Pittsburgh—Anderson and Uring, who operate a circuit of theaters throughout West Virginia and Western Pennsylvania, are adding two houses, a 550-seat theater in West View, Pa., and a 550-seat theater in Pinegrove, W. Va.

WB Theaters to Play “Eagle and Hawk” Re-issue

New Haven—Paramount’s reissue, “The Eagle and the Hawk” is the first such pic to be bought by Warner’s for the entire New England circuit.

Orders Sussman to Testify

Appellate Division yesterday affirmed a decision of Supreme Court Justice Aaron J. Levy which ordered William Sussman, eastern division manager of 20th-Fox to testify before trial and, at the same time, to submit blueprints and inventory of 20th-Fox storage plant in Little Ferry, N. J., in reference to a suit for $50,000 damages brought by Arnit and George Greeves. Action was brought by plaintiffs as result of personal injuries.

RKO, R. C. Nines to Clash In League Game Tomorrow

Schedule for the first-half of the Motion Picture Baseball League’s 1939 season, which opens on May 1 and of which date five games have been played, follows:

Tomorrow: RKO vs. Rockefeller Center; May 12, NBC vs. Paramount; May 19, Loew’s vs. Warner; May 15, Skouras vs. RC; May 17, CFI vs. Loew’s; May 19, RKO vs. Para.; May 20, NBC vs. Columbia; May 22, Loew’s vs. RC; May 24, Para. vs. CFI; May 26, NBC vs. Skouras; May 29, Loew’s vs. NBC; May 31, Para. vs. RC; June 1, NBC vs. Skouras; June 3, Col. vs. CFI; June 5, NBC vs. RC; June 7, CFI vs. RKO; June 9, Para. vs. Loew’s; June 10, Col. vs. Skouras; June 12, RKO vs. NBC; June 14, RC vs. CFI; June 16, Skouras vs. Loew’s; and June 17, Para. vs. Col.

New Orleans Film Office

Workers Form Social Club

New Orleans—Film office workers have united here to form a social club which will also act as a forum to discuss local and national matters. This new group, as yet untitled, consists of approximately 25 members and is headed by President Arthur Schenck, of the Coast Booking Department, and Treasurer Herbert Schlesinger.

Four British Producing Companies Plan to Merge

London (By Cable)—It is stated here by interested parties that four British producing companies, Anglo Film Productions, M. M. Productions, Metropolitan Productions and Inter-Continental, plan to merge, with Met-Pa, Inc., and the British National, as the parent company. Harry Marks, under the plan, would be executive producer and Balaban & Katz in the Chicago franchise for First National, and was a veteran exchange manager.

N. Y. Unit Wants New Allied Negotiator

(Continued from Page 1)

London (By Cable)—W. J. G. states that arrangements have been completed whereby the tour of a British King and Queen in Canada and the United States will be filmed by Pathe in Dufaycolor. Film will be shipped, printed and released, and the color picture showing with two weeks. To make this possible Pathe will cooperate with the authorities in England, the S. and Canada.

Filming of the tour is expected to cost $200,000 of negative color film.

Calgary Leads RKO Drive

RKO Radio Pictures’ Calgary branch under the management of T. C. Taylor has taken over leadership among the 38 exchanges in the George Schaefer Drive. This new group, as yet untitled, consists of approximately 25 members and is headed by President Arthur Schenck, of the Coast Booking Department, and Treasurer Herbert Schlesinger.

Visible Man” Sequel

West Coast Bureau of THE FILM DAILY
Hollywood—Universal is going to make a sequel to “The Invisible Man” which was made in 1931 with Claude Rains in the leading role. The new picture will be titled “Invisible Man Returns” and Joe M. Davis has been set to direct the original story by Kurt Siodmak. W. P. L. comb is doing the screenplay.

It’s Colonel Scaheen

It’s new Col. Joseph M. Scaheen. The 20th-Fox board chairman is one of the newest Kentucky Colonels in that state. With David Butler, Walter Brennan, William Consolani and Don Ameche, were named Colonels by Governor A. B. Chandler at the Derby oven dinner. Scaheen was the only one not in attendance, being forced to remain in New York for business. St. L. lawyer Eugene flew back to the Coast Sunday night.

Services for Roy C. Seery

Hollywood—Funeral services were held yesterday afternoon at Santa Monica for Roy C. Seery, 62, who died following a long illness. He was formerly associated with Balaban & Katz in the Chicago franchise for First National, and was a veteran exchange manager.
Penny Tax on 15c Admissions Proposed in N. Y. State

COLUMBIA CAMPS IN PRODUCTION BUDGET $5,000,000

Schenck Sees Tele as a Novelty "Draw" for Theaters

SELLING PIX, EXHIBS.' JOB
Theaters Shouldn't Rely on Distrib.,
Cohn Tells Columbia Convention

Atlantic City—Exhibs. who intend to rely upon the distrib. to sell pix are remiss in doing a job that primarily belongs to them, Jack Cohn, Columbia vice-president, told the company's sales convention in session here. Concluding meetings take place today.

Asserting that exhib. created showmanship "has been lacking in the last few years," Cohn warned that the public must be sold more thoroughly than ever before on films, due to the fact every season now represents some competition. "Whether exhibits. liked the big drive the industry had last Fall or not," commented Cohn, "there is still a lot that can be done in all communities along this line."

Convention was told that Columbia's "direct-to-public" advertising campaign is being guided to a great extent by exhib. advice.

HEAR GOV'T TO ASK SUIT TRIAL IN OCT.

SOURCES close to the D of J asserted yesterday that the Government intends to seek setting of trial of its N. Y. equity action against the majors for next October, and indicates that it's portion of the trial (Continued on Page 7)

U.A. CONVENTION CLOSING; FRISCO TRIP TO FOLLOW

West Coast Bureau of THE FILM DAILY

Hollywood—The United Artists sales convention, in progress here since Monday, comes to a close today. (Continued on Page 8)

Unemployment Relief Sales Tax Bill May Levy Penny Tax on 15c Admission

$50,000 Pledged Towards GNY Fund $100,000 Goal

Slightly more than $50,000 has been pledged by various local branches of filmland to the current Greater New York Fund drive, (Continued on Page 3)

Albany—New York State exhibs. may be faced with a serious problem if some of contemplated tax measures prevail in the Legislature. From an authoritative source, it is learned that a sales tax measure in course of preparation, to provide funds for unemployment relief purposes, could (Continued on Page 3)
Rubin to Receive GNY Fund Exhibit Committee Report

In preparation for the scheduled meeting tomorrow of the four sub-committee chairs of the Motion Picture Division of the Greater New York Fund to discuss the offices of J. Robert Rubin, divisional chairman, at 1540 Broadway at 2:30 p.m., B. S. Moss yesterday notified members of his Exhibitors’ Committee to make their reports available in time for presentation to Rubin.

Other heads of sub-committees were also active yesterday in preparation for their reports and are expected to give the first comprehensive statement of the drive’s success to date.

Attending tomorrow’s session, in addition to Rubin and Moss, will be Ned E. Deplin, head of the distributors’ group; Ralph L. Poucher, pinch-hitting for Herbert J. Yates, Laboratories group leader who is on the Coast; and Herbert Ruben, leader of the Allied Industries Committee.

Towne, Baker Will Produce Four Pix Annually for RKO

Gene Towne and Graham Baker, writing team, will produce four picture annually for RKO under the terms of a contract recently closed on the Coast with George J. Schaefer, RKO president. The new unit will be known as “The Play’s the Thing Productions,” the first picture slated to go into production May 15. Towne will vacation in New York and Bermuda before launching his first picture.

RKO also announced yesterday that Jean Hersholt had signed a long term contract to appear in three major pictures a year.

RKO Will Release Morros’ Laurel and Hardy Feature

West Coast Bureau of THE FILM DAILY

Hollywood — Morros has closed a deal to release “The Aviator” starring Laurel and Hardy, through RKO. Morros is setting up his organization and will go into production with this picture July 1. Fred Schiller is writing the screenplay.

TMAT Demands Are Hurdle in Grisman-Skouras Deal

Deal initiated by Sam H. Grisman, theatrical producer, to supply six theaters with stock movies, to be installed in Skouras houses in Hempstead on Monday and Tuesday, Great Neck on Wednesday, Jamaica on Thursday and Westwood, N. J. on Friday and Saturday of each week, has hit a temporary obstruction precipitated by difficulties which Grisman is facing in coming to suit-able terms with the TMAT.

The Skouras interests are reported to be demanding compensation for the houses selected and a share in the gross.

DeVry Will Show New 16mm. Equipment In N. Y.

DeVry Corp.’s new 16 mm., arc projector for local newsreel showings and general 16 mm. work in theaters, theaters and outdoor shows, will be used by the company’s new office, accordingly with its company’s likewise new-ly-developed 16 mm. sound camera, will be presented to the trade for viewing at the Coral Room of the Hotel Astor tomorrow afternoon from 1 to 5 p.m.

Herman A. DeVry, company’s president, has already arrived here from headquarters in Chicago to present at the demonstration.

Development of the new mechan-isms has excited great interest in motion picture circles since inception of the report that DeVry was undertaking their design and manufacture.

Fredman Joins Goldwyn

London (By Cable)—Samuel Goldwyn has appointed Eric Fredman as his British rep. Fredman for the last two years has been sales manager of Herbert Wilcox Productions.

16 Tripling In Chicago

Chicago — Sixteen theaters used triples during the past week, but only 15 houses advertised giveaways.

FINANCIAL

NEW YORK STOCK MARKET

Columbia Picts. v/c 9% 9% 9% +
Columbia Picts. pfd. 11% 11% 11% +
Con. Film. N.Y. 17 17 17 17 +
Con. Film. Ind. pfd. 9% 9% 9% +
East. Side 17 17 17 17 +
Fed. Thru. 12 12 12 12 +
Loew’s Inc. 44% 44% 44% +
Paramount 8% 8% 8% +
Paramount 1st pfd. 9% 9% 9% +
Paramount 2nd pfd. 9% 9% 9% +
Pathfinder 9% 9% 9% +
Roth Film 9% 9% 9% +
RKO 20th Century-Fox 13% 13% 13% +
RKO 20th Century-Fox pfd. 13% 13% 13% +
Univ. Pict. pfd. 61% 61% 61% +
Warner Bros. 5% 5% 5% +
Wanted 3% 3% 3% +
Wanted 4% 4% 4% +
NEW YORK BOND MARKET

Keith & B. 406 77 77 77 +
Loew Cs 41w 102 101 101 +
McIntyre 555 521 521 521 +
Pars. Inc. 655 521 521 521 +
Pars. Inc. 655 521 521 521 +
Pars. Inc. 655 521 521 521 +
RKO 60s 65 65 65 +
100 23-32 100 110 110 110 +
Warner’s 639 639 639 639 +
Warner’s deb. 648 648 648 648 +
NEW YORK CITY CURB MARKET

Monogram Picts. 13% 13% 13% +
Stanton Picts. 13% 13% 13% +
Technicolor 16% 16% 16% +
Trans-Lux 3% 3% 3% +
Universal 4% 4% 4% +
Universal Picts. 3% 3% 3% +
Universal Picts. 13% 13% 13% +
Pathe Film 7 pds. Bid Asked
Pathé Film Ltd. 12 12 12 12 +
Fox Thea. Bldg. 1st fl. 1 1 +
Loew’s Theatre Bldg. 1st fl. 1 1 1 +
Met. Playhouse. Inc. 1st fl. 1 1 1 +
Roxy Theatre. Bldg. 4th fl. 1st fl. 1 1 1 +

THE THEATRE

George Abbott Productions

“There have been a number of good girl and male shows in town of late, and special opening of the latest by Mr. George Abbott, that of ‘Pride and Prejudice,’ is not likely to be equalled by any of the others.” — Walter, Herald, Trib.

George Abbott and Hattie McDaniel

The Boys from Syracuse

with Jimmy Wynn Eddie Foy SAVO MURRAY ALBERT HARDY

ALVIN, W. 524 St. Mats. Wed. & Sat.
Columbus 5-1114

“Some of the loveliest, sweetest, best songs that have been played in years. A real Irish show. A real Irish show. A perfect way for the Irish to go.” — James Kavanagh, Improvised.

PRIMROSE PATH

By Bob's L. Bocci and Walter Harris, with Helen Betty Mary Russell WESTLEY GARDE MAEON HARDIE CORT, Wed. & Sat. Mats. Wed. & Sat.
Biltmore 9-0601

“Reas of Pleasure”—Atkinson Times.

WHAT A LIFE

with EDDIE STONE as Aldrich HARRISMAN, W. 47th St. Mats. Wed. & Sat.
CORT, Wed. & Sat. Mats.
Biltmore 9-0601
OPOSE PENNY TAX ON 15-CT. ADMISH

(Continued from Page 1)

pletes a tax of one cent on ad-

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extent of the number of proposed

hoes, with the hope of recaiting

manner of nuisance taxes must

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year in modern architecture.

ng the building's elegance over 400

ins something even for architects to marvel at.

for the building to be in on the first picture shown in the de

ale of the great Train Robbery"

most appropriate, say we, today the evening's opening

lasses are not just equal and two

ments, while it is expected sales tax

l will impose 2 and at most

on other items.

legislature may adjourn without

ment relief purposes but in that

be called back in extra-

2,000 Pledged Towards

(Continued from Page 1)

ough the efforts of the various

the decision of J. Robert Rubin, Motion

in 1939. Division's goal is

rubin has called a conference for

at 1540 Broadway at which

erts will be obtained from the

nees headed respectively.

l, E. Depinet, R. S. Moes, Her-

Robbins and Herbert J. Yates.

orrow Rubin will present a

nt to council of the Greater New

ikado" at Rivoli May 25

The "Mikado" opens at the Rivoli

ay 25, Uni-

(Continued from Page 1)

SCHENCK SEES TELE AS NOVELTY "DRAW"

(Continued from Page 1)

available for television broadcasts.

"Baird Television is of particular

let the fact that we are shareholders in

in Gaumont British, a large holder of

he pointed out.

Schenck foresees no immediate

return to "good" theater business

out the country until world

conditions become more settled, al-

whether he expects a general

improvement this year, due to the

of the forthcoming Holly-

wood products.

Contracts with studio unions on

the Coast will probably be renewed

major changes, he pre-

Schenck does not foresee

a product shortage this summer and

ated that if sufficient time is far-

over will be able to meet its

release schedule day and date

throughout the year.

NBC Installs Revolutionary

Film, Tele Lighting System

A new and flexible system of

on picture and television studio

lighting regarded as revolutionary

has been successfully installed

and tested by the National Broad-

ing Co., O. B. Hansen, vice-

chief engineer of NBC, stated

yesterday. The system consists of remotely

controlled multiple lamp units, each

ixed to the ceiling of the studio.

ach unit, mounted on a bank of

six lamps, may be raised and low-

ered or tilted through a considerable

angle, and swung through nearly a

complete circle in focusing the illu-

mination on any desired spot in the

studio. Lighting can be changed at

two to three times without interrupting the

performance.

"U. P. "A"hi 30-80%" 

Coel B. DeMille's "Union Pacific" has been held over for additional

playing time in six key city engage-

ments and is running far above av-

rage weekly business in 25 addi-

itional first-run situations, reports to the Paramount home office

revealed yesterday. Above average per-

ages cited ranged from 30 to 80 per

Momand Hearing Friday

Oklahoma City—Hearing on A. B.

Momand suits are to be held in Fed-

eral District Court here Friday.

Hearing will be on motion of de-

fendants to dismiss. This is the

ninth hearing so far and probably

the last.

WEBEDDING BELLS

Janesville, Wis.—Bernard E. Mar-

ker, projectionist at the Beverly

theater here, was married recently

at Manchester, La., to Miss Dorothy

peterson.
Howard Hawks, one of whose hobbies is aviation, directed "Only Angels Have Wings," a romance of the air, for Columbia Pictures. It is based upon a story Hawks himself wrote. He has directed such aviation films as "Dawn Patrol," "Air Circus," "Ceiling Zero.

1. Flying the mail across the Andes, Joe Souther encounters heavy fog and returns to his field in Ecuador, but his plane crashes in flames. Among the friends who mourn his death is Bonnie Lee, a New York show girl who recently has arrived in the banana port for a brief visit.

2. To mask their grief, the other fliers get together at a party, trying to be merry. Bonnie joins in festivities, along with Geoff Carter, manager of the little airport. Soon after midnight the fog lifts and Carter leaves the party to fly the mail again.

3. A new pilot arrives to take Joe's place. He is Bat McPherson, whom the other aviators soon recognize as a flier who once bailed out during a test flight and let his mechanic be killed. His wife, Judith, is a girl who jilted Carter in the United States. Carter has remained a bachelor.

4. McPherson volunteers, and Kid Daab, with his flock of condors, the Kid is mortally injured, McPherson to jump and save himself.

5. McPherson seizes every chance to be close to Carter. Though his friends have warned her he is "not interested" in women. One morning Judith and Bonnie meet in his quarters. Judith has come to the airport for a favor. She has done her since she arri

6. An emergency arises and a dangerous flight must be made. Carter decides he is the one to go. When Bonnie tries to prevent him from risking his life, she accidentally shoots him. If the flight is not made, Carter will lose a government franchise on which he and the airport owner depend.
On Carter's return, he is surprised to
find Bonnie still in the city. He had told
her to be ready to leave if things didn't
work out. She was leaving on the next
boat. She was, in love with the pilot.

When Kid Daab, one of Carter's pilots,
returns, he finds that the others are planning
to quit because of McPherson. He starts a fight,
knocking another pilot's arm. This puts Carter's
force short-handed.

McPherson, however, risks death by
turning home with the damaged plane, which
explodes as he lands. Before dying, he tells of McPherson's heroism. Now the pilots become his friends.

After the fog lifts, McPherson makes the flight in another plane, saving Carter's franchise. Meanwhile, Bonnie, all packed to take
the next ship, goes to bid Carter farewell, but says she will stay if
he asks her. He flips a coin, calls "heads" and proposes. She is very
angry until she learns the coin had "heads" on both sides.
Hail

L. M. Blonk, board member, Sam Briskin, studio executive, and Jack Cohn, vice-president.

Lee Jaffe, A. Montague, Sam Moscow and Rube Jackter.


A. Montague, general sales manager, at the microphone, flanked by Rube Jackter, assistant sales manager and Joseph A. McConville, foreign sales manager, at Columbia's convention now in session at Atlantic City's Ritz Carlton hotel. Other candid shots on this page show some of the delegates at the meeting and at the banquet which closed the Monday session.

Louis Weinberg and Tom McCue.

Frank McCann, Maurice A. Bergman and N.D. Spingold.

S. Swirsky, T. F. O'Toole, New Haven branch manager and B. J. Lourie.

Al Sherman, Allen Moritz and Pete Niland.


A. Schneider, Rube Jackter and Leo Jaffe.

Columbia
Columbia to Sell Capra, Osa Johnson Pix Separately

5 Top Bracket Features on Program; 130 Shorts for 1939-40

(Continued from Page 1)

a minimum of 15 top bracket films. No fixed budgets will be set; shooting schedules also will be flexible, it was said.

Features to be sold separately will be Frank Capra's "Mr. Smith Goes to Washington," with Stars Douglas Fairbanks, Jr., Jean Arthur and James Stewart, and adapted by Sidney Buchman from the Lewis R. Foster novel. A "Gen

erally" from Montana," and an ex-

ditionary production to be made by Mrs. Osa Johnson. Latter also will provide the new shorts series.

Roth "Blondie" Budgets

Continuing the "Blondie" series, Columbia plans three to be made this year: higher budgets. A new series of three, based on Margaret Sidney Stories "Five Little Peppers," will star Edith Fellows. A third series will take Warren William in a "Wolf" productions. Jack Holt will be seen in four productions, as announced.

Charles Starrett will star in 10 westerns, Bill Elliott in six; the sons of the Pioneers will be a mus-
elastic attraction in the former.

Four materials planned embrace "The Shadow" based on the radio pro-
gram; "Terry and the Pirates," from


A new plan for programs calls for two series of two-reel comedies, 12 series of single reel attractions, including six new series—10 Phanta-

Twenty-four titles of properties which may be utilized for the 1939-40

map are listed on the following:

Arizona," Wesley Ruggles production, based on Clarence Budig's Kelland's serial and novel, starring Jean Arthur; screenplay by Claude Binyon.

The Tree of Liberty," Frank Lloyd production, based on Elizabeth Page's best seller; cast announced.

The Bigger They Are," Howard Hawks production, based on the Ben

Becht-Charles MacArthur play, starring Cary Grant; screenplay by Charles Lederer. Pix will be an Fall release.

Super Clipper," to be directed by Alexander Hall.

"Singapore," described as a "rom-

ance and adventure" story; cast and director announced.

"Give Me Liberty," by Grant Gar-
ett, starring Joe E. Brown; direc-
tor announced.

"Men in Sing, Sing," by Warden Lewis E. Lawes; cast and director announced.

"American at Scotland Yard," cast and director announced.

Other Properties Available

Additional literary properties men-
tioned are:

"Life of Alfred Noble," by Peter Freuchen; "Chopin," by Sidney Buchman; "The Incredible Mr. Will-

Barklett; "The Weath-
est Link," "Dress Rehearsal!" and "Pig-headed," all by Clarence Buda-

tion of the Pictures.

"City for Conquest," by Aben Kanie-

fuge and Vinton Freedley: the Stars Shine Twice," by Clare Booth; the Pioneers," by Courtney Eyre Cooper; Frank R. Adams and Fran-


Wesley Ruggles, Frank Lloyd, Joan Blondell, Mabel Normand, Joe E. Brown each will provide one pro-

duction to add to those named by title.

On Shorts Program

Shorts program also provides for eight Three Stooge Comedies, 18

Al-Star Comedies, both two-reel series; 16 Color Rhapsodies in Techni-
color, to be produced by Charles Mitz; 12 "Screen Snapshots," 12

World of Sports, 6 "Washington Parades, 10 Community Sings. A

minimum of 12 new "Happy Hour" Entertainments units is planned; the

company now has 10 of them available.


Among the directors and associate producers who will be identified with the productions are: Frank Capra, Howard Hawks, Wesley Ruggles, Frank Lloyd, Russell Mack, Alexander Hall, Harry Cohn, Robert Riskin, William Perlberg, John Brahm, Frank R. Strayer, Charles Vidor, Fred Franklin, Robert Riskin, Sam Briskin, Sam Nelson, Norman Dom-

ing, Del Lord.

Representing Harry Cohn, detailed on the Coast, Sam Briskin told the table yesterday that the company, realizing "the director's the thing," had "signed the best directors ever assembled under one roof."

Others to speak yesterday were Jack Cohn, A. Montague, A. Schneider, Nate Spingold.

Surprise feature of the session was a three-reeler devoted to the company's immediate and future plans and "starring" Harry Cohn, Frank Capra, Rouben Mamoulian, Frank Lloyd, Wesley Ruggles and Alexander Hall.

Osa Johnson Speaks

Appearance of Osa Johnson was another surprise. She told of her adventures in making the film which Columbia will release and which, she said, would be a tribute to her late husband, Martin Johnson.

Other speakers on the afternoon session were Max Weisfield, short subjects sales supervisor; Louis Weinberg and Louis Astor, circuits and sales executives, and George Josephs, manager of sales accounting.

It is understood that a number of Columbia executives last night viewed the new play, "Brown Dan-

be," dealing with Nazi activities in Austria now at the Garden Pier The-

ater prior to its New York showing, with an eye to purchasing the play for pictures. The show opened here to a packed house and with proper publicity should be an easy hit.

HEAR GOV'T TO ASK

SUITE TRIAL IN OCT.

(Continued from Page 1)

will occupy about four months, with entire proceedings covering the better part of a year's time.

Further reports were circulated yesterday that David L. Podell may be sworn in as a special assistant to the U. S. Attorney General in order that he may prosecute.

Another development in the action yesterday was the filing of Paramount's affidavit, through Neil F. Agnew, in opposition to the Gov-

ernment's request to Federal Judge Bondy to rescind Item 8 of the Court's bill of particulars requiring the D of J to name witnesses.

Affidavits filed to date are those of Ned E. Depinet, Sidney R. Kent, William F. Rodgers and Gladwell W. Sears, in addition to the Paramount affidavit. Several days ago Universal filed a brief in opposition to the Government's rescind request, but no affidavit has yet been made a part of the preliminary record.

"40 Girls and Baby" Opens

"Forty Girls and a Baby," released by National Pictures Corp., opens at the Fifth Avenue Play-

thouse today.

IS MOTION PICTURE

ADVERTISING

OUT OF DATE?

"YES" says

DR. J. S. LIST

Prominent psychologist and motion picture research expert.

"NO" says

HARRY GOLDENBERG

Director of Advertising and Publicity, Warner Bros. Theaters.

Don't miss the fireworks!
J. L. WARNER COMBATS K. C. "SPY" PROTEST

(Continued from Page 1)

Gastreich who, he understood, was German Vice-Consul in Kansas City.

Warner’s statement says:

"I understand that about 100 people signed a petition asking the Kansas City censor board to re-review the ‘Confessions of a Nazi Spy.’ I also understand this movement is being headed by Herman Gastreich, German Vice-Consul in Kansas City, who obviously is not a citizen of the United States. I cannot believe that any group other than one sympathetic to the Nazi cause or to espionage in the United States would object to ‘Confessions of a Nazi Spy.’"

LA Kansas City dispatch to The Field Daily last night identified Gastreich as the editor of a neighborhood paper. The message further stated that he is understood to have signed by approximately 100 persons, and that the picture would continue to play pending its hearing by an appeals board of three members.

"This picture has been viewed and endorsed by leading patriotic societies who, so far as I know, are for the Nazi regime and by American war service and educational societies everywhere. Our picture is based upon exposures of Nazi activities in the United States which are a matter of court record. It deals with subversion of that regime, not in Germany, but right here in our own U. S. A. and is a matter of grave concern to every American citizen."

"Our picture was passed by the Kansas City censor board and no question was raised by the censor board as to its propriety. We do not believe that any group, instigated by this German Consul, should interfere with the right of American citizens to see it."

We feel the petition against our picture is being made by a small group of citizens who are not patriotic. We do not expect every individual to agree with the contents of our story, but we feel that no one other than the duly constituted authorities has the right to censor American motion pictures.

The motion picture critic of the Kansas City Star, Mr. John Moffett finds the picture ‘impressive.’

"We can only say that all that such petitions accomplish in the United States is to make the public curious as to the object and source of the attack.

St. Louis — Protest against the showing of “Confessions of a Nazi Spy” in St. Louis was voiced by both Protestant and Catholic clergy here.

DeTamble Named Prexy

Chicago—Howard deTamble was elected president of the 20th Century-Fox Employees Club. Miss Mabel Carpenter elected vice-president; Alice Childs, treasurer; and Esther Baillie, secretary.

Tele Gives World’s Fair Traffic Jams

Crowds at the New York World’s Fair are creating a traffic problem in exhibits of W. E. Westlinghouse and RCA through their interest in respective companies’ tele-demonstrations. Despite signs erected by GE that showings won’t be given until 2 p. m. each day, visitors park in the lobby during coming week to see shows and then are turned away after being given an appointment.

All tele organizations at Fair are “amazed” at public’s enthusiasm over new visual field.

Sees New British Taxes

DOOMING Technicolor in U. K.

(Continued from Page 1)

from excise taxes proposed in the new British budget through strong representation made in the House of Commons by Sir Adrian Baillie, member of the board of directors of Technicolor, Ltd., who charged that the levies would completely throttle Technicolor operations in the U. K.

Sir Adrian told Commons that the new taxes would mean an increase of approximately $250,000 in one year on the customs and excise duty paid by Technicolor. He stressed that the duty became more heavy on color film than on black and white.

Pointing out that 1939 foreign sales from Technicolor laboratories amounted to $201,000 or 30 per cent, Sir Adrian said the result of the duty would be to destroy the export trade, while he estimated the loss of trade in the domestic market at 50 per cent.

Duties would increase the cost of every foot of Technicolor film approximately 50 cents, Commons was advised.

Two Features to be Made

With Cosmocolor Process

(Continued from Page 1)

for each producer with their two-color process. David Blankenheim, Cosmocolor head, negotiated the deals which were signed yesterday morning, and left for the Coast last night.

Orloub will produce his next feature, “Dancing Debs,” with the process, scheduled for release in early June for Astoria. He stated that he was enthusiastic about the results of his tests with Cosmocolor and was planning a special publicity and advertising campaign on the picture. Orloub stated that he was experimenting with several major companies to release the film, but no deal had been closed yet.

The Warner picture, which is scheduled for Grand National release, is expected to get under way Friday in Hollywood. “Wings Over The Pacific” is title listed for it.

Brandt May Step Down

as President of ITOA

(Continued from Page 1)

he added that relinquishing his post would not mean that he would be inactive in organization work.

A committee to represent the organization and duties there at film festival convention in Minneapolis next month will be appointed by Brandt at today’s meeting.

Warners Planning Series of "Good Neighbor" Pix

(Continued from Page 1)

in bonds of good-will and neighborliness, Sam E. Morris, company vice-prexy, declared in an interview yesterday.

Pointing out that Warners is planning other films dealing with the struggle for independence and democracy in the Western Hemisphere the next to have as its central figure Gen. Simon Bolivar, Morris said:

"Through our 32 Latin-American branches and our representatives, we are carefully watching current changes in tastes and conditions, and are fully equipped to meet these developments with whatever the market requires."

Morris declared there is every indication that "Juarez" will achieve wider distribution and greater returns than any picture previously released in Latin-American countries. "Juarez" will be released simul- taneously in Buenos Aires, Santiago, Lima, Medellin, Caracas, Colon, Rio de Janeiro, Montevideo, Havana and San Juan, early in July. In each country, the special premiere will be sponsored by the resident minister of Mexico, with ranking emissaries of all the other Latin republics attending.

Picture Grosses in Chile

Rising, Visitor Reports

(Continued from Page 1)

let, assistant manager of the Italo-Chilean circuit, who registered yesterday at the RKO reception suite. Orloub comments his interest in the exhibition of his picture, and their efforts to study American production and distribution methods.

Argentinian producers are turning out higher quality of product and offering stiff competition in Chile to American pictures.

S. D. EXHIB. ASS’N COM.

To Study Code Proposals

(Continued from Page 1)

study of the proposed trade practice pact, it was said yesterday by A. P. Sorensen, secretary-treasurer, following a government Hearing of the organization. Until the proposals have been investigated, no policy will be adopted, he added.

Confirms Censor Chairman

Harrisburg, Pa.—The Senate has confirmed Governor James’s nomination of Mrs. Edna R. Carroll of Philadelphia as chairman of the state board of motion picture censors.

UA MEET ENDS TODAY

FRISCO TRIP TO FOLLOW

(Continued from Page 1)

day with a final business session, 9 o’clock tonight the convention entrain for San Francisco and departs tomorrow at the exposure.

Lynn Farnol, director of advertising, incidentally, addressed the convention yesterday, emphasizing his success from $60,000 to $100,000 of the $89,000 that the company will spend on advertising and exploiting its 1930-40 product, will be expended on each picture in newspapers and trade journals. Alfred Reeves, of Charles Chaplin, product, Emanuel Silverstone, Monroe Gres- thal, Sam Cohen, Al Margolies, a four-reel comedy, Alexander, the representative, were other speakers.

Hal Roshe spoke in detail on features, and four-reel comedies will make with Laurel and Hardy. Late today the salesmen will visit the guests of Selznick International at a cocktail party.

Paramount’s Debt Down

$10,000,000 in Three Yea

(Continued from Page 1)

ing at which a dividend of 15 c per share on common stock was declared. Dividend is payable 15 to stockholders of record on Jan 30.

Regular quarterly dividends of $1.50 a share on the first preferred stock and 15 c a share on second preferred stock were declared. They are payable July 1 to stockholders of record June 15.

During the same three-year period, declared, there were issued 111,000 shares of first preferred stock and more than 80,600 shares of second preferred stock of Para- mount Pictures, Inc., were converted into 857,000 shares of common stock showing a total reduction of $1,000,000 in value of senior shares.

During the same period, the company has paid up all dividends on its first and second preferred stock and all current preferred stock dividends amounting all to approximately $7,000,000.

It was explained that the rates for fixing of the record date as June 30 is a provision in the company’s certificate of incorporation which requires a 45-day notice the first and second preferred stockholders prior to the payment of initial common stock dividend.

Gov’t Shifts Film, Radio to Education Departrme

Washington Bureau of THE JILM DAILY

Washington—The film and radio functions of the National Emergency Council were yesterday transferred to the Office of Education, as a part of President Roosevelt’s new proposal for reorganizing the executive branches of the government.

Wednesday, May 10, 15
Columbia Intensively Expanding in Foreign Markets

MASS HOTEL TELE INSTALLATION WORRIES EXHIBS.

TOA Drafts Brandt Again to Serve as Unit's Prexy

The Government's Crackdown
... the filling in process is under way

By CHESTER B. BAHN

The film industry crackdown picture which the Department of Justice began to paint in bold outline last year with the filing of its New York equity suit against the majors apparently is now about to be filled in.

As one of the finishing touches, the Department has filed a new equity suit in Oklahoma, joining as defendants the eight majors and four Griffith companies, the latter together forming one of the country's largest independent circuits. There is more than a hint that this action is a forerunner of others—perhaps as many as nine. And in this connection, there is speculation in some quarters as to whether the unexplained failure

(The Government's Crackdown) (Continued on Page 3)

RKO SALES CONCLAVE IN N. Y. JUNE 19-22

$2,000,000 RESERVE BUDGET SET BY COL.

RKO's international sales convention has been set officially for June 19-22 and will be held at the Westchester Country Club, Rye, New York, it was announced yesterday by Jules Levy, general sales manager. The convention is slated to

(The Government's Crackdown) (Continued on Page 3)

Rodgers Will Participate In Trade Practice Forum

W. F. Rodgers, M-G-M general sales manager, has signified his willingness to participate in the trade

(The Government's Crackdown) (Continued on Page 3)

Col. Opens French, Belgian Offices; Foreign Language Pix to be Handled

Georgia Fears Admisht Tax If Special Session Called

Atlantic City—That Columbia has already taken steps to increase the scope of its operations in important foreign markets during 1939-40, was evidenced yesterday at organization's sales conclave here via declaration by J. A. McConville, foreign manager, that company offices were

(The Government's Crackdown) (Continued on Page 3)

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

NEW YORK, THURSDAY, MAY 11, 1939

TEN CENTS

Waldorf - Astoria Reported Considering Receivers in All Rooms

By GEORGE H. MORRIS
FILM DAILY Staff Writer

Reports were current yesterday in local television circles that the Waldorf-Astoria will be the first New York hotel to be fully equipped with tele receivers, which means the installation, as and when the step is taken, of 2,500 receivers in that number of guests rooms, plus whatever number may be utilized in the hotel's public rooms.

Tele circles estimated that to place some 2,500 sets in the hotel would mean a contract expenditure, on the basis of present set costs, of some $500,000 and probably more.

Local film exhibition circles were uneasy yesterday when apprised of the Waldorf Astoria's reported plans, regarding placing mass receivers in

(The Government's Crackdown) (Continued on Page 3)

NEW DRIVE AGAINST GIVEAWAYS IN N. Y.

First move in a projected campaign to end giveaways in New York City theaters is understood to be ready for launching shortly. The plan is for all theaters between 59th and 72nd Streets to drop giveaways

(The Government's Crackdown) (Continued on Page 3)

14 Paramont Pix Slated for Dubbing in German

That Paramount continues to do normal business in Germany is indicated by a tentative dubbing schedule on 14 pictures, some of

(The Government's Crackdown) (Continued on Page 3)

Ben Blumenthal to Answer Para's Appeal Tomorrow

Ben Blumenthal has been ordered to show cause tomorrow in the Appellate Division of the N. Y. Supreme Court, why an order should

(The Government's Crackdown) (Continued on Page 3)
Fore! And We're Off!

Get the old golf sticks out of the closet and start polishing 'em up, lad. The Committee of that celebrated Film Golf Tournament will spread out over the Westchester country in order this weekend in an effort to lure golfers to enjoy the best day of the year outdoors. The Tournament will be held all about the middle of June.

U. K. 20th-Fox Convention Opens In London Today

London (By Cable) — United Kingdom convention of 20th-Fox I-Stel forces here opens today at the company's new London headquarters with Francis L. Harling, managing director, presiding. Walter J. Hutchison, director of foreign distribution, Herman Woolber, general sales manager, and Truman Talley, head of Movietone News, have arrived here from the Paris meet for the three-day hurdles.

An outline of new products and discussions on operating problems will feature the convention with a dinner wining banquet planned the third night.

Woolber will sail for the United States and Hutchison will sail for Canada, almost immediately following the convention's close.

New Tax of 10% May Close Quebec City Theaters June 1

Quebec—Quebec city exhibitors have not yet decided whether or not they will close their theaters in protest against the additional 10 per cent tax levied on admissions by the Quebec city council, which brings the total imposts on cinema up to about 38 per cent.

Exhibitors are frankly puzzled as to how they can carry on with this burden, and there is talk among them of closing on June 1. Staffs have been notified of the possibility of a shutdown.

Exhibitors in the city of Montreal are in no way affected by the Quebec tax and there is no foundation for any report that Montreal theaters will be closed.

N. Y. Assembly Passes Bill Licensing Ticket Agencies

Albany — The Assembly passed the Mitchell theater ticket sale and resale bill late yesterday, giving License Commissioner Moser and other licensing agencies powers over all theatrical agencies. In the Senate, Senator Frederic Coudert substituted the Mitchell bill for his own and it will probably be debated in the near future.

Move for a sales tax, due for formal introduction today or tomorrow, is still stalemated by reported opposition in the Senate.

Casey-Lowal 52 to Meet

Meeting between Pat Casey, producers' labor representative, and Local 52, studio mechanics, is scheduled to be held today at Casey's office. A preliminary talk-up for discussion are changes in certain working conditions. No salary scale changes are anticipated.

RK0 Sales Conclude Set for New York June 19-22

(Continued from Page 1)

be the biggest in RK0's history and will include representatives from all parts of the country.

The convention will mark the first opportunity the distribution staff has to meet George Schaefer, president, who joined the organization in mid-winter.

S. Barret McCormick, director of advertising and publicity, is preparing the announcement book and campaigns for the new program.

Now German Vice-Consul Doesn't Like "Mamlock"

Kansas City—His protest against exhibition of Warners' "Confessions of a Nazi Spy" rejected by the local censor board, Herman Gastreich, German vice-consul, yesterday trained his guns on the local engagement of the Russian pic, "Professor Mamlock." Petitions in protest will be presented calling for a ban, he said.

Delaware. O.—Student members of the Ohio Wesleyan University Liberal Club picketed the Strand Theater at the showing of "Confessions of a Nazi Spy." The pickets carried banners urging patrons to view the film as entertainment rather than "as propaganda which might incite war."

Buck Jones Suing Republic

"Over Hi, Yo, Silver"

West Coast Bureau of THE FILM DAILY

Hollywood—Suit for $250,000 damages and resumption of contract to restrain Republic from proceeding with serial, "The Lone Ranger," was instituted here yesterday by Buck Jones who contended that he originated "Hi, Yo, Silver," as a call to his horse.

Plaintiff also charged that Republic is misleading public into believing that the masked hero of "The Lone Ranger" is Jones.

Defendant denied this allegation, and the studio pointed out that its "cowboy character shouts, not "Hi, Yo, Silver," but "Hi, Yo, Silver, away."

"U" Gets Gov't Contract

Universal again has been awarded the contract to supply feature attractions, shorts and new arrivals to the 80 Veterans Hospitals and Soldiers Homes. It was announced yesterday by Herman Stern, manager of Universal's non-theatrical department.

B & K Soft Ball League

Chicago — Balaban & Katz Employees have started a soft ball league under the direction of Joe Kears.
AUSTRALIAN EXHIBS.
ENJOYING GOOD BUSINESS

(Continued from Page 1)

Australian post two years ago, only is business good, Hunter yesterday, but there is very little unemployment.

Despite reports to the contrary, the progress has been made in string up production units, even though the government is ready to agree to write losses, Hunter said. The first successful company is Cine-und which produces two or three pictures yearly. However, Hunter indicated that he did not believe the Australian-made product would offer much threat to competition to American pictures which remains the fact in local audience. The 25 per cent rejection rights cannot be exhibited has not affected business to any great extent, said, pointing out that Paramount's business so far this year is still ahead of the corresponding period of last year, which, in turn, was head of 1937.

The recently enacted licensing law has curtailed new theater construction, Hunter said, but it has not had harmful effect as the law was designed to prevent over-building. Hunter will attend the Hollywood convention before returning to Australia.

To Blumenthal to Answer Para.'s Appeal Tomorrow

(Continued from Page 1)

ot be made granting leave to Paramount to appeal from a previous decision which would permit Blumen-

tal to bring an action against the company in England. Blumenthal is asking commissions which he con-

fides are due him for the sale of Paramount theaters in England. On Friday of last week, the Ap-

ellate Division vacated an injunction which would have prevented Blumenthal from taking the action

trial in London.

Pending the hearing tomorrow and the determination of Paramount's application for an appeal, Blumen-

tal is enjoined from taking any proceedings in the English action.

Happy Birthday

Best wishes FROM THE FILM DAILY to the following on their birthdays.

MAY 11

Johnny Davis

$2,000,000 RESERVE BUDGET SET BY COL.

(Continued from Page 1)

was disclosed at the company's sales convention here yesterday.

Seasonal sales formula will be on a basis of 14 top bracket productions to be divided into groups of six and eight. Balance of 26 also will be in two groups.

A. Montague, general sales manager, told the convention that due to the policy instituted last year to franchise certified accounts, both affiliated and indie, the company has set a record for the number of accounts sold on 1939-40 product, enabling the sales forces to concentrate more fully on the smaller accounts.

Final day of the convention will be devoted to individual meetings for the various branches in attendance.

The next sales meet in the series of three Columbia is holding this season takes place in Chicago May 14-16.

14 Paramount Pix Slated for Dubbing in German

(Continued from Page 1)

which are new while others were released last year.

Pictures slated for dubbing in German, according to a list received in New York from Paramount's Berlin office, as of March 7, were: "Jungle Princess," "Dangerous to Know," "Woman Trap," "Without Regret," "Shanghai," "Florida Spe-

cial," "Tuloo," "Bulldog Drummond in Africa," "The Texans," "Spawn of the North," "If I Were King," "Born to the West," "In Old Mexico" and "Arrest Bulldog Drum-

mond.'

Notarius Taking New Post

Louis Notarius, Paramount film reviewer, leaves tomorrow for Hol-

day where he takes over new duties in the studio under Y. Frank

Freeman. Part of Notarius' duties will be assumed by Joe Walsh, who has been in the statistical depart-

ment for several years.

Signs Kindler Pay Up Order

Order has been signed in Bronx County Supreme Court by Justice

Aaron J. Levy directing Abraham L. Kindler to pay Joseph Kimmel the sum of $380 in back salary within five days in the case of Kimmel vs. Kindler. Nathan H. Elman represented Kimmel.

STORKS!

Detroit—A seven and one-half pound girl was born Tuesday to Mr. and Mrs. Frank McKeown. Father is branch manager of the Detroit office of Ross Federal Service and Ross Federal Research Corporation.
THEY SAW THE PICTURE

JAMES HILTON (author of the novel)—
"'Goodbye Mr. Chips' is an author's dream fulfilled—a picture that does for him practically all that he would like to do for himself if he owned a studio and had a million dollars to spare."

ALEXANDER WOOLLCOTT ("The Town Crier," author and critic)—"The best moving picture I have ever seen... A beautiful and perhaps immortal story has been translated from one medium to another with tenderness and imagination and genius... the most moving of all moving pictures is the one called 'Goodbye Mr. Chips'."

SPENCER TRACY (actor)—"I can remember no greater performance."

LILLIAN GISH (actress)—"More appealingly tender than the book."

EDDIE CANTOR (actor)—"One of the greatest, if not the greatest motion picture I have ever seen."

MARC CONNELLY (playwright)—"The best sentimental picture I've ever seen."

WALTER WINCHELL (columnist)—"Orchids to M-G-M's 'Goodbye Mr. Chips'—destined to make movie hit history."

MOSS HART (playwright)—"I have seen about four really great pictures in my life. 'Goodbye Mr. Chips' is one of them."

JIMMIE FIDLER (radio commentator)—"It's a picture to remember always."

ED SULLIVAN (columnist)—'Make a small bet that 'Goodbye Mr. Chips' will win the Academy Award.'

M-G-M's STAR POWER in '39-'40!

With Robert Donat's performance as "Mr. Chips" already prophesied for the Academy Award—with Greer Garson, an overnight sensation—M-G-M's galaxy of great stars is even further strengthened. Never in the history of films has any one company offered its customers such a wealth of personalities!
ERT DONAT IN

GOODBYE MR. CHIPS

REER GARSON

OPENS MAY 16th

It is being launched in the same showman ship manner that gave nationwide fame to "Pygmalion", now concluding a brilliant 6-month run at the Astor!

HELLO MR. EXHIBITOR!

"GOODBYE MR. CHIPS"

is the greatest thing that could happen for the benefit of the entire motion picture industry!

(and you'll be prouder than ever to be an M-G-M showman!)
**Big Town Czar**
with Barton MacLane, Tom Brown
Universal

66 Mins.

MINOR TRIUMPH FOR ED SULLIVAN AS AUTHOR, ACTOR AND MORALIST IN NICELY-DIRECTED DRAMA

Fairly interesting gangster drama that puts the emphasis on the moral at the close, showing that you cannot beat the recruiting of a rival gang. Ed Sullivan contributed the story, and himself appears in it, along with generous quotes of his newspaper column. The story is interestingly told, with a good deal of sentimentality concerning the gangster-hero's old Irish father and mother who still live in an East Side tenement while their gangster son is rolling in wealth, but they are still honest and proud. Barton MacLane plays the part, and wins in a fine job. Tom Brown is the kid brother who is carried away by the easy money that his big brother is collecting, and insists on leaving college running up with the gang. MacLane realizes that the youngster is getting in deeper and deeper, and it is too late to save him when the massed police, without warning a double-cross pulled by the youngster on a price fight frame-up. The kid is killed in the gun duel and later MacLane avenges his death and is headed for the electric chair at the picture closes with Ed Sullivan sitting at his bedside in a prison hospital saying to him, "If I'd known just how to play it, I'd have been worth the two realest enemies are the last sur- vive of a despised outcast by the Red soldiers besiege and kill to the last man before the relief troops arrive. The com- bine follow the plot.

CAST: Barton MacLane, Tom Brown, Eve Arden, Ed Sullivan, Jack LaRue, Frank Jenks, Harry Barris, Edgar Kennedy, O'Osha, Esther Dale, Horace MacMahon.

DIRECTORS: Producer, Ken Goldsmith; Director, Arthur Lubin; Author, Ed Sullivan; Screenplay, Harry Hartman; Camera-man, Elwood Bredell.

DIRECTION: Good. PHOTOGRAPHY, Good.

Hearing May 25-26 on Bill To Repeal Fight Pig Ban

Washington — The Senate Inter-state Commerce Committee will hold hearings on May 25 and 26 on a bill introduced by Senator William H. New Jersey to repeal the ban on interstate transportation of fight films. Barbero declares witnesses will include Jack Dempsey, Jack Jeffries, Col. J. Reed Kilpatrick, president of Madison Square Garden, and other sports figures. The argument states that fight films are being "bootlegged" across state borders.

Allied Pic Signs With SAG

Contrast of Allied Pictures, Inc., of Philadelphia, has been delivered at the SAG New York office. Company produces industrial films.

**Escape from Yesterday**
with Annabella, Jean Gabin
J. H. Hofberg
88 Mins.

DIRECTION OF DUVIVIER MAKES THIS RENOWNED DRAMA IN DRAMA OF FOREIGN LEGION.

One of the more notable of the French productions, principally because of the fine direction hand of Jean Duvivier, who takes a commonplace story of the Foreign Legion, and by his handling of mood, tempo and atmosphere, builds over an hour of entertainment that should please the masses and the cognoscenti alike. Jean Gabin is the central figure in the film, having been a man in France, and escapes the Spanish Foreign Legion. The story interest is divided between the love of Gabin for Annabella, who plays the part of an Arabian dancing girl whom he marries, and the hue and cry of a fellow-soldier who is really a member of the secret police trailing the man wanted for murder. The suspense comes mainly on the clever attempt the kid puts on to trick the fugitive into admitting his guilt. The big action punch comes in the final sequences, when the two mortal enemies are the last survivors of a desperate street fight which the Red soldiers besiege and kill to the last man before the relief troops arrive. The combination of the story and the style in which it is told.


DIRECTORS: Director, Julien Duvivier; Author, Charles Spak; Producer, Jean Duvivier; Screenplay. Same.

DIRECTION: Excellent. PHOTOGRAPHY, Good.

**Skicka Hem N?**
(Send Home No.
with Dagmar Ebeson, Nils Lundell
Scandinavian Talking Pictures 84 Mins.

FAIRLY AMUSING COMEDY WILL BE WELCOMELY APPRECIATED BY SWEDISH SPEAKING AUDIENCES.

Swedish-speakings audiences will get a great deal more amusement from this new release than people trying to solve the subtle Scandinavian type of humor from the English titles. The cast is good and the technical aspects of the film are up to par. Story concerns the part-time jobs held by a girl until she gets a full-time job as a man's wife. Combination of comedy and romance is neatly mixed to get good results.

CAST: Dagmar Ebeson, Nils Lundell, Rut Holm, Erik Berglund, Torsten Starg, Jarl Nils Wahlbon, Carl Backlund, Brita Estelle.

DIRECTORS: Export Film Production. Director, Gideon Wahlberg. Presented at the Fifty-Five Premiere. PHOTOGRAPHY, Good.


TELEVISION IN HOTELS

WORRIES EXHIBITORS

(named from Page 1)

el rooms here as a definite threat box offices. It was pointed out that the installations in White Way stands, with television, a prime novelty, in their hotel, Pix theater attendance would cut highly.

Checkup by THE FILM DAILY revealed the following: (1) the Walton-Astoria, when it was built, was completely wired not only for radio but also for television in all rooms; Sources close to the management stated that receiver installation project has naturally come to fore since programs are now, it will be to a greater extent in near future, available in the metropolitan area; (3) No particular receiver, either for radio or TV, has thus far entered discussions; (4) that the Waldo's having released the first two sets made by various manufacturers is not indicative of any preferential attitude whatever.

Last night in its Lounge Restaurant from 8 p.m. on, the Waldo held a demonstration of its two tele receivers, an event marking the formal opening of the new entertainment column in the hotel fold.

A 1939-40 Program to be Flexible at 28 to 32 Pix

(Continued from Page 1)

rified conflicting statements which both 28 and 32 as the program's optimum. Silverstone pointed out since its inception, UA has never forced time limits on its producers as it has on several occasions where they have presented factual scenes and then tied them up with narrative comic relief that ran contrary to the scene portrayed. The bright side of the Southern Scene includes crop diversification, new industries, the work of the Southern Governors' Conference, and above all the marvellous job being done by Miss Martha Berry of Atlanta in her famous Berry School where boys and girls learn by actual practice in the various crafts and industries. It is the all the most constructive, informative and engaging release that March of Time has produced. If they follow this formula in the production of both sides of their subject on future releases, March of Time can only to a powerful place in the motion picture consciousness of the nation.

New Campaign to Eliminate Giveaways in N. Y. Planned

(Continued from Page 1)

on a designated date as a test, with the rest of the city's theaters eliminating them in order. All circuits operating in that area are reportedly cooperating.

"Screen Snapshots"

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<tr>
<th>Columbia</th>
<th>Stars on Parade</th>
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<td>10 mins.</td>
<td>Splendid</td>
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<td>&quot;Dixie-U.S.A.&quot; (March of Time)</td>
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F. D. R. Visits "U. P." Train to Keep Pledge to the Dead

(Continued from Page 1)

of a pledge to the dead, it was learned last night.

The President had promised to accompany his friend, Carl R. Gray, former U. P. president, on the inspection trip. Then, on the morning of the train's arrival, Gray was found lifeless in his hotel room. Advised, F. D. R. determined to make the trip regardless, and so was one of thousands to inspect the train.

The President visited an equipment program among the Big Mlle pix which included a screening in the Senate caucus room, sponsored by Sen. E. R. Dirksen of Nebraska, for 29 members of the Senate and House, reception by players on the special by Vice-President Garretson.

Gavel made from California orange wood was presented to the Vice President for Senate use by William H. Pine, associate producer.
COLUMBIA EXPANDING IN FOREIGN MARKET

(Continued from Page 1)

opened a few days ago in Paris, Mexico and Argentina, and that other offices will soon be established in Bordeaux, Algiers and Lille.

This expansion setup, McConville asserted, added to the fact that Columbia has regained its former world-wide distribution of French pix through a deal with Paul Graetz, Transcontinental Films head, assures the company of wider distribution for its own product plus a top-flight source of French attractions for its subsidiary, Famous Foreign Features.

Julien Duvivier, McConville told the delegates, is now filming "La Chienne," and his next, "Les Biches," is being produced by Carol Carne, another leading French director, is tentatively scheduled to handle the next film for Columbia.

Columbia's British product for the new season will be supplied from Denham through Irving Asher, who has recently expanded in "Planes and "Spy in Black." Agreement with Asher, which was closed in New York some months ago, calls for total of four答应ually. Each is to be made in the multiple quota-credit brackets.

McConville disclosed also that Columbia acquired Tamil and Hindustani pix for Ceylon, Straits Settlements, Dutch East Indies, and other Far East territories, and that product made in Dutch East Indies and the Philippines will be contracted for.

Evidence of Columbia's support in this direction, McConville pointed out, is supplied through (a) recent appointment of Charles Roberts to post of home office supervisor for Latin-America; (b) distribution contracts made with Jesus Grovas, Jose Ludmilo Bueno and Miguel Zacarias by terms of which Columbia will handle Mexican-made product through its distribution setup; and (c) negotiation of a Far Eastern contract which calls for dealings with Argentine producers and those of other Pan-American lands.

Georgia Fears Admish Tax

If Special Session Called

(Continued from Page 1)

vide funds for the state's decreasing revenues. At the last session a tax on amusement tickets was proposed which is considered an almost certainty that in the event a special session is called, an amusement tax bill will be introduced.

The Government's Crackdown

(Continued from Page 1)

of the Attorney General to make the promised pronouncement of revised anti-trust policy does not lie in.

In the New York equity litigation, the major Governmental objective is diversion of exhibition from production-distribution. In the Oklahoma litigation, described by the Department as "an essential ingredient" to the New York suit, the major objective is the breaking of so-called "local monopolies." But the Government, as the New York suit holds, if I are, and thus far the construction has not been challenged by the Department, practically all business and not films alone has a stake in the eventual decision.

As for the second suit, what the Government seems to say is effect is that a purely local business enterprise, becoming dominant, takes advantage of accruing massed power, it might dissolve and its properties re-arranged under separate and independent corporations in such manner as to create what the Government considers competitive conditions.

While the Department indicates that its present attention is centered upon certain of the larger metropolitan circuits, its modifications necessarily apply to all so-called "local monopolies," including the showman who operates here to possess or operates four of a town's four or five houses.

THE Department statement issued in connection with the Griffiths suit pointed out that an "injunction is asked restraining the defendants from jointly and collectively negotiating contracts with the major distributors for the licensing of feature pictures." The National Allied's interpretive bulletin discussing the suit says, "Monopolistic practices will not be tolerated by the U.S. Government whether practiced by the Big Eight, so-called independent chains, co-operative buying combines, or other interests."

You might file away the reference to "co-operative buying combines," pending further developments.

Budd Getschal Gets Conn.

Franchise for Movie Cash

Franchises for the distribution of Movie Cash have been closed with Budd Getschal for the Connecticut territory and with Harry Brown and Sidney Goldberg for the Washington, D.C. area, it was announced yesterday by Morton Van Praag, head of Nationwide Coupon Distributing Corp.

Getschal, well known in the film publicity field and former Film Daily staff writer, will headquarter in New Haven. Brown resigned last week as Grand National manager in Washington to take over the franchise. Goldberg formerly was with National Screen Service and Grand National.

It was also announced yesterday that Nathan Yamin, Allied leader, had contracted for Movie Cash in his Fall River, Mass., houses.

Griffith Funeral Today

Boston — Frank Carlos Griffith, former manager of Lily Langtry and for many years manager of Mrs. Minnie Maddern Fiske, and also onetime member of the famous old Bos-

ton Museum Theater, died at Middle-

borough in his 88th year. Funeral ser-

vices will be held at 2 o'clock this afternoon at Woodrow Chapel in Roxbury.

Actors Fund to Meet

Annual meeting of the Actors Fund of America will be held at the National Theater tomorrow afternoon. Daniel Frohman, dean of the legit theater, will preside.

Rogers Will Participate

in Trade Pact in Iowa

(Continued from Page 1)

practices open forum to be held at the Hotel Astor, New York, on May 25. Other leading executives also are expected to join the conference.

Slesinger Demands $75,000

For Grey's "Washington"

Stephen Slesinger, prominent publishers' representative, has arrived in New York from Hollywood where he has been for the past two months discussing with execs of M-G-M, Paramount, Samuel Goldwyn and RKO the sale of film rights to Zane Grey's novel, "The Life of George Washington."

Coast reports, prior to Slesinger's arrival here, said that Samuel Goldwyn was the highest bidder for the property, but that Slesinger is in-

sistent upon a minimum of $75,000 before turning the screen rights over.

Rites for R. A. Jennings

Boston—Military and Masonic funereal services were held here yesterday for Richard A. Jennings, 43, Crewe manager of the Co-Operative Keith Theater who died here suddenly. Jennings leaves a widow and two small children.

Fifth for "Heights"

Sam Goldwyn's "Wuthering Heights," starts a fifth week today at the Rivoli.

OKLA. MPTO PREXY WANTS ALLIED CO-OP

(Continued from Page 1)

MPTO prexy, to spread out the "welcome" door mat yesterday or express the hope that the two will co-operate on industry problems in the future.

Loweinstein said he realized that there must be differences of opinion and policy and added that he trusts the new group will work toward a solution of industry problems intellec-

tually rather than in the public press.

The new unit, establishing headquarters at 2044 West Grand Ave. will issue a call for a convention at the Fall which will formalize this perfected. Meanwhile it was set a membership drive to obtain 75 members within three months.

Garcia von Gulker of Opekt, Okla., is temporary chairman. C. Norcross of Selling, secretary at George Sumner, local supply fir head, correspondence secretary.

Organization committee named to conduct the drive includes von Gulker, Norcross, A. A. Moulder of Sar Springs, Okla., John Gray of Enid, Mrs. Juanita B. Berry of Norman, and A. B. Momand of Shawnee. Duvivier, chairman, will hold a meeting per month beginning June 1. First committee meeting will be held in Dallas in Oklahoma City.

Col. H. A. Cole, Allied prexy, addressed the group.

Through no statement has been made, it is understood the buying policy idea has been shelved and will be considered again unless the D. partmen takes its case against the Griffith company to the major in federal court here. C. A. Cole left here yesterday after advising that the United front, by the creation of the pool, saying national Allied, would have to fight it like others it became successful.

Lesser to Make "Our Town In Technicolor for U."

West Coast Bureau of THE FILM DAILY

Hollywood—Sol Lesser yesterday purchased screen rights to the winner, "Our Town," as scheduled this as one of his first projects for United Artists. "Our Town" will be filmed under supervision of Ernst Lubitsch, who will be in Technicolor.

Revival on Wage-Hour Law

Anticipated In Oklahoma

Oklahoma City—Next session of the state legislature will revive the now dormant wage-hour law, accordin
g to predictions of State Lab Commissioner W. V. Put Murphy. The law passed by the previous legislature never went into operation.
RKO Strongly in Black With Quarter Net of $388,822
CPB, FBI and Police Smash Picture Bootlegging
American Distributors Facing Showdown in Mexico

**Allied Parleys...in the Spotlight**

By CHESTER B. BARN

E-INVITING your attention this Friday to two fast-approaching events, the exhibitor field which promises to net the producer of far-reaching industry im-

First, there's the matter of New York City's first state convention (and Motion Picture Exposition) which is scheduled for Hotel Astor here May 23-25. No rou-

 Athenaeum—A showdown in the near future between U.S. film compa-

ies operating in Mexico and the Federation of Mexican Workers is foreseen here yesterday following the start of the three sales of Metro and Universal pictures in sev-

eral spots, and the subsequent ac-

tion of the film companies in con-

tinuing to deliver product to the

(Continued on Page 4)

**ONLY SEVEN SUMMER CLOSINGS, RKO PLAN**

RKO plans to close not more than seven theaters for the summer, J. J. O'Connor, head of the theater de-

partment, said yesterday. More than a dozen were shuttered for the summer months last year.

(Continued on Page 11)

**N. Y. SOLONS REJECT SALES TAX PROPOSAL**

Albany—Republican members of the Senate and Assembly in joint conference yesterday were unable to agree on introduction and passage of a sales tax bill for unemployment relief purposes. This means that motion picture theater owners need fear no admission taxes from this source.

(Continued on Page 12)

**Better Pix and Theater Biz Gives RKO Quarterly Profit of $388,822**

Columbia H. O. Group Off Today for Chicago Parley

Its Eastern meeting at Atlantic City closing yesterday, Columbia will start its session at the Palace.

Better Pix and Theater Biz Gives RKO Quarterly Profit of $388,822

**COMBINE PLAN FOR ALLIED?**

Yes, Says Steffes, but It's News to Cole, Myers

Reports that Allied would spon-

sor a mammoth booking-buying com-

bine, a plan which was proposed at the Milwaukee convention two years ago, resulted in contradictory com-

ments by organization chieftains yester-

day.

"It's news to me," Abram F. Myers, general counsel, advised the Allied Daily from Washington, while Al Steffes, president of the North-east unit and chairman of the pending Minneapolis convention, con-

firmed.

(Continued on Page 2)

**Four Circuits Weigh Proposed Games Ban**

Contemplated ban on games in a designated area in New York City is expected to start in about two weeks. According to the plan, games would be dropped in all theaters between 34th and 72nd Streets.

(Continued on Page 12)

**File Copy**

DO NOT REMOVE

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

THE FILM DAILY
NEW YORK, FRIDAY, MAY 12, 1939
TEN CENTS
Saturday, May 12

Mammoth Booking-Buying
"Combine for Allied States?"

(Continued from Page 1)

of Ed Kay kendall, MPTO proxy, combine, and Allied's showing is so positive in no double entendre—to place it in the exact center of the industry's own spotlight.

Whether the convention solves the code question or not, it should serve to further clear the atmosphere, like a June thunderstorm. And that would be something.

Argue Motion to Examine
Lazar In LaFoz Action

Application by defendants to examine David Lazar, president of LaFoz, in connection with that company's action against Skouras Theaters Corp., Fox Metropolitan Playhouses, Inc., and Fox Theaters ready to risk their careers on yesterday, and the application is scheduled to be heard today.

Suit has been filed de novo for $100,000 for breach of contract made on Feb. 21, 1931, giving LaFoz the concession for five years in seven towns in New Jersey, which was arranged by the Fox companies and went to Skouras.

3 Film Bills in Illinois
Advanced to Third Reading

Springfield, Ill. — Senator Joseph Mende's three bills bearing on the film industry in the state were advanced to third reading in the Senate yesterday, and can now be called upon any time for passage.

One bill comprise theater divorcee, and concerns theater circuits: a second seeks to regulate juvenile attendance at film theaters, prohibiting children under 14 from admission to theaters after 9 P.M. The third would establish a state censorship of motion pictures.

SAG Asks "Extras" to Vote
On Remaining in the Guild

West Coast Bureau of THE FILM DAILY

Hollywood—As its answer to "self-appointed savours of the extra players," the board of directors of the Screen Actors Guild has asked Class B members to vote on whether extra players wish to remain in the Guild. The ball point out that in 1937 and featured players were offered a strike largely for the benefit of the extra and that they do not enjoy hearing themselves described as racketeers and exploiters.

Andy Smith Married

Dr. and Mrs. Frank Allison Clawson announce the marriage of their daughter, Virginia W. Smith, Jr., on Wednesday, May 10, in Meadville, Pa. They will be in town after June 15 at 107 Rye Road, Rye, N. Y. Andy Smith has been a sales executive with a number of film distributors, First National, Warner Bros., and more recently with United Artists.

British Film Mfgs. Boost
Stock Prices to Meet Tax

London (By Cable)—Added charge on film stocks today, with tax increase, will be 0.52d. per foot for 35 mm. film, it is announced by the Messrs., Ifford. Increase on 32 mm. film will be 0.46d. per foot; on 16 mm. film, 0.24d. per foot. Film trade journals estimate that the increase amounts to 100 pounds a cent—figure, they contend, which the industry cannot bear.

Industry organizations are up in arms against the tax, figured by the Chancellor of the Exchequer, to make up the sum of 200,000 pounds a year given to the living stage, and to abolish the abridgment of the medical stamp duties which, the office of Customs and Excise state, is taxed on postage stamps. The only argument in favor of the additional burden on the motion picture industry will go toward rearmament for token protection furnished by the national emergency.

New taxes are computed by one expert to represent a total of about 100 pounds to 1 1/2 per cent on the whole of the gross receipts of the industry.

Schlaifer and Smith to be
Examined in Equity Suit

In connection with the current New York equity action against the majors, the Government yesterday ordered Jack Schlaifer, UA's vice-president and western division manager, and Andy Smith, former general manager of UA, to appear for examination in Federal Court on Monday, May 22 at 10:30 a.m.

Special Assistant Attorney General Seymour Kreger will conduct the examinations.

Smith may not be questioned that the Government conducted yesterday that the examination of Schlaifer may take up the entire session.

Filmarie to Shut

Filmarie closes Sunday night for an indefinite period.

THE THEATRE

George Abbott Productions

"There have been a number of go girl and mule shows in town to last week but the most important one went on at the last."—Watts, Her Tric

George Abbott—Rodgers and Hart

The Boys from Syracusc

With Jimmy Wynn, Eddie Tol and SAVO MERRILL ALBERT HAY

ALVIN, W., 52d St. Mats. Wed. & Sat. and Columbus 5-4114

"The lowest, roughest, toughest, to decent, most decent, and a totally funny play for any patron on sale this season."—Geoff Newmuth, Review

PRIMROSE PATH

By Rob L. Beckner and Walter H. with Helen Betty WaR RICHARD WESTLEY GARDNER MASON THOMAS COOK, West 40th St. Mats. Wed. & Sat.

"Roars of Pleasure"—Atkinson, Tim

WHAT A LIFE

with ETHEL STONE with Henry Alden

MANSFIELD, W., 47th St. Mats. Wed. & Sat.

Circle 5-5500

SAFETY & LLOYS

FILM STORAGE CORP.

Storage by Rent or Vault

725 Second Ave.
New York City

B1545-5600
"HO-HUM!"
GBP, POLICE SMASH PIX BOOTLEGGING

(Continued from Page 1)

for the past year at the request of major distributors to learn the
source of supply of duped or stolen
prints which have been
circulated and exhibited in the
Middle West, Levin disclosed.
Groses traced the exhibition and
sale of these prints, belonging to
practically all of the major distri-
butors, through New York, Ohio,
Michigan, Illinois, Wisconsin,
Virginia, Iowa, New Mexico, West Vir-
ginia and Indiana.
The evidence was turned over to
J. Edear Hoover, Director of the
Federal Bureau of Investigation,
Levin stated, and the FBI men
press the investigation in various
cities, working in co-operation
with the Copyright Protection Bureau.
The Bureau's representatives with
the co-operation of state and local
police in Cincinnati, Cleveland, Mich-
igan and Illinois, seized almost 100
prints which were then Distributed
by bootleggers to exhibitors through-
out the country.
For several years complaints have
been received from legitimate ex-
bhibitors and exhibitor organizations
that itinerant exhibitors were using
prints which was not licensed by the
major distributors. In order to
avoid detection, the original titles
were removed and dummy titles in-
serted.
Lavin said the distributors are
continuing these investigations to
protect exhibitor customers from the
damage to the exhibitors' business
inflicted by this illegal traffic.
Agnew, Depinet to Join
in Trade Practice Forum

(Continued from Page 1)

signified their intentions of joining
in the open forum on trade prac-
tices at the New York Allied con-
vention. W. F. Rodgers, M-G-M
sales head, previously announced his
willingness to participate.

Happy Birthday

Best wishes from THE FILM DAILY
to the following on their birthday
MAY 12 Karl McDonald
Ed Polmar
MAY 13 Jack Hall
Paul Sage
MAY 14 Frank Glatone
Maurice Fulton
Arthur W. Edy
Robert J. Benjamin

U. S. DISTS. FACE MEX. CITY SHOWDOWN

(Continued from Page 1)

Rodriguez circuit, which had been
placed on the proscribed list by the
Federation.
Film company offices here at this
time that the CBS had broken its
contract with the union by refusing
to pay the necessary wages, which
led to the strike.
In the case of Metro, which was
determined to have
played its film "The Great Waltz" in
the Iris Theater in the theater refusing the film because
union pressure, the film company
expected to bring action against a
theater for breach of contract.
Universal is faced with the same
situation. Their film "Three Sighs"
was scheduled to be opened here
week-end at the Tro-
o Alameda and the picture
was not
Universal is also expected
to take action.
A spokesman for the film compa-
nies stated that they have no
intention of meeting the demands
of the unions, but it is impossible for
them to breach contracts at any union's
request without suffering serious les-
consequences on their finances as well
losing their business integrity.
Cruze's trouble lies in the
Reproduction Bureau of the
Federation by employing open
a new theater in Monterey
the State of Nuevo Leon from a
union unaffiliated with the Fe-
deration. Majority of Amer-
ican companies here sell the Rodriguez
and all are determined
to continue deliveries in order to
avert a breach of contract.
The American companies have
anticipated this action and have
keen their plans accordingly to be
prepared for any future events. Men
while negotiations are being carried
on here in an effort to straighten it
matter out and hope is held that
peaceful settlement can be effect-

Hanreddy In Indianapolis

Harvey J. Hanreddy has been
transferred from the Los Angeles
branch of Ross Federal Service
the Indianapolis branch as manag-

What? Only 21,000?

Ralph Doyle, RKO's Australian man-
age moved to the company's New
York convention, and before he
returns to home headquarters he will
have travelled 21,000 miles. He arrived
in Los Angeles on May 15, having sailed
from Sydney on April 28.
The Greatest BUILD U. P. in Picture History

First stop, Los Vegas. Fans pour into station to cheer Paramount "Union Pacific" Special.

Salt Lake City turns out en masse to cheer Producer-Director DeMille.

Rawlins, Wyoming, declares holiday as thousands mill about to see the Paramount train.

Lloyd Nolan tells Laramie, Wyo., all about "Union Pacific"—and how they cheered!

Brass bands, parades welcome "Union Pacific" trans-continental trek at North Platte, Nebraska.

Barbara Stanwyck and Cecil B. DeMille wave to crowds at Grand Island, Neb.
WATCH THOSE BOX OFFICE FIGURES GO U.P.

"U.P." Rolling to Smash $22,000, Four Weeks Sighted; Durbin's 'Girls' Smart 21G in 2 Houses, 'Freedom' Slow 16G

'U.P.' $14,000, TOPPING RECORD IN DENVER

'Union Pacific,' at the Denver

'U.P.' Bang-Up $25,000 in Frisco; Cool Temp. Temps Fair Competish

'U. P.' BIG $27,000 IN OMAHA PREEM

NORTH PLATTE, Neb. . . .
Paramount's "UNION PACIFIC" playing in two theatres an absolute clean-up. Way out in front of any picture that has played in recent years.

LARAMIE, Wyoming . . .
Paramount's "UNION PACIFIC" in two days tops record-breaking "WELLS FARGO" three-day gross.

CHEYENNE, Wyoming . . .
"Paramount's "UNION PACIFIC" at the Lincoln Theatre, outgrossing any picture that has played there this year.

SALT LAKE CITY, Utah . . .
Paramount's "UNION PACIFIC" does week's business in three days. 180% of average for week.
GO UP... with the top-grossing comedy of the spring season!

GO UP... with the best picture Wesley Ruggles ever made!

GO UP... with the greatest woman's picture in years!

GO UP... with the year's best racing picture!

GO UP... with the big small-town hit!

GO UP... with the jitterbug picture that will make them dance in the aisles when Gene Krupa goes to town
"MIDNIGHT"

"INVITATION TO HAPPINESS"

"STOLEN LIFE"

"THE LADY'S FROM KENTUCKY"

"I'M FROM MISSOURI"

"SOME LIKE IT HOT"

OUT
FOR SUMMER

"MAN ABOUT TOWN"

"THE MAGNIFICENT FRAUD"

"GRACIE ALLEN MURDER CASE"

"OUR LEADING CITIZEN"

"THE STAR MAKER"

SUMMER MAY BE HOT...

BUT PARAMOUNT'S HOTTER!
**H. O. GROUP LEAVING FOR COL. CHI. MEET**

(Continued from Page 1)

Gates present, including New York home office executives and members of the sales staffs of nine midwest branch offices and representatives of the advertising and publicity departments. The meeting in Chicago, which will continue through to Tuesday, a similar sales session will be held in Los Angeles.

Home office contingent, headed by Jack Cohn, vice-president of Columbus Pictures Corporation, and A. Montague, general sales manager, will leave this afternoon on the Commodore Vanderbilt for Chicago. Home office execs. attending in addition to Cohn and Montague, will be Rube Jacker, Louis Astor, Louis Weilberg, Max Weilfield, Dr. Bergman, Hank Kaufman, Maurice Grad, George Josephs, and Irving Moross.

Present from the various midwest and Canadian offices will be:

Chicago—Mid-Western Division Manager, Phil Dunas; Salesmen, C. W. Phillips, G. St. Clair, T. Greaves, P. Flaherty, L. Joseph, M. Delano.


Canada—General Mgr. of Canada, L. Rosenheim; Sales Manager, B. Roblen; C. A. Cass, W. Elman, M. S. Bernstein, L. Levy.

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**PYGMALION** Plays to More Than 700,000

(Continued from Page 1)

**As 23-week Run at Astor Nears End**

Attendance figures for "Pygmalion" at the Astor Theater yesterday went over the 700,000 mark. The play has run for 23 weeks in all, giving way to Metro's "Goodbye, Mr. Chips," which opens on Tuesday for a popular price engagement.

**Wide Variety of Films Showing at Frisco Fair**

San Francisco—With one to five theaters in all of the larger buildings on Treasure Island, pix industry at least industriously is taking a major part in entertaining the visitors to the Golden Gate Internation Fair. In addition to these little theaters seating 50 to 500, there are open air theaters, the large Auditorium Theater with a seating capacity of 3,000, and the Lux Theater on Gayway. Latter, a commercial theater, shows shorts and cartoons, but Pix shown in the exhibit theaters range through educational, industrial, scenic, travelogue, drama and comedy.

Foreign buildings of Argentina, Australia, France and Hawaii have their own little theaters showing educational, travelogue and booster films, and Oregon, California and other states are doing the same.

Many of the films are in Technicolor, and most of them are with sound.

In the industrial group, the Armour Ham Theater shows a humorous short; Hills Bros. Theater pictures add a touch of color.

The Biscuit Theater is showing a Walt Disney Mickey Mouse special and the Western Pine Association Theater has a one-hour industrial film about the Pennsylvania Railroad is presenting an educational travelogue.

In the educational subjects are run each afternoon and evening at the California State Little Theater, the Federal Theater, the State Recreation Theater, and the Hall of the Western States Theater.

**To Fete Eckhardt**

Chicago—July has been designated by some 500 theater owners and managers in this territory as the Clyde V. Eckhardt Silver Jubilee to mark the 25th anniversary of the 20th-Fox branch manager in the film industry. Eckhardt moves his staff into the company's new exchange building the end of June.

NBC, and is known to enjoy high favor of the RCA-NBC-RKO interests.

**Washington Bureau of THE FILM DAILY**

Washington—Any plans that Assistant Secretary of Commerce Rich-ard C. Patterson, Jr., Assistant Secretary of Commerce, might resign by mid-summer to take a post with RKO or a utility company excited considerable interest in film circles yesterday.

For a gain, inflation of the report brought refusal of sources, logically qualified to comment, to make any statement whatever.

It was contended in Washington that neither position has been de-vised to Patterson, but negoti-ations have, it said, been in-

From 1927 to 1932, he was executive vice-president and a director of

**5% Tax in St. Louis?**

St. Louis—Municipal tax measure which would impose a 5 cent per cent levy on newspaper receipts is being drafted by Alderman William Warrick.

Rampam's Resigning

To Join RKO Unconfirmed

Patterson has resigned from Washing-ton on that Richard C. Patterson, Jr., Assistant Secretary of Commerce, might resign by mid-summer to take a post with RKO or a utility company excited considerable interest in film circles yesterday.

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FOUR CIRCUITS INTERWEAVE PROPOSED GAMES BAN

(Continued from Page 1)

circuits operating between those
boundaries are considering the pro-
posal, including Loew's, RKO, Bo-
lognino and Brandt.

If the elimination of games proves
successful in the test ban, it is un-
derstood that efforts will be made to
extend the campaign.

WARNERS EXPECT 500 EARLY BOOKINGS ON "JUAREZ"

(Continued from Page 1)

spite the success of its current road-
show engagement at the Hollywood
Theater on Broadway has manifested
itself in a pool of letters and lettres requesting playdates on the feature.

In excess of 400 playdates on "Juarez" have been set to date, ac-
cording to Warners' general sales
manager yesterday. These dates in-
clude 150 selected engagements dur-
ing the Memorial Day Week, with
more than 250 showings set for the
week of June 10. The Memorial Day
Week dates are being approved de-
donated upon the situation, playing
time and guaranteed handling.

It is expected that more than 500
playdates will be scheduled for the
weeks of May 27 and June 10, with
all of them for "A" playing time.

At the Hollywood Theater, the en-
gagement is now in its third big
week, surpassing in "take" even that
of "The Life of Emile Zola."

Sears said yesterday other pro-
duct now set for summer months were
"Earth Dawn I Die"; "A Family Af-
fair"; "Naughty, but Nice"; "The KID from Kokomo"; "The Devil on
Wheels" and "Hell's Kitchen." All
will be backed by specially planned
advertising and exploitation cam-
paigns.

DINNER FOR BERKOWITZ

A dinner will be tendered tomor-
row night by the 25-30 club of Local
306 to Mike Berkowitz, oldest pro-
jectorist in the business and newly
elected president of the club. Ber-
kowitz started with the Galey Mu-
seum 40 years ago, served 17 years
in the Eden Musee and is now at
the Capitol Theater.

TICKET CO. CHANGES NAME

Cincinnati—Effective July 1, the
Paramount Southern Ticket Co., Inc.,
will change its name to the Premier
Southern Ticket Co., Inc., to avoid
apparent conflict with that of Par-
amount Pictures interests, it is an-
nounced by C. W. Zieber, Jr., presi-
dent.

"MAGNOL LINE" HELD

Tower Pictures' feature, "Double
Crime In the Magnol Line," will go
into release next week at the 55th
St. Playhouse tomorrow, theater's
management announced yesterday.
Allied of New York

CONVENTION

and

MOTION PICTURE EXPOSITION

May 23 to May 25

HOTEL ASTOR

NEW YORK CITY

(There’s a World’s Fair in New York, Too)

IMPORTANT!

Open Forum

Thursday, May 25, 2 P. M. Sharp

Can The Motion Picture Industry Regulate From Within?

TICKETS FOR THE BIG DINNER, THURSDAY EVENING, CAN BE OBTAINED FROM E. K. O'SHEA, LOEW'S INC., 630 NINTH AVE., NEW YORK CITY

ALLIED OFFICES: 214 WEST 42nd STREET, NEW YORK CITY
Theater Closings

GEORGIA
Newman—Alamo (4-22-39); Owner: Lam Amusement Co.; Putting in new air conditioning plant.

LOUISIANA
Shreveport—Saenger (5-1-39); Owner: Saenger-Ehrlich; Renovation.

MICHIGAN
Jackson—Majestic (4-22-39); Owner: Butterfield Circuit; For Summer.

OHIO
North Baltimore—Virginia (4-15-39); Owner: H. W. Walters; Destroyed by fire.

UTAH
Smithfield—Ritz (4-15-39); Goshen—Rex (3-26-39); Owner: J. H. Perry; Destroyed by fire.

WISCONSIN
Milwaukee—Sambre, 2,500 seats (April 8); Owner: Avenue Amusement Corp.; House Manager: A. J. Cooper; Previously closed 11-3-38.

Theater Openings

GEORGIA
Rynolds—Rynolds (4-28-39); Owner: Mr. Forbes; Previously closed last year.

ARKANSAS
Campbell—Ritz, 300 seats (4-10-39).

ILLINOIS
 Homer—Ritz (4-3-39), Actna Hotel Bldg.; Builder: Logan Hedrick; House Manager: Hedrick.
 Fisher—Silver Screen, 100 seats (about 2-15-39), Old Store Bldg.; House Manager: Mr. Hewardine.
 Peoria—Varsity, 1,000 seats (4-14-39), 2107 Main; Owner: Kerassoto Bros.; Builder: Mehlheburg Bros.; Architect: J. F. Lankton; Cost: $150,000; House Manager: Willis Ford.

MINNESOTA
Gaylord—Gaylord (4-12-39); Architect: Mr. Sterteator; Cost: $2,000.

MONTANA
Gardiner—State, 220 seats (about 4-20-39); House Manager: H. W. Knutson.

Theaters Under Construction

CALIFORNIA

INDIANA
Vincennes—Moon, 1,500 seats, Main St.; Builder: Theodore Charles; To be completed perhaps in early Fall.

Theatres Planned

ALABAMA
Priced—New, 804 seats, Close Five Points; Operator: Alex Gournares.

ILLINOIS
East Peoria—Creve Coeur, 500 seats; Top Pekin Hill; Cost: $40,000; Operator: Morton Theaters, Inc.

INDIANA
Remington—New, 399 seats; Cost: $10,000.

MICHIGAN
Michigan—New, 1,000 seats, N. Saginaw St.; Builder: Doc Eisenman.
Caro—New, 650 seats; Builder: Ashman Bros.; Cost: $75,000.
Detroit—Alpine, 3,000 seats; Kelly Rd.; Builder: Sloan.

MONTANA
Great Falls—Town, 315 Central Ave.; Builder: B. F. McNair Co.; Operator: Max Epstein.

THEATER CHANGES

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by

ROSS FEDERAL SERVICE, INC.

WISCONSIN

THEATER CHANGES

A Nation-wide Survey of Theater Conditions Conducted Exclusively for THE FILM DAILY by

ROSS FEDERAL SERVICE, INC.
"I dropped into the Majestic the other night. There's where I'm going after this when I want to really enjoy a show. I've never seen better theater lighting. I found my seat without stumbling and groping. My eyes didn't get tired and I figured that was because there was no sharp contrast between the screen and the walls around it. It was a color feature and I've never seen more natural color on the screen."

Patrons do comment in this manner on theaters they visit and their friends respond to their impressions. When people desire to see a particular feature they go to a theater they know will present it properly and in comfortable surroundings. Such presentation means just one thing — high intensity projection.

Simplified High Intensity projection costs little more than obsolete low intensity projection. But it does give your patron the impulse to return.

Ask your Dealer's Salesman for the Facts on Equipment and Operation Costs.
Representatives of more than 80 film industry companies attended yesterday's official debut demonstration in the Hotel Astor's Coral Room of the new 16 mm. sound camera and 16 mm. high-intensity arc projector now being manufactured by DeVry Corp., following several years of intensive research and experimentation.

H.A. DeVry, whose own patent is applied to the cooling of the new portatable 16 mm. projector with solid base, said that the list price of the machine is $1,950. The unit, which can be operated with the newly-developed 4,000-ft. reel and in experiments has been run for more than 50 consecutive hours without undue heat, is an air-filled filling large exhibition outlets which have long demanded a projector for 16 mm. newsreels at low operating cost.

The 16 mm. sound camera designed for making of local newsreels; meeting the needs of large industrial concerns, entertainers, and booking firms; and opening new avenues for the Government to make films, lists, it is declared, at $9,000 complete, including sound reproducing unit.

At yesterday's demonstration the 16 mm. films shown via the new projector, after having been taken by the new camera, were of such quality that it was difficult to differentiate between both results and those of standard 35 mm.

H. A. DeVry, company's president, who was accompanied to New York by his son, William C. DeVry, will leave New York on the week end for Washington, where both of the company's new developments will be demonstrated to Government officials in the Department of Agriculture auditorium.

Chi. Film Lab. Adds Three
Chicago—J. E. Edmonds has joined the executive staff of the Chicago Film Laboratory. Charles Cromer has been named chief of the scenario department and W. Shaughnessy has been added to the sales staff.

Solomon Bros. Build
McComb, Miss.—Construction of a new 1,000-seat house designed to replace the present Strand, is being undertaken by the Solomon Bros., minor circuit operators, at a reported cost of $50,000.

Arthur in Altec Deal
Milton Arthur has made a deal to have Altec service for his nine theaters in Los Angeles, Long Beach, San Bernardino and San Francisco. H. W. Dodge negotiated for Altec.

HOTEL EQUIP

New Air Conditioning Units For Two RKO Circuit Houses

Two RKO houses in the Greater New York area,—Keith's in Flushing, and the Chester in the Bronx,—are being equipped with the most modern types of air conditioning units, circuit officials announce.

This week, circuit's engineers completed a thorough checkup of all existing air conditioning installations in metropolitan and suburban houses to make certain of perfect operation during the warm months. Units going into Keith's, Flushing, and Chester, Bronx, are replacements for outmoded equipment.

Rigaumont Designs House
Canton, O.—Victor A. Rigaumont, Pittsburgh Theater architect, has been engaged by the Inter-State Theaters, Inc., headed by A. G. Cons- tant of Steubenville to design the new $100,000 movie theater to be erected at nearby North Canton.

George A. Delis, district manager of the group, reports the house will open Labor Day.

Altec Signs 2 Circuits
Through Sam Bendheim, general manager of the circuit, Neighbor- hood-Theater Inc., has signed for Altec service for all its 21 theaters. The Rone Circuit, Baltimore, Md., has also signed for Altec service for its 14 theaters. E. O. Wilskieh negotiated for Altec.

Order for American Seating
Stamford, Conn.—American Seating will supply chairs for the new $500,000, 750-seat, Avon, expected to be complete in May. National Theater Supply is installing new booth and sound equipment, hard-of-hearing equipment and screen.

S. O. S. Has New Line
S.S.O. Cinema Supply Corp., of New York City is releasing a complete line of cooling equipment especially adaptable to small theaters. An illustrated folder issued in conjunction with this announce- ment describes the various units offered.

Okla. Theater Supplies 1,000-Seat Air Conditioning Orders

Oklahoma City—Recent sales reports from the Oklahoma Theater Supply Company of which J. Eldon Peak is manager, include air conditioning equipment to the following: Levi Metcalf's Metro Theater at Purcell, Okla.; Glenn Thompson's Thompson Theater at Atoka, Okla.; Glenn Thompson's Princess Theater at Tishomingo, Okla.; H. E. Sullivan's Okeet Theater at Newkirk, Okla.; C. N. Asherman's Wakita Theater at Wakita, Okla.; and T. W. Henderson's Alvo Theater at Medford, Okla.

Sale of Heywood-Wakefield chairs were made to the following: Municipal auditorium at Little Rock, Ark., $3,690; T. H. Slevy's State at Wichita, Kan., 500; Dickinson Theater at Parsons, Kan., 680; Murray Theater at Poca City, Okla., 452; Rialto Theater at Searcy, Ark., 472; Lyric Theater at Harrison, Ark., 258; Aggie Theater at Stillwater, Okla., $1,710; Campus Theater at Stillwater, Okla., 452, and to Jack Weiss for his new theater at Harrah, Okla., 200.

New booth equipment has been sold to A. W. Phillips for his Fox Theater at Grandfield, Okla.; to the Ritz at Maysville, Okla., and to W. H. Williams for his Ray Theater at Tonkawa, Okla.

Westinghouse Installation
Manchester, N. H.—The State Theater here is installing a Westinghouse year-round air-conditioning system, at a cost of more than $25,- 000, C. H. Wolf, engineer of Colum- bia, O., is in charge of the work. This is the 12th theater in the 14 chain which has been air conditioned by Wolf.

New House for Tri-States
Des Moines, Ia.—The Tri-States Theater Corp., now operating eight theaters here, will open a new 600-seat suburban theater early in September.

3 Carrier Installations
Providence — Carrier cooling systems are scheduled to go into Associated Theater's Palace, Park and Bijou before coming of hot weather.

COLOR ORGAN
London (By Cable) — The Koleidok, a mechanical device for coloring with music performed by the Compton Organ Co. and Strong Electric Co., has been demonstrated here. It requires two operators. The idea is to use existing inventions and may well find a place in theaters as the color empha- sizes the moods of the music being played.

COMPANY'S conception, as well as that of numerous other leading manufacturers of units, is arrived at through the synthetic rather than the analytical process of rea- soning. The question is asked "What can be done with air?", and from that point the essential components are added up. These are:
Profits That Counts

The Film Daily

1. Air, fresh air, must be supplied and circulated.
2. The temperature of air must be regulated and controlled. In winter, in most climates, the air must be heated. In summer, it must be cooled.
3. The humidity must be adjusted and controlled. That is, the water and moisture content should be regulated. This is an important and, to many, a confusing phase of air-conditioning. First of all, the human body has a complete and very admirable temperature-regulating system of its own. Humidity or moisture content of the air has a decided influence on how that system functions. Hence, humidity control is one of the most important phases of air-conditioning.
4. Air can be cleaned, that is, dust, pollen, etc., removed.

Therefore, the questions are, when considering complete air-conditioning, does the equipment (1) provide and circulate fresh air? (2) cool the air in summer? (3) heat the air in winter? (4) dehumidify (take out moisture from the air) in summer? (5) humidify (add moisture to the air) in winter? and (6) clean the air?

In purchasing air-conditioning equipment, from the simplest to the most elaborate type, the film theater operator needs the services of a person highly skilled in determining the capacity necessary.

That air-conditioning is necessary is an axiom with the showman of today. All such who have taken recourse to installations know that a comfortable theater the year 'round means greater profits the year 'round.

Spring Remodeling Wave
In Up-State Michigan

Detroit—Wave of Spring remodeling, chiefly in upstate houses, is in progress.

Ashman Brothers are remodeling the Strand Theater at Caro, enlarging it from 450 to 550 seats, and installing Super Simplex projectors, Magnare lamps, Hertert transverter, Walker Screen, National marquee, and Crestwood carpeting. NTs has the job.

Syd Hunt is installing new National marquee on the New Theater at New Baltimore.

Le Bar is installing new Simplex projectors and Western Electric Microphone sound in the Davison at Davison.

Lee Carrow, owner of the Dreamland at Caro, is building and equipping a new 550-seat house at Crystal Lake, to be operated for the Summer months in this theaterless resort town only. Name will probably be the Crystal.

In the non-theatrical field, General Motors purchased Simplex Projectors and sound, for use in its exhibit at the New York World's Fair.

NTS Fills Okla. Orders

Oklahoma City—The National Theatrical Supply Co. announced the following installations last week: New 4-Star Simplex Sound in the Ana Theater at Watonga; new 4-Star Simplex in the Aggie Theater at Stillwater; new Siraco cooling system in the Main Theater at Lamont, and the first Type E 4-Star system in Oklahoma at the Palace in Blackwell.

Plan $20,000 Remodeling

Windsor Locks, Conn.—New operators of the Rialto Theater will open the first week in June for complete renovation and redecoration at an estimated cost of $20,000.

Studio for Fort Wayne

Fort Wayne, Ind.—Harry L. Stark, president and general manager of Stark Sound Engineering Corp., plans to open a six studio within 60 days to produce industrial, business, educational, and religious films.

Equip. Demand Up

St. Louis—The second quarter outlook for the concerns furnishing carpets, draperies, chair, projection and stage equipment, etc., in the St. Louis trade territory, which includes Eastern Missouri, Southern Illinois, Southeastern Iowa, Northwestern Arkansas and the Northwestern part of Kentucky is very bright. If only a seasonal part of the prospective projects move forward during the next six weeks the final gross volume should be considerably above that of the April, May and June business of 1939.
RULING
FAVORITES

EASTMAN'S three new motion picture negative films have quickly established themselves as the favorites of the industry. *Plus-X* for general studio work... *Super-XX* for all difficult exposures... fine-grained *Background-X* for backgrounds and all-round exterior work. Each makes its special contribution, and all have that typical reliability closely identified with Eastman films. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)
Coal Strike Over, Exhibs. Hope For Quick Biz Rise

MAJORS TO ASK ADDITIONAL BILL OF PARTICULARS

Limited Program Service Seen Solving Tele Problem

Films for Tele to be Major Biz, Says General Electric Exec.

Restriction of telecasts to "a few hours a day, with proper preparation and timing," in contrast to radio's continuous program service of 12 to 13 hours was suggested as a solution of one of television's major problems by Dr. W. R. G. Baker, head of GE's radio and tele department, addressing the Association of National Advertisers at its Spring meeting last week at the Westchester Country Club at Rye.

British progress in building program technique and controlling costs

SOCIAL PROBLEM PIX

ISSUE HELD "HOT AIR"

By JOSEPH ESLER

FILM DAILY Staff Correspondent Chicago — Heated debate within and without the industry as to whether pix should lend themselves to social and political problems or concentrate on entertainment is so much "hot air," Jack Cohn, vice-president, told the Mid-western sales

The Week in Review

DOMESTIC

PRODUCTION: Maurice Silverstone, general manager in charge of world operations for UA, told company sales conclaves in Los Angeles that a minimum of 36 features will be made by 11 producers and distributed by UA on its 1939-40 program, the aggregate investment in such product on part of makers being some $30,000,000. Schedule, he added, is biggest in UA history. It was also disclosed at the convention that UA will spend a record $3,000,000 on advertising, and that Harry Gold and L. J. Schlaifer, Eastern and Western sales managers respectively, have been made vice-presidents of the

Coal Strike's End Brings Reopenings

in 3 States, Prevents More Closings

Pratchett Due in New York

To Discuss Mex. Situation

A. L. Pratchett, Paramount's manager in Central America and Mexico, is due in New York this week to report on the situation in Mexico

D of J Answers Affidavits of Majors; Asks Quick Decision by Bondy

The major companies will file a demand for an additional bill of particulars on Wednesday or Thursday, it was revealed Saturday by Col. Donovan's office. It was also learned that the Department of Justice was Saturday morning with Judge Bondy a two-page affidavit and a letter in answer to the affidavits and briefs filed by the majors in objection to the application of the government to dispense with the naming of witnesses under Paragraph 8. The letter was signed by John T. Cahill, U. S. attorney for the Southern District, and by Paul Williams, special assistant attorney general.

Frits J. Kuhn, on behalf of both himself and the German American Bund of which he is president, filed suit on Friday in Federal Court against Warner Bros., Milton Krims, John Wexley and Leon G. Tsurrou, former G-man, for $5,000,000 dam-

THE WEEK IN REVIEW

USA, Columbia Lineups—Foreign Expansions

= By GEORGE H. MORRIS

Columbia, as a further step in its announced foreign-field expansion program, will open two additional offices in Latin America, it was de- clared on the week-end by Charles Roberts, home office supervisor for Latin America. Location of the

SALES MGRS. TO MEET TO STUDY ARBITRATION

Sales managers of the major companies are slated to meet this week to discuss and study plans for arbitration machinery as devised by the company's attorneys. W. F. Rodgers, spokesman for the distributors, said

Report Capra Talking Deal With David Loew

Frank Capra may join David Loew as a director in the latter's producing unit for United Artists. While negotiations are reported to be only in the conversation stage, it is understood that a deal looms as a likelihood.

Spanish-Nazi Trade Pact Seen Threat to U. S. Pix

Definite threat to hopes of U. S. distribs. for resumption of normal activity in Spain was seen at the week-end in press cables to the effect that Germany was sending Dr. Hel-
**FINANCIAL**

**NEW YORK STOCK MARKET**

**QUOTATIONS AS OF DAILY CLOSE**

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**SAFETY LLOYDS**

**FILM STORAGE CORP.**

Storage by Reel or Film

729 Seventh Ave.
New York City
Bryan St. 9-9060

**SECURITY**
GALA THE CRITICS as the points of historic stages in some of the larger cities in Ohio and Missouri—this week. Exhibitors in the coal and steel towns were hopeful that the end of the strike would see an early improvement in grosses. Week-end checkup by FILM DAILY correspondents in the territory established that the coal strike had sent theater business down from 25 to 50 per cent generally.

Sales Managers Will Meet to Study Arbitration Setup

(Continued from Page 1)

over the week-end that while the arbitration setup was not complete, considerable progress had been made in formulating a system of settling disputes.

Although it is believed that efforts will be made to complete the plan before the national Allied convention, even prior to the New York unit’s national convention and exposition, Rodgers said the committee had not pledged itself to complete the proposed formula by any given time.

Only Three Mich. Theaters to Have Flesh In Summer

Detroit—With switch to straight film policy by the Fox on June 1, only three houses in Michigan will be offering stage shows—the Strand at Alcona, Michigan; At Saginaw and Wyandotte, Wyandotte. All houses dropping stage shows within the past few days include: Colonial, Detroit; Annex, Detroit; Broadway, Mount Pleasant; Rialto, Flint; and Wyandotte, Wyandotte. All these houses will return to stage shows in the Fall, Sol Berns, booker, said, and in addition, the Annex will add two more days of stage shows, while United Detroit Theaters will put shows into the Regent and Ramona here.

S. C. Supreme Court Rules Bank Night Not a Lottery

Columbia, S. C.—In a decision handed down here last week by the State Supreme Court, it was held that promotion plans conducted by theaters along a similar to "bank night" were not violations of the lottery laws. Decision affirmed a lower court order restraining the sheriff's office of Darlington County from interfering with the operations of such a plan by the Darlington Theaters, Inc., and H. R. Berry, a theater operator.

Set "Americanism Week"

Week of May 28 has been dedicated by the National Theaters circuit as "Americanism Week" in conjunction with Memorial Day and its current Spyros Skouras Showmanship campaign. Special patriotic trailers will be shown.

Bill of Particulars is Sought by Majors

(Continued from Page 1)

to make a decision on the matter at the earliest practicable date, and stated that the Government was anxious for an early decision so that it can have the answer filed as soon as possible. It also asserted that aside from the mere affidavit, no additional ones will be filed by the Government.

The affidavit was signed by Thurman Arnold, Paul Williams, J. Stephen Doyle, Seymour Simon and Seymour Krieger, as well as John Cohill. It stated that the suit of the Vocafilm Corp. of America against the A. T. & T. and others, which was quoted by the majors in support of their conclusion that the company must answer their question because of a decision by Federal Judge John C. Kunrath in that case, was not applicable because in that case there was no business relations between the witnesses and the defendants and there was no danger of reprisals.

Fritz Kuhn and the Bund

Suing Warners for $5,000,000

(Continued from Page 1)

ages and an injunction to restrain further showing of the Warner feature, "Confessions of a Nazi Spy." In his complaint, Kuhn declares that the picture purports to be a true story based on two trials, one in the Panama Canal Zone and the other in Federal Court here. Further, complaint contends, the pictures charges various persons with espionage, and shows Nazi spies undermining the Government; shows them stealing military and naval secrets, and stirring up trouble in the U. S. by using naturalized Ger- man, who are members of the Bund. Kuhn brands all these exhibitions in the film as untruths, and he contends that the Bund is a patriotic, loyal American organization, one of whose purposes is to uphold the Constitution and laws of the U. S.

Little Carnegie Dropping Foreign Pix; New Policy

Little Carnegie Theater has dropped its foreign picture policy and will show American features. First attraction is "Love Affair." With the closing of the Waldorf Theater yesterday, only two theaters in New York are operating on a straight foreign picture policy. They are the 55th Street and Fifth Ave. Playhouse.
CUBAN PIX INDUSTRY LOOKS FOR UPSWING

Despite present seasonal decline in grosses, Cuba's distributors and exhibitors are confident that the 1939-40 season, which approximates the calendar year as opposed to the fiscal year, will result in excellent revenues, according to Ernesto P. Smith, Havana branch manager for Columbia and head of Circuito Teatral Ernesto P. Smith there.

One of the chief factors pointing to upswing, said Smith, is increase in outlets on the island. In Havana there are currently operating some 87 theatres as opposed to 78 one year ago. One of the Smith properties, however, is presenting stage show exhibitions.

Outside of Havana there are more than 200 pix theaters, bringing the current operating total to about 500 on the entire island. One of the exhibitors there indicated that Smith asserted that it is difficult to determine exactly how many outlets for film exist in Cuba, for the reason that during the three-months sugar season, mill owners provide film entertainment for workers with larger such mills supplying programs gratis to employees as a sociological measure, while others arrange screenings with charge admission. In any event, however, the practice affords distributors a profitable method of exploitation.

Some mills have their own theaters, others make use of portable equipment. In numerous instances shows are presented three or four times each week.

The Smith holdings in Havana comprise the Alcazar, Encanto, Faus-to, Favorito, Florencia, Neptuno, La Comedia and Riviera Theaters. Product of several U. S. majors is shown in seven of the eight stands.

Present visit to New York for home office conferences with Columbia, Smith said, has afforded the recent regional in Atlantic City is Smith's first in about ten years. He plans to sail for Havana next Saturday.

Pettitjohn as Fletcher "Exploiter"

Big doings are planned for Friday night in Harrison, N. Y., home town of Tex Fletcher, Grover National cowboy star. The celebration of a political hotbed, in forgetting politics in order to give the star's first picture, "Scarlet Rhythm," which the screenader will wind up following his Powder River performances, there will be speeches and a gala affair in general. E. C. Pettitjohn of the MPPDA and prominent in the town's politics, is the key man in arranging the "blowout."

Loew's, Metro File Answers In Blythe's $500,000 Suit

Charlotte—Counsel for M-G-M and Loew's, Inc., filed in Federal district court here answers to a list of questions filed several weeks ago by counsel for LeGette Blythe, in the latter's suit for $500,000 on grounds of infringement of copyright.

The answers were in response to an order of Judge E. Y. Webb, directing defendants to give certain information sought by plaintiff. Denying plaintiff's request as to the amount of money derived from distribution and exhibition of the short picture, "Brawest of the Brave," Blythe charges that the picture is based in part upon his book, "Marley & Me," and the defendants have denied the charge in toto.

In the answers, defendants say that Charles E. Whittaker did the research work and collection of material used for the motion picture, which "Marley & Me" author stated that he had for a time in his possession a copy of the book "Marshall & Me:" A Dupont Maulinity by Blythe and had it on the date when the screen play was finally written, but did not have it until his research work had been practically completed.

The defendants add that "Whittaker states that he did not read any portion of the book in preparing his research material, but that he did read a portion of the book before the screen play was completed."

The answers admit plaintiff's contention that the book was submitted to defendants about April, 1937, and say "the final screen play was written in and about April and May, 1938."

Hutchinson Going to Rio; Wobber to Sail for N. Y.

London (By Cable)—With a banquet being held in celebration of the 10th anniversary of the founding of British Moviétime News featuring the star of the recent London-Paris trip by American Kingdon sales convention here, delegates started returning to their posts over the week-end and the executives from the United States prepared to sail.

Walter J. Hutchinson, director of sales promotion, distributes, embarks this week for Rio de Janeiro and Herman Wobber, general sales manager, sails Wednesday on the Queen Mary for New York. Truman Talley, Moviétime News head, is working on plans for the reopening of the Spanish and South American markets after several weeks. Talley left for Paris over the week-end to huddle with the continental Moviétime forces.

N. J. Allied to Convene In Camden Thursday

Allied of New Jersey is scheduled to meet in Camden on Thursday. No general membership meetings have been held at the New York headquaters since the 1939-40 season limited from the Lincoln Hotel to the Sandal Bldg., because of space limitations, but the organization plans to shift to larger quarters in the same building in the near future.

Manitoba Censor Board to See "Club de Femmes"

Winnipeg—The Manitoba Censor Board has called in for review the "Club de Femmes" in protest by the local Council of Women. Originally passed by the censor board for private showing, the film was permitted to be shown at public theaters in Manitoba after deletions were made.

Wis. High Court to Hear Bank Night Case June 7

Milwaukee — Arguments in the Bank Night case of Circuit Judge Robert S. Cowie vs. Lacrosse Theaters Co. has been scheduled by the state Supreme Court for June 7. Temporary restraining order sought by Judge Cowie to prevent the company from playing Bank Night in its Rivoli Theater was refused by high court at the week-end.

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No Color Film of Royal Visit London (By Cable) — Pathé has been forced to abandon its plan to film the visit of the King and Queen of Canada and the U. S. in Duftay-color. The Ottawa Chamber of Commerce could make no provision for color film, all camera locations having been arranged for black and white work, Dominion supervision providing for strict rota between the various companies. Pathé accordingly will film Royalty's progress in black and white like the other newswane companies.

Games, Code, Sales Policies

Up as Philly Indies Parade

Philadelphia—Mass meeting of all industries has been called by Allied's local unit for tomorrow.

On the announced program are games in non-theatrical situations, with a brief history of the distributors' sales policies and the national convention at Minneapolis.

Social Problem Pix Issue Held "Hot Air"

(Continued from Page 1)

convention at the Drake Hotel here yesterday.

Cohn pointed out that the issue of "hot air" in the production of current problems actually does not exist, asserted "every truly fine picture," warned that "the world looks today, as never before, for release from care and entertainment," and concluded with "good films combine entertainment value with something vital to say."

A. Montague, general sales manager, discussing showmanship in selling, told the assembled 70 delegates that the "tricks of selling" film have been replaced, almost with express train speed, by the "business of selling film." Salesmen were told to present the day's exhibits, present detailed, specific information and not splashy, indefinite campaign books. With 30 of the current season's 40 features ready or in work, Montague told the convention that the company will offer one major production a month for release. He did the balance of the season, and that starting Sept. 1, Columbia will maintain an average of seven pix even two months.

Rube Jacker, assistant sales manager, appointed Joe Jacobs former Minneapolis salesman, as Omaha branch manager and the promotion of Tom Baldwin from booker to salesman in Kansas City.

Lou Weinberg and Louis Astor, circuit sales supervisors, Irving Morea, George Josephs and Maurice Grad were the other speakers yesterday.

Max Weisfeld, short subject sales supervisor, speaks today when virtually all of the session will be devoted to "U. P." "Special Lures 'Em Westward Ho—return trip of Paramount's "Union Pacific" special is proving fully as potent a battle as its Eastward advent, company's home office was advised in the week-end. Crowds of 38,000 and 40,000 were reported attracted at Pittsburgh and Cincinnati, respectively.

STORKS!

Richmond, Va.—Mrs. Ruth Bendheim, wife of Sam Bendheim, J. C. Penney manager, Neighborhood Theaters, gave birth to a baby daughter, Kay, at Johnson Willis Hospital. Bendheims have a son, Sam.

Detroit—Douglass Brossey, owner of the American Royal Theaters, is the father of an eight-pound son, William—his second.

Wedding Bells

Pittsburgh—Betty Murray, who has worked on Film Row for more than 15 years, and at present cashier at the local Warner Bros.—First National exchange, will be married to Harry Fimm a St. Paul's Cathedral on June 12.

Petersburg, Va.—Francis Talley, cashier, Rex and Century Theaters, was married last week to John Spain.
AN

ADVERTISEMENT

ABOUT

A

PRODUCT

ANNOUNCEMENT
SHORTLY Columbia Pictures will issue its product announcement for 1939-1940. This announcement has been prepared with great care because in its ultimate effect we wanted to be certain that it was primarily FACTUAL... simple... direct... sincere.

Because it is the most important announcement exhibitor-wise that Columbia has ever made covering any single year's product, we urge you to examine it very closely.
New York will be the “Hollywood of Television” as and when FCC grants commercial licenses for televising, it was forecast yesterday by commercial vice-president of the 20-FOX, Vincent C. Duvont, and board chairman of Allen B. DuMont Laboratories. Duvont has already set up an experimental operation of its proposed mid-Manhattan studios and transmission facilities which will be instituted as soon as FCC is ready.

Loewi pointed out that the Greater New York area and environs, because of the tremendous concentration of population and buying power is bound to be the sphere of greatest attractiveness to the tele-sponsors and advertisers, and with the present radius of television’s effective transmission is increased, the New York programs will be able to reach a larger and possibly more lucrative listener than would be the case should the same programs be transmitted to any of the other large U. S. cities.

Commenting on Loewi’s declaration, sources close to RCA-NBC expressed a similar opinion.

Checkup with NBC disclosed that in the last broadcast hours from New York were 51 per cent of the total, whereas in 1938 the figure had dropped off to 36 per cent, but even the latter figure places New York in first position among nation’s cities.

Admittedly, with the building of tele studios and transmitter in large centers of population, New York’s percentage will be affected, but indications are that this area still will be markedly in first position, just as it has been in the past.

Hollywood radio activities have been chiefly responsible for whittling down the broadcast hour figure, and this situation has grown during the past year. NBC states that in 1937 Hollywood accounted for 72 per cent of the total, and in 1938 for 49 per cent of the total. In 1938 the figure jumped to 1,567 of the 10,091 hours, or 15 per cent of the total.

In 1937, the New York hours were 7,487 of the 19,842, while in 1938 figure declined to 6,947 of the 19,091 total.

Randol Prod. Plans Four All-Negro Cast Features

West Coast Bureau of THE FILM DAILY

Hollywood—George Randol Prod., a California corporation, was formed to produce All-Colored cast pictures. Company is located at International Studios where its first picture, “Midnight Shadow” goes into work about May 15. Prince Ali Baba, Fannie Red, Ed Brandon, Miller and Manton are already signed for the cast and negotiations are on for Ernest Whitman. The company will produce four pictures for the 1938-1939 season.

Tri-National to Move

Chicago—Harry Smytho, district manager for Tri-National films, will move into new quarters in the new Monogram Exchange building next month.
THE WEEK IN REVIEW

UA, Columbia Lineups—Foreign Expansions

By GEORGE H. MORRIS

(Continued from Page 1)

shortly be tele equipped, thus affording pix house competition . . . . Penny tax on 15 cent admisses was proposed in N. Y. State . . . and bookings of pix was reported being dealt death blow by Copyright Protection Bureau and FBI.

FINANCIAL: Irving Trust Co., RKO trustees, estimated pix company’s and subsidiaries’ 13-weeks net profit, for period ended April 1, to be $88,822.57, financial circles regarding the figure as remarkable mass much as loss for same period a year ago was $53,205.06.

FOREIGN:

DISTRIBUTION: Columbia’s plans to expand activities in foreign fields, particularly Europe and South and Central America, were disclosed by J. A. McConville, for service with Columbia in those markets. He reported setting up of new offices in France, Belgium and North Africa, and initiated addi tional moves under consideration in Latin America. Pan-America, he said, will receive from now on the closest attention of Columbia, and that the company will co-operate fully with exhibitors in those lands . . . . Cable from Mexico City declared, are facing showdown in Mexico, with labor dispute causing problem with respect to Mexican Workers’ Federation. Universal and M-G-M were reported on banned list in the dispute.

Expect Equity to Receive
Tele Jurisdiction Award

Report is scheduled to be handed down today by the AAAA board as to which member union will be granted jurisdiction in the television field. It is generally reported to have the award in its favor.

It is pointed out that AGMA made no claims, AFRA’s charter excludes television and the SAG charter has no provision covering television, leaving Equity the most logical candidate in the field. Equity takes the position that they have fostered and helped all their members acquiring knowledge through recent years, but their own position has not been improved, with this clamp theirs by right.

Annual meeting of the AAAA and election of officers will also be held today with president Frank Gillmore and other officers scheduled to be re-elected unanimously without opposition.

“The Happiness” Screenings

Para, has set five special screenings of “Invitation to Happiness” in Pittsburgh, Salt Lake City, Detroit, Chicago and Toronto for women’s clubs, Parent-Teachers and Better Film Councils. First takes place in Pittsburgh today.

THE WEEK IN REVIEW

(Continued from Page 1)

were cited by Dr. Baker as indications of the manner in which interesting tele programs can be presented at reasonable cost. He additionally pointed out that the problem of receiver cost had been solved in England, where a $150 receiver of good performance.

Comparable sets in the U. S. must sell for $200-$250 because of higher distribution costs, the GE expert said, declaring that even at this price, a sizeable market was immediately opened up.

“No actual or potential industry on the business horizon today equals the tremendous volume of profitable opportunities of television,” Baker stated. “In the next five years hundreds of thousands of these sets will be built and installed—millions of receivers may be in use in homes by 1944. Many millions of dollars in audio equipment will be provided. Program talent and program transcriptions in film will become a major business.”

In discussing television with the advertising group, Baker stated that television is “a de luxe 20th century element in the mosaic of a new type of society,” and gave examples of the ways in which television may be utilized to merchandise goods. He said that the numerous television shows may find a substitute in home television auto displays, while fashion, cooking and other retail items may be shown to buyers via home receivers.

He also stated that “television seems a perfect medium for department store advertising because the present effective range of a television receiver is 10 miles—covers almost the exact buying area of a store.”

CBS to Inaugurate Tele Programs Early in June

CBS will institute its experimental tele programs in the metropolitan area early in June from the Chrysler building tower.

General Electric, it was learned yesterday, is hastening plans for marketing receiver sets to enable purchasers to enjoy the local programs of both NBC and CBS.

Chicago sources asserted on the week-end that Stewart-Warner Corp., which is building 24-tube tele receivers at the Divisary Parkway plant in that city, are getting under way merchandising plans for the sets in both the Los Angeles and New York markets.

Advance order volume is declared to be large. The Stewart-Warner sets will sell, at approximately $600, according to L. L. Kelsey, company exec.

N. Y. Allied Day at Fair

The New York World’s Fair has designated May 24 as Allied Theaters of New York Day which will be tricked out in red, white and blue in anticipation of the convention and exhibition at the Hotel Astor May 25-29.

COL. WILL OPEN NEW S. AMERICAN OFFICES

(Continued from Page 1)

new branches, he said, will be revealed as soon as executive conferences have been completed in wake of scheduled series of regional meetings.

Roberts also declared that Columbia’s policy of working in closes with foreign exhibitionists in the South and Central American markets is not a policy of mere words, but one of action. This, he admitted, is the decision of ‘very substantial importance’ its Latin American and vertical budget for the 1939-40 season.

Roberts asserted that no Spanish language product is planned for production at company’s Hollywood studios, but intention is to make available all suitable features, with super titles in Latin American countries. Roberts said that such titles are in demand, as opposed to dubbing the Columbia’s show will be dubbed.

Brazilians, Roberts prophesied, will be very long, a source of grasse to U. S. as great a degree as Argentina. He said that conditions today in Latin America are more favorable to American interests, and that U. S. distribution face no exchange restrictions as general rule, as funds can be taken out of countries by applying to respective Exchange Control Commissions. Additionally, theaters are in Brazil, and there is no longer and more outlets year to American companies.

Roberts expects to make another visit to Latin America in the next few months.

Warehouse Workers to Pickle WB Office, Theaters Today

(Continued from Page 1)

ican Federation of Bookkeepers, Stenographers and Accountants Union which has jurisdiction as bargaining unit over the warehouse employees.

Edward K. Flaherty, representing the union, stated on Friday that he had held conferences with Warner officials throughout last week in regard to the re-hiring of two union members who had been discharged.

Waltz, while the walkout primarily concerned the WB clique, the First National and the Globe Importing Co., latter the company’s shipping organization, is highly favorable to the entire Warner distributing unit and theaters.

“no comment,” it was said at the WB home office Friday.

Local 52 Parleys Continue

Negotiations between Local 52 an exhibitors, producers and labor representatives, regarding new contract will be continued this week.
A SINGLE MIND
WITH BUT TWO THOUGHTS
AL ROSEN*
SCORES AGAIN!

Al Rosen
Announces
The Forthcoming Production

THE
MAD DOG
OF
EUROPE

Endorsed by outstanding Catholic periodicals whose editors have read the shooting script, and carefully planned for the past four years, with the keen intuitive ability he has demonstrated in the past.

From
THE MONMOUTH AMERICAN

"Al Rosen, who has discovered and developed more personalities than any other agent in Hollywood, dealing with such personalities as Fredric March, Jack Oakie, Virginia Bruce, Olga Baclanova, Judy Garland, Brian Donlevy, and Nancy Kelly, who was the understudy to the lead in his play on Broadway; and Paul Muni, whom he placed in "Scarfce," after his first try in Hollywood; and Wynne Gibson, Skeets Gallagher, Harry Green, Regis Toomey, Peggy Conklin and others too numerous to mention, such as writers and directors and story material sold by his office to the different studios; Al Rosen seems to have the knack of casting people and also the foresight of picking stories and plays that prove box-office attractions. Rosen is also indirectly responsible for getting Cary Grant and George Raft their first big opportunities.

"It has been the opinion of this publication, whose editor has read the shooting script of 'The Mad Dog of Europe,' that, given a capable cast and a director keenly sensible to its worth, the filmed version should rank high among the great motion pictures of recent times."
Technicolor Reports Quarter Net of $310,500; Directors Re-elected

Consolidated net of Technicolor, Inc., and Technicolor Motion Picture Corp., for the first three months of 1939, amounted, after usual deductions, to $310,500, compared with $390,589.48 for the corresponding period of 1938, it was announced yesterday at stockholders' meeting of the former company.

Footage delivered in the initial 1939 quarter amounted to 20,837,521, which is slightly more than deliveries during the first quarter of 1938.

Four directors were re-elected unanimously for a term of three years.—George F. Lewis, Robert Cushman, Murray D. Welch and John McHugh.

Lewis, who is also a vice-president as well as general counsel for Technicolor, Inc., presided at the meeting in the absence of Dr. Herbert T. Kalmus, who is currently on the Coast.

Minneapolis—W. A. "Al" Steffes today will release a letter to exhibitors concerning the Allied convention outlining the program. The board of directors is to meet at 11:00 a.m. June 13. Meeting starts at 2:00 p.m. All suites in the Nicollet Hotel, convention headquarters, have been sold. Steffes expects an attendance of 1,500.

The convention will be extended.

Distributors Try to Eliminate "Bugs" In Proposals for Arbitration Setup

Invest Two Million Dollars in Columbia Short Subjects

By JOSEPH ESLER

FILM DAILY Staff Correspondent

Chicago—Columbia will invest nearly $2,000,000 in short subject production for 1939-40, the company's Mid-Western sales convention (Continued on Page 3)

Diversification of interests in regard to clearance represented the chief problems for unravelling yesterday when sales managers for the major companies met at the Hotel Astor to discuss a setup for operating arbitration under the fair trade practices proposals. As one sales executive described the situation, there are a lot of "bugs" that must (Continued on Page 3)
COMING AND GOING

WILL HAYS arrived yesterday from the Coast.

FRANK C. M. SCHNEIDER, board chairman 20th-Fox, arrived on the Coast yesterday from New York by plane.

JOHN MAY WHITNEY, board chairman of Selznick International, also arrived on the Coast yesterday by plane.

FR. ALAMOT, an associate of GUNNAR FOSSEKJER, a well-known film execs, are en route to Oslo site a visit here.

WALTER J. HUTCHINSON, director of foreign distribution for 20th-Fox, left for England today on the Cap Arcona for Rio de Janeiro.


SPENCER TRACY and his wife are at the Sherry Netherland.

PERC WESTMORE arrives from Hollywood this week on business.

TOM FIZDALE is back in New York all three men to fix by ordinance, daily savings provisions from the last Sunday in March to last Sunday in October. It is expected to meet stiff opposition from rural groups.

THE THEATRE

George Abbott Productions

"There have been a number of good girls and goods made in town of late, but this is being a 'tasteless' and in the words of the last, 'a real coquette.'"—Patta, Hear-Tell.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Wynn, Eddie Tully and Albert Albert Hart

ALVIN, W. 52d St. Mat. Wed. & Sat. Columbus 5-4114

"The best, toughest, toughest, tenderest, dirtiest, most decent and certainly finest play for your money put on sale this season. —George Jean Nathan, Sunbeam.

PRIMROSE PATH

By Robt. E. Buckner and Walter Hart with Helen Better May Russell

WESTLEY GARDE, MASON HARRIE

CORT, West 40th St. Mat. Wed. & Sat. Columbus 9-0044

"Rears of Pleasure"—Atkinson, Times.

THE PLAYHOUSE

by ELLA STONE as Henry Aldrich

MANSFIELD, W. 47th St. Mat. Wed. & Sat. Corner 6-6460

"What A Life!"
ALEs MGRS. DISCUSS LEEARANCE PROBLEMS

(Continued from Page 1)

eliminated from the tentative plan in
before it will be ready for sub-
mission to exhibitor interested.

New sales boards have been tested
within a few days, possibly
with the hopes of wonding
the details of the arbitration pro-
able. It was said yesterday
that "finite progress" had been made
in reaching an understanding.

It was explained that a satisfac-
tory clearance agreement for one
branch might not be possible in an-
other branch and a final
was the goal of the assembled
executives.

es to Outline Allied
Convention Program Today

(Continued from Page 1)

e day or even a week if the
eminent that the MPTOA stand.

Ed Kuykendall is coming and will
suss the sales manager.

The following combine con-
sussion was suggested in a letter
on an important group which has
one working on such the
branch that it is not publick sway.

He states that the combine group
headed by the most prominent men
in the industry. He again reafirms
the floor is open to all groups
discussion.

Next ballet is likely to be tak-
the trade practices program-
the discussion. Steffes says
the combination would be the most im-
portant of all time. George Skouras
and Harold B. Franklin will attend.

Monogram Reports $57,308
Net for Last 5 Months

(Continued from Page 1)

On May 16, Figure compares with
loss of $35,964.05 for the compari-
period in 1938.

Monogram, Johnston further dis-
ed, earned a consolidated profit
$57,308.42 for the five-month peri-
during April 1 last. Recent pro-
tions have been important fac-
the company's favorable posi-
was pointed out.

D G Pact in Effect
West Coast Bureau of THE FILM DAILY

Hollywood — New agreement be-
the Screen Directors Guild and
ight producers. The agreement is
officially effective, with all produc-
ing companies involved having
signed. Agreements between both
Guild and Unit Managers Guild and
producers are for a nine year period,
retroactive to March 13, 1939.

NEW CLEARANCE SUIT
FILEd BY TEX. EXHIB.

(Continued from Page 1)

pictures within a "reasonable" time
after release.

McLendon asks that the distribu-
tors be "commanded to service with-
in reasonable time" and that they
be heard from the aspects of under-
standings that they might have
with any other exhibitors away from
Atlanta regarding the use of pic-
tures in their theaters.

The suit alleges conspiracy with
the eight majors and Paramount-
Richards which operates houses in
Texas. A hearing has been
scheduled for May 29.

NSW 25 P. C. Cancellation
Privilege Seen Beneficial

(Continued from Page 1)

the convention privilege has been
a boon for good pictures and ex-
bhibitors are giving them longer
playing time and better showman-
ship.

Munro stated that membership of
the Film Exhibitors Council of Aus-
tralia has been completed by the
addition of Alf Beszant, president
of the Motion Picture Exhibitors
Association, and William Harrop,
secretary of the association who is
also serving as secretary of the
Council which is now functioning.

Object of council is to promote a
better understanding between ex-
hibitors and distributing interests.

Another member of the Council
is Dan Carroll of Birch-Carroll-Coyle
who also arrived yesterday.

Munro pointed out that Australian
exhibitors lose 55 exhibition days a
year, comprising 52 Sundays, Christ-
mas Day, Good Friday and Anzac
Day and there's no hope of gaining
this time.

Other arriving Australians in-
cluded Ralph Doyle, RKO's manager
of the city, and Charles Shalit, one
of Munro's chief executives. Munro
and Cloman leave today for New
York.

"U. P." Gets Added Time
Cecil B. De Mille's "Union Pac-
ic" has been held over for addi-
tional playing time in 25 keys and
transferred to other theaters in the
same city in 10 other spots for ex-
tra playing time, home office said
yesterday. Mr. Myer Shalit, the U. P.
special ballyhooing the pic com-
pletes its return trip across the con-
inent tomorrow. Par. expects ap-
proximately 8,000,000 will have seen
the exploitation canvas by that time.

3 to 1 for Premiums
Chicago—The pendulum is defin-
ately swinging away from triples to
premiums here. Week-end checkup
shows six houses using trine, 11, 17,
the latter. Rossmore continues four features and adds "習慣" free story
books to juvenile patrons.
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SIDNEY WU.MSR

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A STORY SO MOMENTOUS THAT

IT

REQUIRES

§1

A SUPPORTING CAST OF

1184 PLAYERS,

HEADED

B^

BRIAN AHERNE
CLAUDE RAINS
Joseph Calleia

*

•

JOHN GARFIELD

•

DONALD

Gale Sondergaard Gilbert Roland
Directed by William Dieterle
•

•

CRISP

Henry O'Neill

Screen Play by John Huston, Aeneas MacKenzie and Wolfgang Reinhardt • Based on a Play by Franz Werfel out
the Novel, "The Phantom Crown" by Bertita Harding • Music by Erich Wolfgang Korngold


Leading the Line-up that Again Proves
THERE WILL BE NO HOLD-BACKS IN THE SUMMER
BY WARNERS!

BETTE DAVIS
SALES TAX TO LOSE, HOUSING TO WIN?

(Continued from Page 1)

performed if the legislators are called back in extraordinary session for budgetary and relief financing tasks in mid-summer.

In the Martin bill, admissions are taxed at the rate of one cent on each ticket costing from 13 to 62 cents, two cents on ticket costing from 62 to 99 cents, and above 99 cents at some basic rates.

Included in the service taxes in the bill would be billboards and newspaper advertising, as well as proceeds from radio time contracts.

However, exhibitors are resigned to collecting a cent tax on theater tickets in cities such as New York, Buffalo, Rochester and Syracuse, where bulk of the slum clearance work is scheduled.

In addition, the New York, Illinois, and Massachusetts slum clearance bill, appropriating or authorizing $50,000,000 expenditure from a constitutional issue passed fall by the voters, gives cities the right to tax billboard advertising, telephone rental, services and theater tickets.

No serious chance of stopping or amending the slum clearance bill is given, although the real estate boards of New York City and other realty combinations are desirous that housing be upheld until the 1941 session.

Exhibitors fight against the slum bill is being waged effectively in Western New York by the MPTO Buffalo Zone.

Employment agency regulation bill of Assemblyman E. H. Osterberg was reported out of the Assembly Rules Committee.

Michigan House Passes 3 Per Cent Admission Tax

Lansing, Mich.—The House has passed and sent to the Senate an amusement tax bill that would yield an estimated $4,300,000.

The amusement tax was inserted as an amendment to the sales tax law that is expected to impose a 3 per cent levy on admissions to theaters.

Goldwyn Gives Own Name to United Artists Studio

(Continued from Page 1)

ers 18½ acres while Mary Pickford and Douglas Fairbanks own the land. Although published reports, Goldwyn has not made an offer for the land.

Televise Baseball Due First Time Tomorrow

NBC will give television another "first" tomorrow when it televises the Columbia-Filmcraft (baseball) game from Baker Field via W2XBS at 4 p.m., using mobile equipment.

Ernest Fair on the Air

Oklahoma City—Ernest Fair, local FILM DAILY man, stepped on the airplanes last week with a daily fifteen-minute movie-news-review show on radio station KOCY here.

The Mikado

with Kenny Baker, Jean Colin, Martyn Green, Sydney Granville

Universal

90 Mins.

RATES ACES AS SWELL COMIC OPERA FAITHFUL TO THE GILBERT & SULLIVAN HUMOR.

Handsomely mounted and costumed, exquisitely photographed in Technicolor, brilliantly sung and played in the Gilbert & Sullivan tradition, "The Mikado," the latest M-G-M production, should prove sure-fire with the special audience for which it was obviously designed. And with a rest; if occasional survival of interest is "The Mikado," stirred by the several "swinging" versions, it is highly possible that the element of timeliness will cause this fine musical to escape the natural audience censure of comic opera and transform it into a mass film money maker of the first water, for it can be done, and once done, we may open the way for a new screen cycle. If there is anything to be said in criticism of the direction of Victor Schertzinger, it is that he has largely been content to photograph a stage play; there is more footlights than cinematic technique in the transformation. Yet, is this desirable? This should be added: Had any elaborate liberties been taken, "The Mikado" quickly and easily could have been carried over to the screen. To American audiences, the only familiar cast name is that of Kenny Baker as Helpho Poo, the son of the Mikado (John Barclay), who becomes reduced to escape marriage with Katisha (Constance Willis) and falls in love with the delectable Miss Jean Colin (Mikado). Jean Colin cannot but high perfect mark for Baker, certainly, vocally. And indeed that goes for all the principals but the chorus of the D'Oly Carte Opera Company and the London Symphony Orchestra. No need to sketch the cast of characters. It is efficient and effective. Baker, in his wanderings, meets Martyn Green as Ko-Ko, Titipu's High Executive; Sydney Granville as Poo-see, Lord High Everything Else, and Gregory Stroud as the inimitable Pish-Tush. Perfect casting, all, with Green and Granville getting full comedy values from their roles. Selling angle: See the first few lines above.


CREDITS: Production by G & S Films, England; Adapted, Conducted and Produced by Geoffrey Toye; Associate Producer, Jospe Smale; Director, Victor Schertzinger; Production Manager, P. C. Samuel; Set and Costume Designer, Marcel Vertes; Make-up Artist, Ernest Westmore; Music, London Symphony and D'Oly Carte Opera Co.

DIRECTOR: Very Good. PHOTOGRAP.-THY.

Col. Long's Mother Dead

Cleveland—Col. Harry E. Long, former major in the Air Corps, who was stationed at Peterson Field, Jacksonville, D. C., where he was called on account of the death of his mother.

“Goodbye Mr. Chips”

with Robert Donat, Greer Garson

M-G-M

114 Mins.

GREAT PORTRAYAL OF GREAT FICTIONAL CHARACTER BY ROBERT DONAT MAKES MEMORABLE FILM.

One of the most talked-about pieces of modern fiction, written several years ago by James Hilton who wrote "Lost Horizon," this sensitive and imaginative story has been transferred to the screen without losing any of its values. This is indeed an achievement, for Hilton is essentially a writer of fine prose which does not transcribe to the visual medium of the screen. The principal credit must go to Robert Donat for the splendid characterization of Mr. Chips, the kindly schoolteacher, in a private boys' school in England, whose Methodism may be eccentrically divided from the time he enters the school to the very day he dies, possibly till his death at a ripe old age. The entire story of his life is one of placidity, and so it is all the more remarkable that so many values can be caught up and made vivid through the eye of the camera. But here this is in the craftsmanship of a man whose every movement you follow with fascinated interest, for he possesses a genius for making the most trivial incident on the page. For instance, when the list of possible players who might have brought to life this immortal characterization of Mr. Chips on the screen, and the realization comes that Robert Donat was the perfect choice. Donat becomes Chips, and Chips soon comes to be Donat as you watch him in scene after scene. Here is a remarkable blending of an actor into a part. The story has been too widely read and discussed to require detailing here. Here is a film running for an hour and a half that is practically a one-man performance. True, there is Greer Garson, the unknown actress, but this is a supporting role, Chips' wife for the brief time he enters his life, to die in childbirth. Then there is the remarkable group of boys who come and go from one generation to another. All the others are mere back- ground, mere figures in the Chips' life, the Chips' production. And he carries it from the moment the story opens with him entering the school as a green teacher, too mild to exact discipline, through his awakening, to regain the lost respect of the boys, and then his big awakening as he meets the girl in his life, and she becomes his wife, and, in life and in death, leads this gentle soul into a realization of what a great man he really is in his own small sphere. Then to the final death scene, his passing mourned by the school and the faculty as the passing of the really great man that he had proved himself to be. Here is something that is real and vital and come to the motion picture, the story of a man who lives serenely, humbly, courageously, and by his kindly humor and tolerance brings a great message to a world torn with cares and perplexities. "Mr. Chips" is a tonic that will refresh and cheer any and all ages. As entertainment in both short and low, the masses and the classes. It is not too British, so that its universal message of good and warm humanity becomes a picture for all nationalities, classes and creeds. Robert Donat has given a characterization of a man growing from youth to old age that has never been seen on the screen. While the tempo is somehow...
ERPI creates world's most amazing Sound System!

Amazing 20 ton sound unit engineered by ERPI—which is, in effect, 150 sound heads combined in one! It delivers 150 different talks at one time to 600 moving chairs equipped with speakers. The 150 talks are so perfectly synchronized that spectators hear described the exact scene they are viewing in the "Highways and Horizons" panorama. The original sound film will tell General Motors' story 5 million times!

Below: model of General Motors Building at the New York World's Fair, designed by Norman Bel Geddes.

Giant machine delivers 150 talks at the same time

Nothing like this multi-voiced marvel—now installed in General Motors' exhibit at the New York World's Fair—had ever been attempted before.

In working out the many unique technical problems involved, ERPI once more showed how it is constantly finding new uses for ideas developed by Bell Telephone Laboratories.

For this giant machine is based on the familiar "sound on film" principle—originally developed for use in motion pictures.

Pioneering in new fields is an important part of ERPI's work. But the old will suffer no neglect. For—through scientific research—ERPI maintains its leadership in the work of improving apparatus for recording and reproducing sound in pictures.

Electrical Research Products Inc.
A SUBSIDIARY OF
Western Electric
THE ANSWER
TO BAD BUSINESS ANYWHERE
"ONLY ANGELS HAVE WINGS"
Holds Over
RADIO CITY MUSIC HALL
Okla. Trust Suit Defendants Ask More Time for Answers

R. C. PATTERTON JOINING RKO AS BOARD CHAIRMAN

UA Policy on Trade Practice Code Unchanged--Gold

While in Sympathy with Code, Company Cannot Meet Allied's Request

Despite a request by Allied of New York for United Artists' participation in the proposed trade pact, UA still feels that it cannot take an active part in the negotiations because most of the provisions are either in operation now or could not operate under the company's setup, according to Harry Gold, Eastern general sales manager.

Gold pointed out yesterday that UA eliminated score charges several years ago, that the company sells on an individual basis and that the (Continued on Page 3)

14 COAST FEATURES GO INTO PRODUCTION

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Fourteen new productions are slated to go before the cameras this week. M-G-M will start four, with “Babes In The Woods,” having a cast headed by Mickey Rooney, Judy Garland, Betty Jaynes and Douglas MacPhail. It is a Mer
ev LeRoy production, with Arthur (Continued on Page 8)

Defeat in Senate of N. Y. Sales Tax Bill Forecast

Albany—The Martin sales tax bill was reported out in the Senate yesterday but advancement to final reading was blocked by the objection of Senator Tracey Stagg, Ithaca, Republican, foreshadowing defeat in that chamber when voted upon.

The Assembly Rules Committee re (Continued on Page 3)

Overseating Held Problem for Australian Exhibitors

West Coast Bureau of THE FILM DAILY

Los Angeles—Australia is suffering from overseating, according to Charles E. Munro of Hoyt’s Theaters, (Continued on Page 3)

Mich. House Kills Amusement Levy

Lansing, Mich.—Three per cent sales tax on all amusement admissions was killed by the House, 45 to 49, on a second vote after losing by one vote on the first ballot.

“BUYING MOOD” RULES CAPITAL CITY SECTOR

W. C. Bureau of THE FILM DAILY

Washington—Capital City territo ry is in the midst of one of its most successful film selling seasons of recent years, it is learned here following a check of exchanges and general conditions affecting the film selling.

Branch managers contacted all re port their sales well above those of the same time last year. Rudolph Berger, M-G-M manager here, told FILM DAILY, “Things are moving (Continued on Page 4)

Horne Named Vice-Prexy of Disney Productions

W. C. Bureau of THE FILM DAILY

Hollywood—Hal Horne, Eastern representative for Walt Disney since December, 1937, was elected vice-president in charge of distribution and a member of the Board of Gov (Continued on Page 4)

All 16 Paramount Directors Up For Re-election June 20

(Continued on Page 4)

All 16 directors of Paramount will be up for re-election at the annual stockholders’ meeting scheduled for June 20 at noon in New York City, according to the proxy report sent (Continued on Page 4)

Extensions of 40 and 60 Days Asked By Defendants in Gov’t Okla. Suit

Three Major French Film Industry Assns In Merger

Paris (By Cable)—After parleys extending over several periods the three major French film organizations—Federation des Chambres Syndicales de la Cinematographie Francaise, Chambre Syndicale des Distributeurs Francoises de Films and Syndicat des Exportateurs de Films Francaises—(Continued on Page 4)

Oklahoma City—Twelve defendants in the Department of Justice’s anti-trust suit here yesterday asked an extension of time in which to file their answer to the charges. All motions seeking delay cited necessity of assembling data and information to answer the Government’s petition. Griffith Consolidated, R. E. Griffith and Esten asked extension of at least 60 days dating from the (Continued on Page 4)

Floyd B. Odum Withdraws; Rathvon to be Exec. Com. Chairman

Way was cleared by RKO reorg. plan proponents in Federal Court, at a hearing before Judge William Bondy yesterday afternoon, to gain legal approval of the naming of As sistant Secretary of Commerce, Richard C. Patterson, Jr., as chairman of the new RKO board, to succeed Floyd B. Odum who had accepted the post temporarily some few weeks ago.

Move, which has approval of the Rockefeller and RCA interests, involves the relinquishment voluntarily by Odum of his directorship, and (Continued on Page 3)

MORE COLOR CARTOON FEATURES FOR DISNEY?

Probability that Walt Disney will put in work for or during the 1939-40 season two full-length cartoon features in color, in addition to the already announced “Pinocchio,” is disclosed by sources close to Technicolor, with which company Disney has an exclusive color contract.

While Technicolor is currently (Continued on Page 8)

Wis. ITPA Membership

In New Buying Combine

Milwaukee, Wis.—Max Weisner, pioneer exchange man, and Edward F. Maetz, president of the Independent Theaters Protective Association of Wisconsin and Upper Michigan, (Continued on Page 4)

Penn. Governor Appoints Theater Owner as Censor

Harrisburg, Pa.—John Clyde Fisher, of Sharon, veteran trouper, manager and theater owner, has been named by Gov. Arthur H. James as a member of the Pennsylvania Board (Continued on Page 2)
Maurice Wilson Sails: Two Releasing Deals Completed

Stating that he had closed deals for the distribution of two pictures in the U.S. and an American picture in the United Kingdom, Maurice Wilson, co-managing director of Grand National Pictures, Ltd., returned to London last night on the Normandie.

Wilson said he had acquired an A picture from a major company for release in England, but declined to reveal details. He also said that a second American picture, "Get a Murderer," would be released over here, adding that it was an "art" feature and would not be handled by the American company.

Other pending deals will await his return to England as the new tax situation has added a burden to the importation of American product. He pointed out that he figured it a hotel here, A. Montague, general superintendent, was sent to bring in an American B picture.

Test Runs Convince "U" of "Mikado" Mass Appeal

Test runs of "The Mikado" in diversified types of towns have convinced Universal executives that the picture is favorable to mass audiences as well as "class" patrons. The picture is reported to have topped Donna Durbin vehicles in Iowa and Vancouver, was a capacity business in Toronto, Miami, Hartford and Pinehurst. Showings in Miami were after the tourist season had ended. A sellout was reported at the Rochester, N.Y., opening last night. Picture opens in Providence today and in Cincinnati on Friday.

Momand Defense Motions Will Be Heard on May 20

Oklahoma City—May 20 has been set as the definite date when Judge A. P. Murrah will hear the latest defense motions in the A. B. Momand $4,500,000 suit against major defense contractors over the purchase of $1,000,000 worth of defense materials.

Hollywood executives are unanimously delighted with Paramount's policy of seeking their cooperation in the shaping of studio policy, said an attorney, who was present here yesterday by Y. Frank Freeman, Paramount vice-president, upon his return from a three-day convention of the Interstate Theater Circuit in Galveston, Tex.

Tele In New Apartment

Television yesterday took a forward stride to the New York apartment house field via announcement by Pease & Filmmin, Inc., that its new 23-story apartment building at 20 Park Ave., will contain a multiple antenna system to feed programs to individual tenants' receiving sets. RCA will install the antenna this summer, upon completion of the building.

SALESMAN

Manufacturer requires salesman to represent them in Metropolitan New York area, selling to Motion Picture Theaters. Experienced man only. Write full details for interview.

THE FMALY

(Continued from Page 1)

Penn Governor Appoints Theater Owner as Censor

Reports from Wilmington, Del., to the effect that Chancellor W. W. Harrington had ordered dismissal of the action of Edgar Stiner, H. A. Goldstein and Louis Susman against Loew's, Inc., were confirmed by New York yesterday. The suit had been brought last October by Loew's, executors and trustees of the estate of the late Alexander Berg and individual Hollywood executives.

Dismissal of the action, which amounted to a neglect of defendants with making unwarranted expenditures, was ordered on agreement of counsel.

Cleveland Exhibs. Battling Daylight Saving Ordinance

Cleveland—Daylight saving time has been introduced in the city. It is general to a uniform time of 100 P.M. excepting that of the Cincinnati and individual Hollywood executives.

Exhibs. Pleased by Para.'s Co-op Policy, Says Freeman

West Coast Bureau of THE FMALY

Hollywood exhibitors are unanimously delighted with Paramount's policy of seeking their cooperation in the shaping of studio policy, said an attorney, who was present here yesterday by Y. Frank Freeman, Paramount vice-president, upon his return from a three-day convention of the Interstate Theater Circuit in Galveston, Tex.


Montreal—Directors of Loew's London Theaters, Ltd., of London, Ont., have declared dividend of 1%. On their London, Ont., and London, Ont., branches, they have declared 5% tax dividends on their Mutual Depositors for the year ended March 31, 1934, payable June 1, 1934 to stockholders of record May 24, 1934.
Several More New York City Theaters Giving Tele Demonstrations in Lounges

Several additional New York City theaters began presentation of television demonstrations in their lounges yesterday. Telecasts were shown at five-minute intervals from 11 A.M. to 4 P.M. at the paramount, New Amsterdam, Plaza and Little Carnegie, the first five to install a receiver.

The television showed consisted of commercial films and news shots, sent out from Radio City. Each presentation brought large crowds to the lounges. They will continue throughout the week.

Overseating Held Problem for Australian Exhibitors

(Continued from Page 1)

who left here yesterday for New York.

In an attempt to solve the problem, all building applications must be passed on by a Film Commission which usually consults exhibitor leaders, Munro stated.

Double features are firmly entrenched "down under," with film audiences accustomed to three-hour shows. This means four shows a day, starting at 11 a.m., 2, 5 and 8 p.m. Features in single reels, however, are usually played singly, according to Munro.

He cited "Kentucky," "Gunga Din," and "Suez" as outstanding money pix in Australia, stated star drawing power in the U.S. and Australia is about on par, and added that if Aus-

tralia pips a Jennifer have any antipathy, it is to crooning films.

From the Australian viewpoint, Munro said he regarded television as too distant to be an exhibit worry.

Honor from the French Government, and decorations from three other countries; was awarded Columbia University Medal for distinguished public service in 1932; was associated with administrative office of the U.S. Commission negotiating peace in 1918-19; member of the advisory board of the Chemical Bank & Trust; trustee of the Provident Loan Society and Central Savings Bank; and that in July, 1932, W. Kingsland Macy, Republican State Committee chairman, had offered Patterson the Fusion nomination for Mayor of New York, which the latter declined.

Hearing on Patterson's designation was adjourned to July 6 at 3:30 p.m. in Federal Court.

During yesterday's hearing, while Rickaby was giving exposition of Patterson's qualifications, Judge Bondy suddenly asked this counsel about the bill of particulars in the current equity suit of the Government against the majors. Rickaby smilingly declared he didn't know anything about the suit, and the Court explained that it wanted to know because it is holding up decision on Government's application to eliminate Item 8 of the Court's order which covers naming of the Govern-

ment's witnesses.

Bondy said he would press on this question and defendants' request for a more specific bill at the same time.

Otto C. Deering declared that defendants' motion for a more specific bill will be made in a day or two.

Defeat in Senate of N. Y. Sales Tax Bill Forecast

(Continued from Page 1)

ported out Assemblyman Norman P. Penny's pari-mutuel bill. Penny then substituted Senator Dunnigan's measure which passed the Senate. The Bill will be voted upon today, and, if passed, goes to voters in refer-

dendum form next November.

Assemblyman Penny estimates eight million annual revenue to state from the pari-mutuel "take." Ex-


tension of tracks asserts more betting under favorable pari-mutuel odds will definitely hurt the-

ater box-offices.

The Senate by a vote of 30 against 14 for, defeated Assemblyman Mitchell's bill to transfer from the Sec-

retary of State to municipal authorities licensing of theater ticket brokers.

Horne Named Vice-Presy of Disney Productions

(Continued from Page 1)

errors of Walt Disney Productions, it was announced yesterday. Horne, now in California where he has been conferencing with Walt and Roy Disney concerning next year's productions, will arrive in New York on Tuesday.

"Hal Roach's ZENOBIA... grand comedy cast... amusing idea... happily cockeyed."

—NEW YORK EVENING SUN

RELEASED THRU UNITED ARTISTS
"BUYING MOOD" RULES CAPITAL CITY SECTOR

(Continued from Page 1)

along nicely and exhibitors are in a buying mood.

Branch Manager B. Bernard Kreisler of Universal reports sales are about double those a year ago.

The "jitters" brought about by the war scare of recent months seem to be passing out, Kreisler said and this is helping somewhat in their selling improvement.

RKO Manager, R. J. Folliard, reports his company is 20 per cent ahead of last year at this time and declares exhibitors are in a buying mood.

Exhibs. Slow In Buying, Philly Allied Unit Hears

Philadelphia—Reports on the buying situation, legislation and the nontheatrical games and carnival competition highlighted the meeting of Allied Independent Theater Owners of Eastern Pennsylvania, Inc., here yesterday. Approximately 60 exhibits were in attendance.

The Board of Governors reported that buying throughout the country was markedly slow. It appeared that most members here are holding off buying until after the Minneapolis convention in order to see what is going on in other zones.

The local Allied unit will be represented by more than 12 at the Minneapolis sessions. Treasurer's report also was submitted at the meeting yesterday.

Ban Lifted in Mexico City on Pix of 2 U. S. Companies

(Continued from Page 1)
developed over a jurisdictional question between the Federation and a local union with the distributors caught in the middle.
“The Gracie Allen Murder Case”
With Gracie Allen, Warren William, Ellen Drew, Kent Taylor
Paramount 74 Mins. (Hollywood Preview)
Laugh riot with Gracie Allen scoring strongly should be B. O. winner.

This picture is a laugh riot with Gracie and Gracie’s blending of romance, slapstick comedy, and dizzy remarks keep the audience in howls of laughter from the very beginning to the end of the picture. Alfred Green gives it a great piece of direction. The timing of the gags are so well handled that the audience misses none of them. Miss Pilstrom’s screenplay is based on the novel by S. S. Van Dine is chock full of fresh gags, Gracie, the niece of a New York manufacturer, is sent home with her uncle to his farm picnic. She meets Kent Taylor, who is a perfume maker, and while she is sitting on the grass with her uncle, someone throws a lit cigarette in her lap, the cigarette is the basis for one of the funniest slapstick gags in the picture. That night while she is at a night club with Taylor, she discovers a dead body in the owner’s office. From then on Gracie is a riot as an amateur detective. First she involves Taylor, who is held as the murder, Taylor’s girl, Ellen Drew, gets Phil Vance, played by Warren William, to take the case and try and clear Taylor. Another murder is committed—a nightclub entertainer, Warren, killed in class, is Warren of murdering the entertainer. Through involving and uninvading the jumble that Gracie gets everyone into the mystery, it is finally solved and Taylor is freed at Gracie, in a scene in which she goes to the slum man’s apartment to discover clues. Miss Pilstrom should get an Oscar for this. Another scene, is her ride on the back of a police motor-cycle in which she goes to the scene of the War. The cast includes Warren William, Miss Pilstrom, and Miss Allen, in her first starring role.

CAST: Gracie Allen, Warren William, Ellen Drew, Kent Taylor, Jed Prouty, Jerome Cowan, Donald MacBride, Judith Barrett and William Demarest do fine work in helping to make this mystery comedy one of the funniest pictures of the season. George Arthur produced the whole mystery, and Maloney and a money-maker for Paramount. The very catchy novelty tune, “Smug As a Bug in a Rug” was written by Maloney and a music-maker.


CREDITS: Producer, George Arthur; Director, Alfred E. Green; Author, S. S. Van Dine; Screenplay, Nat Perren; Cameraman, Charles Lang; ASC; Art director, Hans Deiter and Earl Jeffries; Set decorator, Paul Weatherex; Sound, Gene Merritt and Don Johnson; “Smug As a Bug in a Rug” by Maloney and Fred Loesser.

DIRECTION, Great. PHOTOGRAPHY, Very Good.

“The Girl from Mexico”
With Lupe Velez, Donald Woods, Leon Errol, Linda Hayes
RKO Radio 69 Mins. (Hollywood Preview)
Slapstick comedy with plenty of action should make money for exhibitors.

This picture is indeed a pleasant surprise. Although a slapstick comedy, it has plenty of action and Lupe Velez comes through with a swell performance as a first-class comedienne. It is the type of picture that should please most audiences. The direction by Les Goodwin is tops. He keeps the action moving at a fast pace from beginning to end. Robert Sisk rates credit as the producer as does Lee Marcus, production executive. The story concerns Lupe Velez, the latest scent (Donald Woods), who goes to Mexico to get a name singer for one of his clients and ends up with Lupe Velez. She brings his back to New York after she is married to him and a promise to the court to take good care of her. On her arrival in New York she finds that Wood’s uncle is about to be married and from then on the fire-fights start with Lupe determined to break up the whole affair. Lupe does successfully in the end. One of the very interesting highlights of the picture is the day Lupe spends with Leon Errol, Woods’ uncle. Lupe is told to house him all day before her audition, but the spitfire coaxes Errol to take her with him. They go to the ball-game and wrestling matches and finally when they get home she has lost her voice. The payoff comes when she takes her audition, Leon Errol and Lupe make a swell comedy team with their mugging and antics. Linda Hayes, a new comer, delivers nicely in the role of Woods’ fiancée and shows future promise. Other members in the cast who do nice bits of work in their respective parts are Donald Woods, the latest scent (Donald Woods), as Wood’s aunt, Ward Bond, wrestler and night club owner, and Edward Rarquello, the sponsor. The story by Lionel Houser with screenplay by Houser and Joseph A. Fields is an interesting piece of work. This picture should make money for the exhibitors.


CREDITS: Producer, Robert Sisk; Production Executive, Lee Marcus; Director, Leslie Goodwin; Author, Lionel Houser; Screenplay, Lionel Houser and Joseph A. Fields; Cameraman, Jack MacKenzie; ASC; Art Director, Van Nest Polglase; Associate, Albert D’Agostino; Sound, John L. Cass; Editor, Donald Marquette; Musical Director, Robert Webb.

DIRECTION, Tops. PHOTOGRAPHY, Very Good.

III. Solons to See “Lincoln”
Springfield—Illinois house of representatives passed a resolution this week approving the work of eight of the seven members of the house and seven members of the senate to attend the world premiere of “Young Mr. Lincoln” on May 30.

“Hotel Imperial”
With Isa Miranda, Ray Milland
Paramount 67 Mins. MILD MELODRAMA OF WAR BURGESS INTRODUCES ITALIAN “FIND” BUT AMERICAN ACTORS STEAL PICTURE.

This picture introduces the new Italian find, Isa Miranda. She is lovely, charming and intelligent, but nevertheless has a long way to go before she reaches the pop bracket. The drama itself teeters around from light comedy to heavy meller, and because it seems unable to make up its mind where to go, it gets nowhere. The characters are very well done. It is all about a hotel in a small Hungarian village, when the Russian troops take possession. Ray Milland is there in the hotel as a waiter, but he is really an officer in the Hungarian army acting as a spy. The girl is Polish, posing as a chambermaid in search of the geist who did her sister wrong in the same manner when she was a maid there. And with this plot as a starter, in comes the great Russian general who takes a fancy to the pretty maid, because he wants to paint her, that being his hobby. So she plays on his favor to hide her real motive, and also in the order to bring the Russian chief by helping him to escape back to the Austrian army so that he can start a surprise attack on the town and cut off the Russians. It is all a drunk on vodka after their Christmas carousals. The action is very well done with only some fine comedy touches and exceptional acting of a superior cast to save it. Reginald Owen is grand as the general. J. Carroll Naish as a Russian spy out to get the girl and also the enemy spy, is very good. Gene Lockhart scores a fine part as the hotel keeper, Muuss does nicely though her coaching impresses as inadequate. Ray Milland is competent as the spy hero. The Don Creath chorus does some spirited singing of Russian songs. Selling angle: Miranda, the new Italian “find,” and a romantic spy story.


CREDITS: Director, Robert Warshow; Author, Lajos Biró; Screenplay, Gilbert Gabriel, Robert Thoeren; Cameraman, William Mel- lor; Editor, Chandler House.

DIRECTION, Fair. PHOTOGRAPHY, Good.

“Boys’ Reformatory”
With Frankie Darro, Grant Withers
Monogram 61 Mins. SMOOTH DRAMA OF REFORMATORY SCHOOL WITH FRANKIE DARRO IN STRONG SACRIFICE ROLE.

Well knit drama of reformatory life, with Frankie Darro having taken the rap for his friend (Frances Egan, Jr.) who has fallen into bad company and started a career of gangsterism under a leader who uses the boys as his stooges. At the reformatory, Frankie comes under the eye of the physician (Grant Whithers), who makes him his assistant. Coghlan later is sent to the reformatory, being made scapegoat for some gangster activities. The gang leader back in the city plans to spring the boys from the school as he is afraid of one of them might talk. The plan goes awry, and later Frankie Darro apparently joins up with the boy who was the stool pigeon and takes chief in order to get the goods on the activities of the organization. Making their escape, the doctor’s confidence, but he is reassured when the boy tips him off to a job the gang is about to pull and arrives there with the police in time to capture them. Frankie has some bad moments as the gangsters realize he tipped off the police, and it looks like his finish, but by a ruse he outsmarts them and lives to rejoin the doctor, and see his pal released from the reforma- tory with his record cleared. Selling angle: Frankie Darro in a strong role of helping a pal, and sacrificing himself.


CREDITS: Producer, Scott Dunlap; Director, Howard Bretherton; Authors, Ray Trampe, Norman S. Hill; Screenplay, Ray Trampe, Wellyn Totman; Cameraman, Harry Newman.

DIRECTION, Good. PHOTOGRAPHY, Okay.

SOUNDS AS GOOD AS IT LOOKS — AND IT LOOKS LIKE A MILLION!

Designed for any theatre—regardless of size.

New RCA PhotoPhone Magic Voice of the Screen—plus Rotary Stabilizer!
REVIEWS OF THE NEW FILMS

“Romance of the Redwoods”
with Charles Bickford, Jean Parker.
Columbia. 61 Min.
EXCITING MELLER OF THE LOGGING CAMPS WITH BICKFORD SCORING IN HE MAN ROLE.

Nice meller with the Jack London story of the northern timber country for the locale. There is a love rivalry between Gordon Oliver and Charles Bickford, two loggers, for the attentions of Jean Parker. Jean goes for the former lad, he being from the big city. The city hero is killed in an accident, and Bickford is accused as the murderer. The business of the logging camp is interestingly presented, and the forest scenes are very finely photographed. Then comes the inevitable trial, followed by a most spectacular fire in the big timber. Director Charles Vidor has got the most out of his material. Bickford is grand as usual in his rough man role. He has a swell role to build sympathy, for after he is released of the murder charge, the rest of the boys still believe him guilty in spite of the girl’s defense of him. In the forest fire he proves the hero who saves the trapped loggers, and all ends on a happy note.

CAST: Charles Bickford, Jean Parker, A. Y. Bridges, Gordon Oliver, Ann Shoemaker, Lloyd Hughes, Pat O’Malley, Marc Lawrence, Earl Gunn, Don Beddoo.

CREDS: Director, Charles Vidor; Author, Jack London; Screenplay, Mike Simmons; Editor, Byron Robinson.

DIRECTION, Good. PHOTOGRAPHY, Okay.

“Rangle River”
with Victor Jory, Margaret Dare, Robert Coote.
J. H. Hoffberg. 72 Mins.
WESTERN WITH AUSTRALIAN LOCAL PROVIDES SOMETHING NEW FOR THE ACTION FANS.

Taken in its entirety in the Australian cattle country “down under,” this film presents something new in the way of scenery and action for the devotees of the action films. Wicked-looking bull whips make viable weapons for use in a fight in this part of the world and Victor Jory and Cecil Perry stage a fight with whips that is certainly something to see. Jory, Margaret Dare and Robert Coote head the cast.

Clarence Badger gets credit as the director. Jory is the foreman of a ranch owned by Miss Dare’s father. Jory sends her a letter telling her to return home at once from England as they are having serious trouble. Her arrival precipitates a series of events that include fights, shootings and the blazing of a dam. Perry is histrionic in the villain and Coote gives a sufficiency of his special brand of comedy relief.

CAST: Victor Jory, Margaret Dare, Robert Coote, George Bryant, Rita Pauncefort, Leo Cracknell, Cecil Perry, Georgia Sterling, Stewart McCall, Phil Smith.

CREDS: Produced and Directed by Clarence G. Badger; Taken from a novel by Jane Grey; Cameraman, Errol Hinds; Editors, Frank Cheffey and Mona Donaldson.

DIRECTION, Okay. PHOTOGRAPHY, Good.

“Ex-Champ”
With Victor McLaglen, Tom Brown.
Universal. 72 Mins.
CINDERELLA STORY OF PRIZE FIGHT CHAMP WINNING AGAINST HEAVY ODDS WITH THE HELP OF MCLAUGLEN.

Made for the thrill trade who do not inquire too closely into plot construction, this one shapes up as a fair exciting story of the prize ring. Victor McLaglen is cast in the role of an ex-champ who has been down on his luck for a long time, having been forced to take jobs such as acting as doorman. His son through one of those miracles of Hollywood story-writing, is in Wall Street as a broker with society friends, and all that sort of thing. He marries a society girl, who does not know that the doorman is really her father-in-law. This plan lends some sentimental stuff later on when she discovers it after her husband has abscended with quite a bit of McLaglen’s money. However, and under stress of trouble takes everything like a good sport, even having a doorman for a father-in-law. Meanwhile McLaglen is taken to training a likely young fighter (Tom Brown) who comes to the front in no time and is matched to fight the champ. The match suggests McLaglen between duty and love of his son whom he does not want to see go to jail. He arranges to have his fighter lose, and by betting a tidy sum on the other side, hopes to collect enough money to clear his son. There is one of those last-minute switches in the way the double-cross does not work, the McLaglen fighter wins, and the bet is safe because it has been switched at the last minute. McLaglen’s good work makes this loosely knit yarn stand up and carry some semblance of conviction. Selling angles: Victor McLaglen doing a come-back role and helping a youth to glory.

CAST: Victor McLaglen, Tom Brown, Nan Grey, Constance Moore, William Frawley, Donald Briggs, Samuel S. Hinds, Marc Lawrence, Kid Chisholm.

CREDS: Producer, Bert Kelly; Director, Phil Rosen; Author, Gordon Kahn; Cameraman, Edward Bredell; Editor, Bernard Burton.

DIRECTION, Fair. PHOTOGRAPHY, Okay.

Another Big Scoop for
AMERICA
The Quigley Grand Award-Winners
JOHN BURHORN
of South Chicago, Ill.
GEORGE LIMERICK
of Enid, Okla.
leading a discussion on the subject
“Home Office Aids To The Exhibitor”

Tariff: $1.25 for members; $1.50 for non-members.

HOTEL ASTOR
12:45 P. M. Tomorrow

“Ex-Champ”

From the Chicago Daily News

THE DAILY
Wednesday, May 17, 1939

“Ex-Champ”

“Ex-Champ”

“The City”

(Photographic film—4 reels)

Civic Films

44 mins.

SHORTS

The Foreword to this exceptionally fine film serves to introduce it better than any words we can employ: “Year by year our cities grow more complex and less fit for living. The age of rebuilding is here. We must remodel our old cities and build new communities better suited to our needs.” The film was made possible by a grant from the Carnegie Corporation of New York. It is sponsored by the American Institute of Planners and an anonymous organization. The work has gone into the production of this impressive subject. More than 100,000 feet of film was shot in order to get the 4,000 feet used. It was 10 months in production. More than 22,000 miles were covered on location in cars alone. Thirty different states were used as locations. It cost $50,000 to produce, and it looks like twice as much. Everyone identified with it is an expert in his particular field. The work opens with a study of urban life in a quiet New England village, showing the old dirt roads, the quiet countryside, and the people at work in their leisurely way, culminating in a scene in a blacksmith’s wayside shop. He is beating a steel wagon hoop on his anvil. The picture dramatically changes to a scene in a steel mill as the molten metal flows. Then into the swirling life of the city, with its confusion, rush, despair, misery, its crowded tenement neighborhoods, children playing on the danger-filled streets, office workers rushing hysterical to work, a thousand other phases of city life and its rush covered with staccato clarity and directness. Then comes Sunday, the “day of rest” for the tired city worker, as they journey out in the family jabber on the crowded highway. Then into the answer to all this confusion, misery and artificial way of living — the “street of life” — this is pictured in dozens of different scenes from as many model small towns scattered throughout the United States. Here we see the planned cities, the living places of tomorrow. In fact, of today. The credits, and we mean credits, to go the following: Photographed and directed by Ralph Steiner and Willard Van Dyke. The photography is superb, by two men who have revolutionized American photography. Production supervised by Oscar Serlin. Associate producer, Henwar Rodakiewicz. Original script by Rae Lorenz. Scenario by Henwar Rodakiewicz. Commentary by Lions Club of Hartford. Editor, Theodore Lawrence. Narrator, Morris Carnovsky. It is an American Documentary Films production.
Worcester, Mass.—New $110,000 picture of three globetrotters by the Greendale Theater Corp. of which Arthur A. Blanchard of Southbridge is president, is scheduled for opening on the Saturday preceding Labor Day.

Building will be set back from the street on a lot of land comprising approximately 65,000 sq. ft. It will be of brick, with a three-story tower in which will be Westminster chimneys. The tower section will contain rest rooms, foyer, candy booths and offices of treasurer and manager. It will also house the offices of the Associated Theatrical Syndicate.

The theater, plans for which were made by Cornelius W. Buckley of Worcester, supervising architect, will be of the English Tudor type. The interior will be decorated with English motifs of the Shakespeare period.

1,300-Seater for Miami

Miami, Fla. — Construction is under way on a 1,300-seat film house in downtown Miami. W. C. Dorsey is building the building along brick, with a three-story tower in which will be Westminster chimneys. The front will be ornate with marbled quarry stone, glass brick and spectacular fluorescent lighting effects. Construction costs have been placed at $80,000, and value of the land is placed at $100,000. The auditorium will be 70 by 150 feet, with a balcony. There will be no stage. The fluorescent lighting system will be used throughout. Floors will be terrazzo, whether the theater will be operated as an indie or leased to a circuit has not yet been decided.

To Build In Woodsfield

Woodsfield, O.—A new theater is to be built here by Interstate Theaters, Inc., and Mrs. Mena Fiehman.

Two New Houses for Camden

Camen, Ark.—Camden is to have two new film houses, one in the Ousachita Hotel building and the other in the J. H. Morgan building — both in the same block. Camden already has two film theaters.

"Death Ring" to GN

West Coast Bureau of THE FILM DAILY

Hollywood—Ted Richmond, Benny Roberts and Benny Guyler have sold their original story, "Death Ring," to Grand National.

Fr. Hubbard Shorts

A special group of four shorts featuring Father Hubbard, the Glacial Priest, will be released during the coming season by 20th-Fox in its shorts lineup. Pictures will be in one-reel form and will deal with different subjects such as the Valley of 10,000 Smokes, icebergs and other. They are scheduled to be released as Father Hubbard Adventurers, with Lowell Thomas interviewing him in a novel way in the rolls.

"Television" (Reelims) 9 mins.

RKO Radio

Fine

A very interesting and informative picture of television, simplifying everything so that the layman can understand. The man at the microscope at the birth end of the picture is gasping. The mysteries of the electronic scope and the tubes are explained. The telecast of a horse race shows how mobile equipment catches world events in any place. Produced by Frederic Ullman, Jr. Supervised by Frank Donovan.

"Donald's Penguin" (Walt Disney) 7 mins.

RKO Radio

Pet Pieves

A present of a young penguin is sent to Donald Duck from Admiral Byrd in the Antarctic. The explorer's name is spelt "Bird," which may be an error or a gag. If an error, it's a brilliant one.

Donald finds the young penguin gets into more mischief than a pup. First there is the matter of the three goldfish in a bowl, which finally disappear into the penguin's stomach. Enraged, Donald gets his shotgun, but is unable to shoot when the penguin looks so sad. The accidental discharge of the gun blows a hole in the side of the house, and Donald is grief-stricken at thinking the penguin is killed. When the culprit shows up behind the door, Donald is so happy he finds his safe and all is forgiven.

"Moving Vanities" (Leon Errol Comedies) 17 mins.

RKO Radio

Swell Gags

The troubles of Leon Errol and his wife when they decide to move because the landlord has raised their rent. They move into a new apartment, but the city inspector condemns the building. Then they start on a series of misadventures, with the same moving van carrying their furniture from one place to another, till finally the wife gets disgusted and says she will live with her uncle till they can find a new home. They get lost, and wind up in another state, and have a tough time getting back into their own state as "foreigners." When they do get back to their old home, resigned to pay the increased rent, they find the house has just burned down. Produced by Louis Broek.

Directed by Bert Gilroy.

"Arcade Varieties" (No-Atlas Musicals) 11 mins.

RKO Radio

Vaude Acts

The unusual assembly of variety acts that appear in this series. The artists include East and Dunke (Sisters of the Skillet), Lillian Roth, Frazee Sisters, vocalists, Gilrane & Starr, ballroom dancers, and The Six Harmonicas, a nifty young group of players.
Broadway wisecracks are still wondering re that Monday night episode which grabbed copious space yesterday in the New York p.m. dailies. It seems a fave stumbled into a trot at 54th and Broadway or told to "Janes." The cabbie, a geographical-minded gent, headed for Mexico, only to find out (in Philadelphia) that his fare asked that the intended destination was Warners "James!" at the Hollywood "Bustle." Monday night, the drama of a fugitive from a chain gang, who resists efforts to blackmail him, "Thunder Afoot," with a cast headed by Wallace Beery and Robert Young, is an adventure drama and deals with the protection of the American coast. J. Walter Ruben is the producer and George B. Seitz the director. Balalaika, co-starring Nelson Eddy and Ilona Massey, is a musical romance with a Cossack and a Gypsy Princess the central characters. Lawrence Weintgarten, Ramone and Rhinehold Schunzel direct.

At RKO, Herbert Wilcox will produce and direct "Nurse Edith Cavell," with Anna Neagle as the star, and May Robson and ZaSu Pitts among featured players. The story is based on the life of the English nurse, who met death before a German firing squad during the World War. Gregory LaCava will produce and direct "My Fifth Avenue Girl," starring Ginger Rogers. Romantic adventures of a girl worker in a hosiery mill, who falls in love with her employer, will be picturized.


Cathedrals Films makes its bow with "The Great Commandment," starring John Beal, who is also producer. Irving Pichel and Jack Coyle and Rev. James Friedrich are the producers.


Webb succeeds Shapiro

Well, Anyway, It Really Happened

Adolph Shapiro, as S-1 Publicity Director

West Coast Bureau of THE FILM DAILY

Hollywood—William Webb, on June 1 succeeds Victor M. Shapiro, who has resigned, as publicity director for Selznick International. For the past three or four years Webb has been Cecil B. DeMille's personal representative and a radio writer.

Hebert Succeeds Shapiro

As S-1 Publicity Director

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Adolph Anti-Trust Case

Postponed for Thirty Days

Chicago—Adolph Theater anti-trust case will be postponed for 30 days owing to the plaintiff's attorneys being engaged in other court. Attorneys for B & K and the major film companies will file briefs today with special Master Eldredge in the government's contempt action.

M-G-M Signs Franchot Tone to New 2-Picture Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Franchot Tone, for many years an outstanding player at the M-G-M studios, has signed a contract with Metro for two new pictures. First will be "Butter Afloat," with Wallace Beery.

Metro has acquired six rights to the story, "Richard Harding Davis: His Day," published by Scribner's and to the Danon Runyon story "A Call On The President," which appeared in the Saturday Evening Post. Edgar Selwyn will produce the latter and be directed by Melville Baker to do the screenplay.

RKO Signs Richard Dix to 3-Film Stella Paco

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Dix has been signed by RKO Radio to star in three pictures. First will be "Reno...."
N.Y. Allied to Ask UA Producers to Accept Pix Code

**BBC FILM-TELE-CO-OP PLAN SUBMITTED TO MPPDA**

**Canadian Indies Organizing Anti-Protection League**

**Fair and Pix...time's a-wastin'**

By CHESTER B. BAHN

PLENTY of squawking along the Great White Way these days about poor biz, and a tendency on the part of some, at least, to attribute it largely to Grover Whalen's opposition action, over on Flushing Meadows.

Metropolitan showmen, acknowledging that the current visit of the Fleet, the weather, baseball and daylight saving are other factors, nevertheless tell you that the World's Fair not only is calling the "home folks," but that the visitors brought into New York City by the exposition, are staying away from pix theater box offices.

But if the latter are, is it the Fair's fault? Or the industry?

TO PROPERLY point the situation, a flash-back to what was set down in this column long ago as December 14 last under the challenging caption, "1939 Worry for Broadway":

"Add Things to Worry About: In April, the New York World's Fair 1939 will bow in, making New York City the Mecca for free-spending visitors from North, East, South and West.

"A respectable majority of those flying, training and motoring in from the hinterlands will not be content to seek their amusement and entertainment on the grounds of Grover Whalen's exposition; they'll turn to Broadway and its theaters, film and otherwise.

"But from the pix standpoint, here's the rub and the problem: As booking matters now stand, many of the features are seen in other cities before they open in New York. Indeed, one of the most familiar squawks voiced by visitors concerns their disappointment at discovering that a Broadway pix house they had planned to attend is playing a film they deem "old"—they saw it before leaving home.

"That situation will be aggravated no end when the World's Fair rush starts, and unless remedial steps can be formulated and taken, it promises to cost Broadway theater operators plenty. For it can be put down that no Fair (Continued on Page 2)

**ITA Backs Move to Bring All Dominion Exhibs. Into New Body**

Toronto—Organization of a Dominion-wide Anti-Protection League is under way.

Back of the move is the Independent Theaters Association, whose Board of Directors formally recommended its launching. Committee in charge embraces J. O. Scott, Harry Alexander, George Lester, Mike Goodman, William Brady, Harry Rotenberg and Harold Kay.

Co-operation of the Independent Exhibitors Association of Winnipeg (Continued on Page 3)

**PIX GROUP TO FIGHT SALES TAX MEASURE**

A delegation representing motion picture interests is scheduled to go to Albany today to put up a united front against the Martin sales tax bill. Decision to fight the proposed measure was made yesterday at a (Continued on Page 5)

Kough Clarifies Para.'s Stand on Trust Question

Austin C. Kough, vice-president and general counsel for Paramount, yesterday filed affidavits with Federal Judge William Bondy regarding the Government's statement in con (Continued on Page 9)

**Degree for Mayer**

Fredrickson, N. B.—The University of New Brunswick today conferred the honorary degree of Doctor of Laws upon Louis B. Mayer, M.G.M. production chief. Mayer, educated in public schools of St. John, last night was a guest at the students' reception and alumni dinner.

**AFM PRODUCERS MEET IN EXPLORATORY TALK**

Meeting here today in the office of Pat Casey, producers labor representative, between the major producers and the American Federation of Musicians is not expected to achieve more than further exploratory discussions on the subject of (Continued on Page 6)

**Republic to Operate Own Exchange in S. F. and L. A.**

West Coast Bureau of THE FILM DAILY

Los Angeles—James R. Grainger, president of Republic and Floyd St. John, of San Francisco, issued a joint (Continued on Page 9)

**Sack Amusement to Handle Million Dollar Negro Pix**

West Coast Bureau of THE FILM DAILY

Hollywood—Alfred Sack of Sack Amusement Enterprises and Harry M. Popkin of Million Dollar Produc (Continued on Page 9)

**Individual UA Producer Acceptance of Code to be Asked by N.Y. Allied**

Pix Division of GNY Fund

Reports $70,000 Pledged

Close to $70,000 of the local industry's prescribed goal of $100,000 in the Greater New York Fund drive (Continued on Page 6)

Individual participation in the trade practice code by each of the United Artists producers will be advocated by Allied of New York, it was stated yesterday by Max Cohen, president.

"If United Artists is only a selling (Continued on Page 5)

**Cock Sails After Parley With Hays Office Committee**

By HOLLIS KENNAHAN

FILM DAILY Staff Writer

Disclosing that he had presented to Will Hays and the MPPDA television committee in informal talks during his U. S. sojourn a comprehensive plan for mutual assistance and cooperation between voting interests and the film industry, Gerald Cock, director of television for BBC, in an exclusive interview with THE FILM DAILY yesterday predicted television would score its greatest advance, technically and commercially, during 1939.

The BBC exec, sailed yesterday on (Continued on Page 9)

**SPECIAL TELE EXEC. COMMITTEE FOR RCA**

By GEORGE H. MORRIS

FILM DAILY Staff Writer

RCA and affiliates, exclusive of the communications companies, have formed an executive "Supreme Court" to pass upon questions of policy with respect to television, it was disclosed yesterday.

The special committee, THE FILM (Continued on Page 10)

**Louisiana Loses Its Fight For a Tax on Film Rentals**

Baton Rouge, La.—Right of the state of Louisiana to apply its sales tax to film rentals was denied in Civil Court here yesterday, according to attorneys for major theater cir (Continued on Page 6)

Okla. MPTO Bids O'Donnell and Short to Address Meet

Oklahoma City—Invitations have been extended to Bob O'Donnell, head of the Interstate Circuit and to Paul Short, of National Screen (Continued on Page 5)
Fair and Fix

...time's a-wastin'

(Continued from Page 1)

visitor from Oskosh is going to pay
Broadway prices to see a picture he's
already viewed in the old home town
for two bits or 40 cents.

If THAT forecast was correct—and the
present conditions seem to bear it out
the full disastrous effect of such a book-
ing policy can be expected after June 1
when the "on the to Fair" march from the
country at large really will start.

And if there is to be remedial action,
prompt industry action is indicated. Time's a-wastin'.

Pix and Bands Lined Up
for New York Paramount

Screen attractions set for succeeding
weeks of the season at the N. Y. Paramou\tment include "Invitation to Happiness
"Union Pacific," current; "Man
About Town," "Jamaica Inn"; "Beau
Geste," "Our Leading Citizen" and
"The Star Maker.

Acts set include Harry James and
his band, Frances Langford, Kenny
Baker, and bands led by Gene Krupa,
Bob Clinton, Phil Spitalny, Glenn
Miller and Woody Herman.

G. C. Smith New UA Manager
in Cristobal; Wir Resigns

Appointment of Guy Crosswell
Smith to the post of United Artists' 
manager in Cristobal, Canal Zone, 
was announced yesterday by Arthur 
W. Kelly, vice-president in charge of 
foreign distribution. Smith suc-
ceeds Paul W. Wir, resigned. He sailed 
yesterday on the Quirigian. At one 
time he was UA manager in France.

Bill Strikes at Bund

Albany—Bill preventing theater 
managers or owners from allowing 
the use of halls to persons unlaw-
fully wearing uniforms of foreign 
governments has been amended. 
Sponsored by Speaker Oswald D. 
Heck and Senate Majority Leader
Joe R. Hanley, it strikes directly at 
the German bund.

Endorses "Nazi Spy"

Chicago—German-American Cul-
ture League with 85,000 members 
yesterday sent out a letter endorsing 
Warner Bros., "Confessions of a 
Nazi Spy" which has its Chicago 
premiere at the Roosevelt Theater
May 26.

Ojerholm to England

In order to co-ordinate the labo-
ryatory activities in England and the 
U. S., Paramount has sent John A. 
Ojerholm, of the Long Island labora-
tories, to London. Ojerholm sailed 
yesterday on the Aquitania.

Pari-Mutuel Bill Passes;
Public Votes on It in Nov.

Albany—The assembly yesterday 
by a vote of 77 to 69 passed and 
sent to the secretary of state the 
Dungan proposal to amend the 
Convention to authorize pari-mut-
uel wagering on horse races. The 
proposal will be voted on by the 
deleges at the November election.

Defeat of the sales tax is still 
held sure with adjournment due 
tomorrow, but since opposition to 
the Senate is still unsympathetic.

The problem of outdoor advertis-
ing may be solved through the latest 
exempting city, villages 
and towns from its provisions. 
The billboard levy also was stricken 
out of the House, which law 
now seems assured of passage in 
its latest form. Housing bill still 
includes a cent tax on admissions up 
25 cents and is to be debated on 
special order in the Senate early 
tomorrow.

Movietone News to Set Up 
Office in Dutch Capital

Paris (By Cable)—With the re-
turn here yesterday of Truman 
Talley, Movietone News head, it 
was learned that the continental 
distribution of the newswire 
organization will establish an office in 
The Hague, Holland. Whether or not the office 
already to be opened in the 
firm will serve merely as an editorial 
office was not disclosed.

Talley arrived here yesterday from 
The Hague to check the office. He 
will go to Spain next week to work out final 
plans for the opening of the company's 
stockholders, and that the growth of the firn 
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FULL HOUSE WITH "CHIPS" AT THE ASTOR!

—you never saw such lines at the box-office!
—you never read such lines in the reviews!
—read ’em and leap with joy! (be chipper as you flip the page ➔)
"Goodbye Mr. Chips" opening day beat the record-breaking "Pygmalion," launching a new sensation at the Astor, N. Y.

BEAUTIFUL LINES!

"A motion picture which you will want to see time and again and will remember long after the other offerings of our days have been forgotten... Beautiful and eloquently moving... directed brilliantly by Sam Wood and performed consummately... A screen masterpiece... Has a rich humanity rarely achieved... Mr. Donat's portrayal inspired... Greer Garson's performance enormously sincere, electric and haunting. A film to be remembered!" —HOWARD BARNES, Herald-Tribune

"'Goodbye Mr. Chips' is everything they said it is and more... It is one of the few really great photoplays the screen has so far produced... Robert Donat brilliant... Greer Garson a real delight... proves she is just about the best thing that has happened to the movies in years... A great picture, and if you miss it, you're playing a dirty trick on yourself." —WILLIAM BOEHNEL, World-Telegram

"'Goodbye Mr. Chips' stirring... very moving picture. Mr. Donat gives a stunning performance... the most exciting of his career... Greer Garson is exquisite. Beautifully acted and artfully made. It constitutes a real treat for film fans." —BLAND JOHANESON, Daily Mirror

"Takes its place as one of the screen's finest entertainments... Wholly delightful is the work of the two principals, Robert Donat and a lovely newcomer named Greer Garson... A picture of warmth, interesting and enjoyable... and its sentiment is genuine." —ROSE PELSWICK, Journal-American

"Excellent... Robert Donat's portrayal as good as his doctor in 'The Citadel'... Greer Garson proves that her next appearance cannot be too soon or too long... She is exciting... performances beyond criticism." —ARCHER WINSTEN, Post

"Robert Donat brings beloved Mr. Chips to life... has already joined the ranks of fictional immortals. Donat's performance puts him in line for this year's Academy award... An achievement of the first order... Greer Garson making first screen appearance is beautiful and talented... The other members of the cast are fine, too. It is all there on the screen... heart-warming, charming." —KATE CAMERON, Daily News

"Told from the heart. It will be practically everyone's favorite film for quite a while. It will be remembered long after most of this year's and last year's pictures are forgotten... Donat's performance distinguished... You might as well make it your own favorite film before everyone else tells you it is theirs." —EILEEN CREELMAN, Sun

"A masterpiece, a work of beauty and charm that you must see once, and that you will want to see again and again... The triumph of Donat's career... One of the screen's all-time great performances... A superlative screen play, even finer than its original." —HERBERT COHN, Brooklyn Eagle

"'Goodbye Mr. Chips', rises to the rank of a great screen classic, a radiant, lovely, endearing film. A picture that you will see again and again and cherish and remember long after other things have passed into oblivion." —LEO MISH KIN, Morning Telegraph

"Mr. Donat gives an incredibly fine characterization... Miss Garson is altogether believable and quite entrancing... The picture is admirable and right. As Katherine remarks to Chips: 'What a nice lot they are!' And that suits the picture. What a nice one it is!" —FRANK NUGENT, Times

Proudly M-G-M presents to the industry "GOODBYE MR. CHIPS" a friendly hit from the friendly company!
O ASK UA PRODUCERS TO ACCEPT PIX CODE

(ALONG THE DIALO WITH PHIL M. DALY

(Continued from Page 1) cent for its producers and has to hide by the selling policies of those producers," Cohen said yesterday, "in the individual makers of the A Program will be asked to participate in the proposed plan." Cohen asserted that even though UA's distribution position is different from that of other major companies, its basic problems and selling policies are substantially the same. UA has taken no part in the trade practice negotiations on the grounds that an accepted pact would not affect its present sales policies.

Oklahoma MPTO Bids O'Donnell and Short to Address Meet

(Continued from Page 1) Service, to be speakers at the annual convention of the Motion Picture Theater Owners of Oklahoma here June 26-27 by Morris Lowenstein, president.

Mrs. Bessie Short, shorts booker for Interstate, has also been invited to address the convention as has D. R. Millstein, of Millstein & Millstein, Ascap representatives in Oklahoma.

Ed Kuykendall, MPTO president and A. E. Warner of the Oklahoma Gas & Electric Co. have both accepted convention spots. Warner may present demonstrations of third dimensional motion pictures as well as polaroid light, according to present plans. A banquet and floor show has also been set for the night of June 27 while dinners are planned each day at the Billmore Hotel, convention headquarters, between business sessions of the MPTO.

To Honor Levy

Minneapolis—Testimonial dinner to Prairie District Manager Morton A. Levy, of 20th-Fox, will be held here at the Hotel Nicollet on Monday by a large group of exhibitors in the territory. W. A. Steffes, John J. Fried and other well-known exhibitors, head the banquet committee. Levy is leader of the Kent Drive this year.

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

MAY 18

Lincoln Stedman
George Dawes

PIX GROUP TO FIGHT SALES TAX MEASURE

(Continued from Page 1) meeting of circuit representatives at Harry Brandt's office.

Among those Wish to go to Albany are former Senator J. Henry Walters of RKO, John Manheimer of TTOA, Bernard Brandt and a representative of New York Allied.

Despite the fact that the defeat of the bill had been forecast, theater interests are taking no chances on letting the measure slip by, inasmuch as passage would mean a 2 per cent tax on admissions.

Albany—Gov. Lehman yesterday ordered no Democratic support of the Martin bill, having opposed all recommendations for a sales tax law for several years. Republican leaders, however, are still confident that the law will be enacted.

Majors Deny All Allegations in Ford Stadium Theater Case

Chicago—Mayer, Meyer, Austrian & Platt, attorneys for all major film companies except Paramount, filed answer in Judge Willkorn court in the Ford Stadium Theater monopoly suit, denying all allegations. At- tempted settlement of July 22 had 20 days to file answer for plaintiff.

"Chips" Tops "Pygmalion"

"Goodbye, Mr. Chips" got off to a fast start at the Astor Tuesday, beating opening day figures of "Pygmalion," M-G-M reported yesterday. Close to 6,500 admissions were recorded, resulting in capacity through out the day. The Robert Donat film continued to run ahead of the Shaw picture yesterday, with SRO for the rule. "Pygmalion," which preceded "Chips" at the house, ran 23 weeks.

Injunction Denied

Supreme Court Justice Julius Miller yesterday denied L. Lawrence Weber's request for a temporary injunction to restrain Vedis Films, Inc., and Lenarch, Inc., from showing "Trois Valses." Weber contends he purchased film rights to the operetta from Shuberts, and that the Vedis-Lenarch film is invading his rights.

"Fury" Clicks in San Diego

San Diego—Topping the opening day's business of any picture to play the California Theater here in the past two years, Hal Roach's "Captain Fury" played to more than 4,400 admissions on the first day of its world premiere engagement Tuesday, it was reported yesterday.

Realism

Sidney, Neb.—Touch of reality was felt at the showing of "Pilgrim Pacific" here. Just as the engineer died under the wreckage of the old engine, flashed across the bottom of the screen was the note: "Call for Mr. Gehrig." Gehrig is the village undertaker.
AFM, PRODUCERS MEET IN EXPLORATORY TALK

(Continued from Page 1)

Pix Division of GNY Fund Reports $70,000 Pledged

(Continued from Page 1)

has been pledged to date, it was declared yesterday, following a meeting at the office of the association. The sub-chairmen in the offices of J. Robert Rubin, who is heading the pit end of the campaign.

Roughly 450 or 45 per cent of the present is expected to be considerably augmented by further returns due for submission to Rubin at the next check-up session scheduled for Wednesday afternoon at 2:30 at 1540 Broadway.

Committeesmen, although gratified that the 1939 pledges have soared 15 per cent above the entire 1938 total of $60,000, point out that there is still a big job ahead to attain the $100,000 mark which is current objective.

Virtually complete returns from the intensive campaign are expected to be compiled by next Wednesday.

Majors Attorneys Appear in Chicago Contempt Case

Chicago—Attorneys representing all major film companies appeared before the grand jury yesterday at a hearing for alleged violation of Judge Woodward's consent decree. Messrs. Solley & Reemom, attorneys for Loew's, identified a large number of film contracts and other papers, subpoenaed by government. Vincent O'Brien, Warners' counsel, identified similar papers for Vitaphone, as did Spitz & Adcock, Universal attorneys, for their clients.

The hearing will continue today, with attorneys from other companies appearing before the Master. Government attorneys are seeking authority to subpoena papers more than three years old and also effecting a Master reserved decision on these points. Fred Pride, for 20th Century-Fox, Louis Phillips for Paramount, Granville Whitley for RKO, and Reemom from New York headquarters, Attorneys Wright, Simon & Canaday representing the Government.

Cigarette Tax Approved

Albany, N. Y.—Governor Lehman has approved the bill imposing a tax of one cent on each cigarette. The tax is to be supported by sales of cigarette machines. His approval puts out of business thousands of cigarette vending machines. The tax will provide sufficient coin slots to collect the tax—some in theater lobbies and lounges.

L.A. LOSES IN FILMS RENTALS TAX CASE

(Continued from Page 1)
cuits. Suit was filed against the state by Saenger-Crosier Corp., its subsidiaries, Lowe's and Mort H. Singer, when the state insisted that in some instances the rentals be taxable under its one per cent tax law.

Defendants pleaded that rentals on film were in the nature of a royalty license, may be rented in bulk, charging the suit the amounts were paid under protest by the defendants and confessed result over the fact that films playing in New Orleans were expected to conform with an additional one per cent city sales tax, was said yesterday.

The decision, which saves exhibitors in Louisiana thousands of dollars yearly is considered a major defeat for the state. It is the first sales tax protest case which Louisiana has lost and it could not be learned late last night whether the State Department of Revenue planned an appeal. Gibbons, Burke of Rosen, Kanner, Wolf & Farrar, handled the case for circuit.

Prattchett Sees No Spread of Mex. Labor Troubles

Arriving yesterday by plane from Mexico City, A. L. Prattchett, Central American supervisor for Paramount, reported that he does not expect a serious labor trouble in Mexico, but difficulties there and stated that regardless of whether they develop or not, the American companies operating in Mexico must fulfill their contracts in order not to break them, despite any requests by the Federal authorities not to deliver films. Prattchett had left Mexico City before the lifting of the U.S. film boycott arising from the Federal Department's war with the Rodriguez Bros. circuit.

Prattchett said he was here at the invitation of the motion picture industry, described Paramount business in Central America as being better than last year.

Court Reserves Decision on "Birth of Baby" Appeal

Albany, N. Y.—Justices of the Appellate Division, after viewing "The Birth of a Baby" yesterday on appeal by Sam Citron and American Committee on Maternal Welfare, indicated they could not adjudge.

Circuit Court of Virginia's action in ordering a license for the film, overriding the censor, was quoted by Ellis Staley, counsel for respondents.

"The Birth of a Baby" opens tomorrow at the Rialto theater, New-ark, its first showing in the metropo- litan sector.

Casey-Local 52 Parley

Further meeting between Pat Casey, producers' labor representative, and Local 52, eastern studio mechanics union, took yesterday to discuss terms of a new contract.
U.P.
YOUR
PLAYING
TIME
They’re going

**“UNION PACIFIC” HOLDOVERS**

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<th>Theatre</th>
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<td>Chicago Theatre, Chicago</td>
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<td>Newman Theatre, Kansas City</td>
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<td>Capitol Theatre, Ottumwa</td>
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<td>Paramount Theatre, Springfield</td>
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<td>Allyn Theatre, Hartford</td>
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<td>Tivoli Theatre, Chattanooga</td>
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<td>Paramount Theatre, Montgomery</td>
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<td>Majestic Theatre, Houston</td>
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<td>Worth Theatre, Fort Worth</td>
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<td>Martini Theatre, Galveston</td>
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<td>Capitol Theatre, Grand Island</td>
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<td>Capitol Theatre, Burlington</td>
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**“UNION PACIFIC” MOVE-OVERS**

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<td>Detroit Michigan to State</td>
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<td>Milwaukee Palace to Strand</td>
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<td>Lincoln Nebraska to Lincoln</td>
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<td>Oakland Paramount to Orpheum</td>
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<td>San Diego Fox to Orpheum</td>
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<td>Boston Metropolitan to Par. Fenway</td>
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<td>Cleveland State to Stillman</td>
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<td>Birmingham Alabama to Strand</td>
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<td>Atlanta Fox to Paramount</td>
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<td>San Antonio Majestic to Texas</td>
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with Paramount’s “UNION PACIFIC”
PIX-TELE CO-OP PLAN PLACED BEFORE MPPDA

(Continued from Page 1)

He Aquitania after a three-weeks' stay here during which time he made a complete survey of the American television industry and conferred with a number of film industry executives and officers of television companies.

The MPPDA television committee, which was learned yesterday, embraces all radio enterprisers of Paramount, Harry Hulecky of United Artists and C. C. Moskowitz of Loew's theaters.

Plan presented to the MPPDA, Cock declared, calls for a complete change of ideas on all aspects of television, a close cooperation and elaboration on operations and developments pertaining to commercial aspects in regard to theaters and to release of short by producers or use on television programs.

In his conference with Cock, he said he stressed the fact that television does not present direct competition to the film industry and that no antagonism to distributors will be felt in the cinema audience.

He was definite in his statement that feature films would never mean death to television since television is the nation's entertainment that is more recent and intimate in theme and tension to be at its highest point of effectiveness.

"Shorts, no matter how old, if they are educational, exceptional or interesting, would be of great value on television as 'breakers' in regular hours, but feature pictures, in my opinion, will never be able to replace a well presented drama or comedy with attendant intimate touches for television use," he said.

As an example of the sporting events of importance and possibly with movie news flashes, either edited directly or presented dramatically, should be of interest to fans and may be the means of eventually eliminating undesirable cond features, Cock stated, but he adds this as a stimulation for the other business rather than as a mental blow to the film industry.

"With America becoming more conscious of television as a new day and limited financial resources, energy initiative at the command of

WEDDING BELLS

Chicago—Ted Turrell, manager of Beverly theater of the Warner circuit, will be married May 27. His brother, Harry Turrell, War
district manager will act as best man.

Cau Claire, Wis.—Miss Genevieve Fin, for the past two years cashier at the Minnesota Amusement Co., was married at Waukon, Ia. to John Oda.

Sack Amusement to Handle Million Dollar's Negro Pix

(Continued from Page 1)

Sack Amusement yesterday closed a deal whereby Sack Amusement Enterprises will handle national distribution of Million Dollar Productions' output which consists of Negro pictures. Eight pictures are to be released for present season, and eight for 1939-40 season.

Sack will open additional offices in New York and Los Angeles, stock for Sack studio presents entertainment that is more recent and intimate in theme and tension to be at its highest point of effectiveness.

"Shorts, no matter how old, if they are educational, exceptional or interesting, would be of great value on television as 'breakers' in regular hours, but feature pictures, in my opinion, will never be able to replace a well presented drama or comedy with attendant intimate touches for television use," he said.

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"With America becoming more conscious of television as a new day and limited financial resources, energy initiative at the command of

Even Undies Eligible In "Lucky Colors"

Metro Premium Co. is branching out into the theater game field and has acquired "Lucky Colors" for national distribution. "Lucky Colors" involves a wheel with 36 different colors with the correct names of the colors printed on the sections where they appear. The wheel is spun three times each and time it is turned, the player is asked to say which piece of wearing apparel containing a color matching the "lucky color," even to their undies, are eligible for an award.

Republic to Operate Own Exchange in S. F. and L. A.

(Continued from Page 1)

statement here yesterday declaring that the latter has disposed of his interests in the distribution of Republic product, and that the producing company, effective tomorrow, will run the local as well as the San Francisco branch.

For many months, statement asserted, St. John has desired to relinquish his franchise and retire, and this was arranged during a recent conference between Yates, Grainger and St. John in San Francisco.

A local office manager for Republic, and Sid Weis
dbaum, manager of the Fresno office, together with all personnel, will continue as heretofore.

Grainger said arrangements will be made in the near future for new owners to take over both branches.

Republic, in taking over the two situations, will operate the Royal Amusement Co. of Honolulu, which was hooked-up under the St. John regime with the Frisco branch.

It was also learned here that the Albany, Buffalo and Detroit franchisees have not been renewed to date, and have only until July before expiring. Deals are said to be hanging fire currently, and that there is a definite possibility that changes may be made in the instances of Albany and Buffalo.

Republic, it is reiterated, is "sold" on the advisability and advantages of the franchise system, and this will be continued as an inflexible policy.

Grainger is scheduled to arrive in New York for a conference, having left for a West Coast trip which includes Arizona, Portland, Los Angeles, San Francisco, and a number of other spots.

Bank Nights Illegal, N. C. Grand Jury Is Told

Rutherfordton, N. C.—Bank Nights at theaters violate the North Carolina lottery laws, Judge J. A. Rous

In the televisions industry here, it should be only a short time until this new
turnover, according to some distributors, will have taken place congestion and the eventual defeat of television range difficulties are the only problems left to be over
be television cannot be stopped in its steady advance."

He expressed the opinion that possibly technical developments here have not solved the problem quite as they have in England, and laid this fact to a slower start and less interest at first by U. S. companies.

Cock was enthusiastic about the warm welcome accorded him here by American television interests and expressed the hope he would be able to return here shortly.

Info, Please" to Start

Path News tomorrow will start shooting on a new short featuring the radio show, "Information, Please." "Info, Please" first in a series plans which will feature the radio show. The "experts" will be on hand, with the directors and heads hoping to finish the reel in one day.

CANADIAN INDIES FORM ANTI-PROTECTION UNIT

(Continued from Page 1)

has been extended, and that of other groups, formally or informally organized, is anticipated.

"Protection is the stretching of equilibrium to the extent of embar

Keough Clarifies Para.'s Stand on Trust Question

(Continued from Page 1)

connection with equity action against film land that Keough had character

Chicago—The New York office into operation August 1. Sack's present offices are at 503 and 505 Broadway.

Alfred Sack leaves Saturday for Dallas. Leo C. Popkin will continue with Columbia Pictures and Charles H. Fedna of New York. Sack, a manager, who is also president of the firm, has the business.

Westinghouse Technicolor Feature In Production

Audio Productions, Inc., has started production on a feature film with shooting to begin next week.

"The Mikado" Set Back

Opening of "The Mikado" at the Rivoli Theater, New York, will be set back one week to Thursday, June 1, from the originally announced May 25.

Banks attacked by Federal Trade Commission.

OF "The Mikado," today.

"Info, Please" to Start

Path News tomorrow will start shooting on a new short featuring the radio show, "Information, Please." "Info, Please" first in a series plans which will feature the radio show. The "experts" will be on hand, with the directors and heads hoping to finish the reel in one day.

STORKS!

Chicago—A son was born to Mr. and Mrs. H. W. L. owners of the Olympic Theater, Cicero.
**RCA Names Special Exec. Committee on Tele Polic.**

**Special TELE EXEC. COMMITTEE FOR RCA**

(Continued from Page 1)

DAILY learns, is headed by Frank Mullen, former chief of RCA's Information Bureau and now company vice-president in charge of public relations. Other members include Dr. Charles B. Jolliffe, head of RCA Frequencies Bureau; Ralph L. Beal, RCA's Director of Research; A. H. Morton, NBC's television activities head; T. F. Joyce, vice-president of RCA Mfg. Co.; and Clayton Morgan, NBC public relations director.

Revelation of the committee's formation, no official announcement by NBC to the public, or to date by RCA, came in the wake of a probe to determine the accuracy of a report that RCA's executive committee, currently exists within RCA's executive ranks as to whether television, in its potential relationship to theaters, including film houses, would be under RCA set-up as now constituted or under RCA Photophone.

Sources close to RCA assert that no determinations have yet been made regarding tele in theaters, since any such questions belongs to the future, and that no more imminent matters must be solved before the theater angle is tackled. Two such matters are (a) availability of films for telecasts, and (b) the settling up of ways and means to interest prospective sponsors as to the possibility of television via FCC permission to give such programs.

In connection with the JC, it is known that RCA-NBC are beginning to seriously comb the indie film market and such producers' vultures for suitable footage for tele programs, because, up to the present, major pic channels have refused such footage. Coast dispatches declare that a deal has been consummated between NBC and Warner-Four, by terms of which the latter will make available certain relatively dormant shorts of the "Curiosities" series for television.

Problem of interesting sponsors in telecasts, even in face of the FCC taboo, is in line for progressive solution. This is indicated by invitation extended by NBC to local advertisers to co-operate with the former via supply of film or live television material, with NBC's E. H. T. James pointing out that advertising material may be included as long as FCC regulations are observed and no payment is made for time.

This follows closely the frequent procedure of the radio networks to demonstrate public relation to sustaining programs, and then sell such periods to commercial sponsors. In the case of television currently, move would be undertaken

**Commonwealth Managers Meeting in Great Bend**

Kansas City, Mo.—The Commonwealth Amusement Corp., has scheduled the first of three district meetings for house managers of the circuit, for today at Great Bend, Kans., where plans for the circuit's annual summer business drive will be explained by C. A. Schultz, president.

Managers of the northern Missouri houses will meet May 23, at the Penmar Hotel at Columbia, Mo., and those from the southern Missouri and Arkansas houses will meet May 25, at the English Inn, Brandon, Mo. In addition to Schwartz, O. K. Maan, secretary and treasurer of the circuit, and L. R. Allen, head booker, will address the meetings. The sales drive which is the circuit's seventh in succeeding years will open May 28, and run throughout the summer months.

**TMAT Defeat Indicated In Springfield Election**

Springfield, Mass.—The TMAT appears to have lost its effort to be named official bargaining agent for employees of the 17 theaters of Western Massachusetts Theaters, Inc.

Although the results of an election conducted under the supervision of the State Labor Relations Board and with the approval of the company were announced by Francis M. Curran, state labor relations commissioner, as inconclusive, in absence of a returns or a protest of the ballots, the ultimate outcome appeared to be clearly indicated.

There were 31 ballots cast. Of the 24 which were not protested, 14 were against the union and 10 in its favor. Of the seven questioned ballots, five were protested by the employees and one by the corporation, on grounds that the men were now employees to prove the merit of tele as an ad medium.

NBC, at 4 p.m. yesterday, tele- vised the Columbia-Princeton baseball game at Baker Field via mobile unit, relayed to Empire State transmitter, and then put out for metropol- itan receiving sets. Last night the first television ever from Madison Square Garden was conducted, units picking up the bike races.

**Reade Circuit Managers Assigned to New Posts**

Theater managerial changes announced yesterday by the Reade circuit are as follows: Harold Van Vort, formerly of the Queensboro Theater, L. I., becomes manager of the St. James, Asbury Park. Malcolm Marshall, former St. James manager, goes to the Paramount Theater on the Jersey Boardwalk, which reopens May 26.

Charles Litt, manager of the Warren, Hudson, N. Y., moves to the Community Theater, also in Hudson. Eddie LaRue takes over the managers' post at the Warren. Reade's Casino in Asbury Park re-opens May 27 with Richard Mooney in the managerial post.

**Detroit's Variety Club Plans 2 Summer Events**

Detroit—Detroit Variety Club will wind up the season this weekend, with final Saturday Frolic of the year under the direction of William Carlson.

On Monday, final luncheon of the season will highlight the formal presentation of the first $1,000 by the Variety Club to Father Harold J. Mary for the Home for Delinquent Boys, whose sponsorship was recently pledged by the Club.

Variety activities during the summer will concentrate on a major Golf Tournament, slated for August, and an all-day Edward V. Huntington Association trek to Grayling, on the Au Sable River, tentatively set for June 9-11.

**Puppet “Gulliver” Ready**

An American version of “Gulliver’s Travels” will be released early this fall, probably during the last week of August, by Burstyn & Mayer, it was announced yesterday. Film, employing one human character, a boy, and 5,000 puppets, is a revised, re-edited version of Russian one that was released several years ago, with extra scenes and a new sound track.

**Rep. Exchange to Move**

Charlotte, N. C.—The Republic Pictures exchange, now located at 162 Walton St., will move into new quarters at 297 W. Fourth St. on or about June 1. The new quarters, which are now undergoing complete renovation, formerly housed the RKO exchange.

**Anti-Free Show Move Killed in Neb.**

Lincoln, Neb.—Biggest fact of the Nebraska Legislature occurred when Sen. Dick Johnson tried to file a bill prohibiting business policy for merchants to use free shows to bar business, to detriment of bonsdine exhibitors. Bill was defeated by a vote of 19 to 0, and the principal objector was Sen. Bill Dier, who operates a theater in Gresham, Neb. in private life.

**M-G-M OFFICE FORCE CONFABS END MAY 23**

M-G-M winds up regional conferences of office managers, bookers and the like at a session held in New York, at the Astor Hotel, New York, on May 22-24. It will be the sixth of such meets.

The fifth and next to closing conference will be held in Chicago Saturday and Sunday when the office managers, bookers and the like, from Detroit, Indianapolis, Milwaukee, Minneapolis and Chicago gather at the Palace House.

Reports from the conferences at the Chicago meeting include, from Detroit, Gilbert Becker, John Deombre, Art Watts, and William Post; from Indianapolis: F. G. Mack, George Trumbull, Harry Thompson, Arthur O'Toole as Charles Vetrover. Home office representatives will be Alvin E. Potts, in charge of exchange operations; Charles K. Senn, assistant treasurer of Loew's, Inc.; Joel B. Zeller, assistant to E. M. Saunders, Parke D. Agnew, traveling mast booker; William Brenner, checkers department, and Mike Simon, editor of The Distributor.


Buffalo: Mary Ryan, Velma Tobler and Gage Havens.

Cleveland: John Harrington, Donald Brown and Robert Long.


**Two RKO Boat Rides**

Two boat rides to Besta Mounta will be held by RKO for employees in June. First out will be on June 12 and the second is scheduled for June 19. Both rides are followed last year.
Specific Bill of Particulars Is Demanded by Majors

(See Column 1 Below)

MAJORS ASK SPECIFIC PARTICULARS BILL

Major film company defendants in the D of J's equity action yesterday, a day studded with moves and counter-moves in the pre-trial proceedings, got the better end of a

Ohio ITO Ready to Fight Sales Tax on Pix Rentals

Columbus, O.—ITO of Ohio will stage special counsel to fight the taxpayer action pending in Franklin

Columbia's Final Sales Meet to Open Tomorrow

East Coast Bureau of THE FILM DAILY
Los Angeles — Columbia's third last sales meeting will get under way here May 25 at the Madison theater and William N. Skirvin.
Charges were filed yesterday with the National Labor Relations Board by the American Federation of Bookkeepers and Accountants union, asserting that Warner Bros. had used unfair labor practices in dismissing 21 employees in an attempt to intimidate other employees who might wish to join the union, the union announced.

The strike was called against Warners by the union at the direction of the American Federation of Labor, with pickets subsequently being established in front of the Warner home office and several Warner houses and other theaters.

**Tim O'Toole May Be Last Witness for Distributors**

Boston—Timothy O'Toole has left Boston after being here all week waiting to be called by Attorney George S. Royster as a witness in the Morse and Rothenberg anti-trust suit. Testimony of the former Columbia Boston branch manager, now manager of the N.H. Theater, was awaited by the list of distributor witnesses to an end. Trial before Federal Court Master was resumed this week after a two weeks' recess, the first since case began last year. Exhibits still are being entered.

**TMAT and Rosenberg Circuit Settle Dispute in Bronx**

Dispute between the Theatrical Managers, Agents and Treasurers' union and the Rosenberg circuit in the Bronx was settled this week when two managers discharged by the circuit were rehired. All pickets were immediately removed from the houses and all men called out by the union returned to their jobs. Pay lost while the men were out was awarded to them, it is understood.

The TMAT is continuing its organization drive in film theaters, with the membership reported to be increasing rapidly throughout the East.

**Chi. Operators Making Drive In 16 mm. Field**

Chicago—Operators' union here is making a strong drive to obtain more 16 mm. jobs for its members. It is making a special rate for this type of work. Unions are seeking employment in the public schools of union operators for the filming of films in auditoriums of high schools. No attempt has been made to take the place of classroom workers when films are shown to students in regular classes.

**Conn. Bingo Bill Revised**

New Haven — The Connecticut bingo bill has again been revised limiting operations to organizations with a legal license. A new bill was tabled by the House with action deferred until Tuesday.

**NLRB Gets Union Charges Against Warner Brothers**

**Second Chi. Area Exhib, Offering Book Premiums**

Chicago — The Villa Theater, in Villa Park, is the second house in the Chicago area to introduce book premiums. Leopold Novak, who is handling the premium book sales to theaters under the Doubleday, Page & Co. books, signed the Adelphi theater here some time ago, with house finding this type of premium extremely popular.

At the Adelphi, patrons get any book on a given list with presentation of one dollar's worth of "book money" and 13 cents for a service charge. Book money coupons are given with each admission.

Novak plans to extend his operations throughout the Middle West.

**Reduction of Clearance in Syracuse, Binghamton?**

Syracuse, N. Y.—Steps looking to a possible reduction of clearance in this city and Binghamton were taken by the Syracuse Allied regional unit at a meeting here yesterday. Rap Merriman, regional vice-president, and I. P. Mayers, area president, were in attendance.

Individual members and the unit sent telegrams yesterday to Senators and Assemblies opposing the Depression-Mob housing and Martin sales tax bills.

**"Mad Dog of Europe" May Be Made In East**

Possibility that Al Rosen will make "The Mad Dog Of Europe" here in New York was learned yesterday from the Syracuse Allied regional unit. No release has been set as yet, but it is understood that at least one major company is interested in the picture.

**Ritchie and Margon Off on Latin American Tours**

Norton Ritchie, foreign manager of Monogram, left suddenly and quietly for Central America and Mexico last Monday, it was learned yesterday.

C. C. Margon, Universal's Latin American supervisor, left Wednesday on an extensive tour of South America.

**"Chips" in Dayton June 1**

Dayton, O. — "Goodye, Mr. Chips" opens here June 1 at Loew's Theater. It will be the first city in which the picture will play simultaneously with the New York and Los Angeles showings.

A RESULT PRODUCER

A sales executive who can actually sell, the Chicago firm to introduce book with circuit heads and independent theatre owners from Coast to Coast. Thoroughly familiar with exclusive arrangement. Will travel anywhere. A record that will stand strictest investigation. If interested write Box 1121 THE FILM DAILY New York City

**COMING AND GOING**

GEORGE SCHAFFER is expected to arrive from the Coast this morning on the Floridian.

CHARLES MUNRO, head of Hoyt's circuit Australia, and MAURICE SLOMAN, Hoyt's exec are also expected to arrive this morning on the Floridian.

BEN KALMENSON, Warners' Western sales manager, left New York Sunday for a week's swing through the Midwest.

JACK BERNSTEIN, of the Eastland Theatres, L. Angeles, registered yesterday at the RKO Fox Theater, Detroit, also registered yesterday.

R. B. MURRAY, of the U. S. Army motion picture service, Washington, D. C., and COLONI L. HOUSEHOLDER, registered yesterday the RKO lounge.

EDNA M. HENRY arrives today on the N. American bound for Hollywood to take a hand in the David O. Selznick production, "Intermezzo."

HENRI BERGENSTEIN returns to Paris this evening.

TRUMAN TALLEY, Fox Movietone News chief, arrives in New York today after a visit to London, Norway, Hague, and Spain next week for a tour before sailing for New York the 15th of this month.


Mich. Co-Op Members Get For Home Office Contab

Seven members of Co-operative Theater of Michigan arrived in New York Friday to confer with home office executives. The delegation consists of Carl Buehrle, Earle Kilbridge, William Kaplan, Le Wisper, Fred De Ladder, Sr., Fred De Ladder, Jr., and Charles Koner.

**THE THEATRE**

George Abbott Productions

There have been a number of good girl and music shows in town late, but "Show" by all odds is the most well liked of the lot."—Matt's, Her.Trib.

George Abbott—Browns and Hunter

The Boys from Syracuse with Jimmy Wynn, Eddie Todd, SAVO MURRAY ALBERT HART ALVIN, W. 52d St. Mats. Wed. & Sat. Columbus 5-4114

"The lowest, roughest, toughest, ten derest, dirtiest, most decent, and cer tainly funniest play for your money put on sale this season."—George Jean Nathan, N.Y. Sun.

**PRIMO ROSE PATH**

By BRIAN L. BUCKNER and Walter Hart with Helen Betty Mary Russell WESTLEY GARDE MASON HARRIE CORT, W. 13th St. Mats. Wed. and Sat. Bloom 9-0464

"Rears of Pleasure"—Athoskin, Times.

**WHAT A LIFE**

with EZRA STONE as Henry Aldrich MANFIELD, W. 47th St. Mats. Wed. and Sat. Cicle 6-0650
Won't Seek Postponement of Suit, Asserts Momand

(Continued from Page 1)

B. Momand told FILM DAILY yesterday, in denying rumors that on next court appearance he would file such an application.

"The fact that my two suits are somewhat similar with those of the Department of Justice and that some of the same defendants are involved led to judgments in certain quarters that I shall ask the court to set my suits aside until after the Government has tried its case. After five years of litigation I am most anxious to have my cases brought to trial and their merits determined by the courts."

Momand is asking $4,500,000 damages of major producers, distributors and Griffith circuits in an anti-trust action upon which nine preliminary hearings have been held in U. S. Federal District Court here.

Many paragraphs of the Government suit filed two weeks ago against four Griffith companies and a number of distributors tally with paragraphs in the Momand petition, it is asserted.

Rejections, Film Cuts Down 50% in Chicago

Chicago—Fifty per cent reduction in the number of rejections and cuts ordered by Municipal Film Censor Board during the first four months of the year is reported by Lieut. Harry M. Costello, commanding the Crime Prevention Bureau of the police department.

In 1938, there were six rejections, 182 cuts; in 1939, cuts were 99, rejections, three.

During the first four months of this year, 2,628,600 feet of film were examined, pictures numbering 559; comparable figures for 1938 were 2,706,000 feet and 617 pictures.

Adult permits in 1938 totaled 13 as against eight this year.

Harris Will Head V. C.

Delegation to Boys' Town

Pittsburgh—John H. Harris, general manager of the Harris Amusement Co., and founder and national president of the Variety Clubs of America, will head a delegation of members, including Robert O'Donnell, president of the Dallas tent, to Boys' Town, Neb., on June 26 to present its first Silver Trophy, a humanitarian award to Father E. J. Flanagan, founder and head of Boys' Town.

UNION DISPUTES MAY CAUSE FAIR WALKOUT

(Continued from Page 1)

step in the message to the Fair, it was learned.

At the Fair yesterday, a union exec, charged that the Fair had broken its original pledge not to hire non-union men in several cases, and had not co-operated fully in settling other disputes that have arisen.

Seating of the trouble, it is understood, has been the alleged steady encroachment of the electrical workers.

Although the president of the IBEW is said to have ruled that all projection equipment at the Fair was to be under the jurisdiction of Local 306, Electrical workers are operating such equipment in several instances.

Most recent alleged instance of "poaching" by the electrical workers occurred at the Cubane Village where electricians tried to take over jobs occupied by stagehands, with whom the concessionaire had a signed contract, it was learned.

Ill. Allied Board Meets

Chicago — Problems confronting indie exhibs. were considered yesterday at a meeting of the Board of Directors of Illinois Allied.

"Soundly conceived slapstick laughs in Hal Roach's ZENOBIA."

— NEW YORK POST

RELEASED THRU UNITED ARTISTS
ORDERS U. S. TO NAME ITS EQUITY WITNESSES

(Continued from Page 1)

dants' acts, in point of time, in such phrases as “between 1918 and 1950,” and, additionally, used in the bill and phrases which were either inaccurate or confusing.

The motions were then taken to various paragraphs of the bill, that the defendants virtually ask for entirely new particulars.

Each of the defendants, the motion declares, is entitled under the decision (the order of Judge Bondy for the bill) to a statement by the Government setting forth allegations as they apply to each, since certain of the allegations are “uncertain, incomplete and inadequate.”

Appended to the motion was a supporting affidavit by Albert C. Bickford, attorney associated with the law firm of Simpson, Thacher & Bartlett, counsel for the Paramount defendants. Bickford, it was pointed out, is also authorized to make the affidavit on behalf of the other defendants joining in the motion.

It asked for an order, under Rule 10 of the Civil Rules of Federal Court, directing the Government to comply with the order of Judge Bondy, dated Mar. 7, 1939, by furnishing a further statement and bill, or in the alternative striking the Government’s petition of July 20, 1938, for failure of the Government to comply, or striking the allegations of the petition by reason of their inadequacy.

An important and typical example of the vague and unresponsive character of the bill, the affidavit asserts, the particulars furnished as to the time of the beginning and the duration of the alleged combinations and conspiracies complained of. The allegations of the petition indicate, it adds, that the alleged combinations and conspiracies are not claimed to have commenced prior to the late 1920’s, and “vague as such allegations are, they are supplemented by even more indefinite statements in the bill of particulars.”

Moving defendants ask that 60 days be granted for answering petition after service upon counsel of a further bill, and in the event the motion filed yesterday is denied in all respects, that the same period of time be extended pursuant to service of motion’s denial upon counsel.

Neb. ‘True Name’ Bill

Lincoln, Neb.—What may force entirely new billings for movie stunt shooting in Nebraska was Senator Dick Johnson’s bill which is now on general file in the legislature here. Says anyone doing business in Nebraska in name only other than those they were characterizing is operating illegal-

ly. Means Myers Lay will become Home, W. N. Williams, Robert Taylor—Arbington, Nebr., and many others do similar deals with marquis.

ALONG THE RIALTO

with PHIL. M. DALY

• • • FOR many years our general impression of exhibitors has been gained principally from contacting them in the main corridor of 630 North Avenue, and riding with ‘em in the elevators of that building . . . .you can imagine our surprise when we were privileged to listen to two out-of-town exhibitors . . . .our amazement turned to delight . . . .and we sat and listened to them with the greatest joy imaginable . . . .we are indebted for this extreme pleasure to the Quig-ley Grand Awards and the AMPA ganging up together at the weekly luncheon of the latter to present to us John Burhson of the Gayety the-

ater of South Chicago, and George Limerick, city manager of the Griffi-th Theaters at Erid, Oklahoma . . . .

• • • BOTH of these exhibitors spoke most entertainingly and instructively . . . .an open forum. Discussion followed their talks . . . .in which they gave the assembled gentlemen who write the pressbooks a slight idea of what’s wrong with them . . . .Burhson also showed that the average exchange does not seem to place much importance on sales of accessories to the subsequent runs, as material in many instances is not available when the smaller houses call for it . . . .and these two ace exhibitors were agreed that the BEST medium of advertising was the Trailer, and then the Newspaper . . . .

• • • A CRYING need for a home office service that would in-

form the subsequent runs how the first runs had put the picture over was voiced by Burhson . . . .practical exploitation stuff that the press-

book of course could not furnish . . . .he seemed surprised when your kolumnist informed him that Billy Ferguson had been supplying this very service on Metro pictures for almost two years through his famous “pink-

sheet” summaries of exhib. exploitation stunts . . . .a gentle query from your kolumnist elicited from Burhson the admission that he does not read this kolumn . . . .which may account for his lamentable lack of in-

formation on certain Vital News of the industry . . . .really too bad . . . .otherwise he seems a most progressive fellow . . . .

• • • SUPER-STUNT . . . .a proposed competition in the form of a Democrat vs. Republican spelling bee, with members of the State Assembly at Albany as the contestants . . . .spurred the box-office take at the Palace Theater, first-run Fabian theater in the capital, plugging “Union Pacific” . . . .the stunt was arranged by George Lofnik, assistant manager . . . .sent letters to Speaker Oswald Heck and Assembleman Fred Morrill on Monday night, when the legislative galleries were crowded for the last week before adjournment . . . .the letters announced the spelling bee and invited all members . . . .the stunt got a big break, as Heck and Morrill engaged in repartee about the spelling bee, wondering how the members could get into the Palace, and other members joined in . . . .the stunt closed the exploitation stunt with a remark that some of the members might get past the door with their fingerprints . . . .

• • • TWENTY-FIFTH wedding anniversary of W. Ray Johnston was celebrated by Ray and the Missus at Ben Mardens Riviera the other nite, with a party of 25 guests . . . .Maxie Beer turns pix critic tonite . . . .he will write his impressions of Paramount’s “Invitation to Hap-

piness” following a screening for him at Grossinger’s Country Club at Ferndale, where he is training . . . .New York sports writers will trek up to see his pick with Maxie . . . .

UA COERCIVE SELLING CHARGED IN U.S. BILL

(Continued from Page 1)

of division of territory whereby the-

aters were acquired by producer-

exhibitors, that UA has extended its priority and preference to affiliated theaters, starting from some time between 1918 and 1930, and that the so-called ‘U.S. Bill’ has been drafted according to agreements with other the-
oratories.

Further charges UA directly with being guilty of coercive selling, and says that overbuying by un-

scrupulous exhibitors was done with knowledge, connivance or approval of UA. Also that generally it is the positive duty of the producer to as-
certain, prior to licensing product, whether an exhibitor can legitimately use the product to prevent over-

buying, and that overbuying is part of licensing system. Additionally that film rentals have been dis-

criminatory, arbitrary and uncon-

sidered because (1) UA and other disributs have gotten too high a fig-

ure based on exhibition values; and (2) that rentals are often higher for indies than for affiliates. Govern-

ment added that it cannot name specific UA pix in that category.

UA has refused to license many pictures distributed by it, bill con-

tinues, unless the indie exhibitor agrees to license the picture upon a percentage of the gross box-office receipts, and it forces exhibitors to these terms if they want to stay in business.

It is cited that affiliated theaters are given an option to license some or all of feature pictures released or distributed by a defendant during the motion picture season. The option usually extends to a greater number of features than the theater exclusive, and affiliated theatricals are not generally required to select pictures they desire to exhibit until some time after prints become available, but the indie cannot secure the picture until rejected by an af-

filate.

Moreover, affiliates are not re-

quired to pay for a picture which they do not choose to exhibit.

Starting with about 1928, bill as-

serts, UA has acted in accordance with agreements in refusing second or subsequent runs to indies where there is competition with affiliates.

Zeltner-Straus Merger

Irwin D. Zeltner and Louis D. Straus have merged their respective producing, distributing and public relations interests into the firm of Zeltner & Straus, with offices in the RCA build-

ing.

Progress

Campbell, Calif.—Last week, Campbell celebrated the opening of its first the-

ater. This week, when cameramen are out-

ing for the widening of Campbell Ave.

the main thoroughfare, because of in-

creased traffic occasioned by the theater which has resulted in traffic jams.
John Eberson
Architect
1560 Broadway
New York City

Hap Hadley
350 Broadway
Bryant 9-1553-4

New MUSGRAVE, New
Modern
CLR.
slightly

JOSEPH

DECORATIONS

MANUFACTURERS OF THE FINEST IN
FLAGS • BANNERS

ART FLAG, INC.
247 W. 42nd St.
New York City
Bryant 9-7274

SILK VALANCES
Rental Service
ALL MAJOR PICTURES

LIBERMAN FLAG & VALANCE CO.
320 W. 46th St.
New York City

THE RECOGNIZED STANDAR
BOOK OF THE MOTION
PICTURE INDUSTRY

THE FILM YEAR BOOK
Published by
THE FILM DAILY
1501 Broadway
New York

AMKINO Present—
"ALEXANDER NEVSKY"

 Directed by Sergei Eisenstein
English Titles
AMKINO CORPORATION
Telephone Bryce 9-7680
723 Seventh Ave.
New York

A picture for Every Purpose—

"BALLERINA"

ARTHUR
MAYER and JOSEPH
BURSTYN
1481 Broadway, New York City
Distributing
The Season's Box Office Smash

ENGLISH PICTURES

Breaking Records EVERYWHERE
"MOONLIGHT SONATA"
featuring
JAN PADEREWJSK

MALMAR PRODUCTIONS
244 W. 49th St.
New York City

FRENCH PICTURES

Now Releasing—
"HEROES of the MARNE"
A picture you will never forget
Released by
SPECTRUM PICT. CORP.
729 Seventh Ave.
New York

Now Available—
The Strauss Musical Romance
"THREE WALTZES"

VEDIS FILMS, INC.
RKO Building
New York City

Lighting Factories
in Modern And Period Design
Cove And Recessed Lighting—Fluorescent

CHARLES ROSS, Inc.
Formerly Motion Picture Lighting and Equipment Corp.
WE FURNISH
Electrical Lighting Equipment of Any Kind
244 W. 49th St.
NEW YORK CITY
Circle 6-5470-1

BARGAINS IN USED CHAIRS
Now Available—at a fraction of actual value, thousands of slightly used upholstered chairs in good condition. Write for illustrated catalog.

EASTERN SEATING COMPANY, INC.
276 W. 43rd St.
New York, N. Y.

CITY PHOTO ENGRAVING CO.
(NEW STAR FILMS

ENGLISH PICTURES

"GREEN FIELDS"
Parets: Hershein's Immortal
Classic

"JACOB THE BLACKSMITH"
Based on the World Famous Novel
by DAVID PINSKI

NEW STAR FILMS
1650 Broadway, New York City

EIGHTY FRAMES

ENLARGED
FOR PRINTING

ENVELOPES

FABRIC

FABRIC

RUSSELL UNIFORM CO.
Designers and Makers
of Uniforms Over Forty Years
THEATER UNIFORMS OF
OUTSTANDING QUALITY
Wholesale Inquiries Invited
1600 Broadway
New York

It's Smart
TO BUY COOLING EQUIPMENT
WITH A 15 YEAR RECORD FOR
DELIVERING COMFORT COOLING
AT THE LOWEST DOLLAR COST

Write for Details
UNITED STATES AIR
CONDITIONING CORP.
MINNEAPOLIS, MINNESOTA
MODIFICATION HOPE IN BRIT. TAX SITUATION

(Continued from Page 1) exception that is best described as “sympathetic,” and promised its members, representative of all arms of the trade, their case would be considered “with the utmost urgency.”

The deputation sought complete elimination of the excise tax and insurance for film labors.

But more important still—and this was the basis for the hope held for reduction in the increases which may cost U.S. distribs up to $4,000,000—the Chancellor stated he was “particularly impressed” by the evidence furnished.

It is felt that the strongest case was that of the newsreel which has intended that the pending finance bill imperils their very existence. Technicolor, too, is regarded as having a particularly good claim for relief.

Labor has lined up strongly with other trade interests opposed to the new schedules. The Association of Film Technicians pointed out that the additional overhead would further curtail production and thus materially augment unemployment in the industry. ACT estimates that 20 per cent of the 10,000 normally engaged in studios are now working. ACT’s case was further outlined thiswise:

“The additional tax will nullify any benefit to the industry which may in time result from the Films Act, as it is bound to retard the prospects of (1) the production of films over and above the stipulated minimum under the Act to fulfill quota; and (2) the absorption of those technicians and workers who are today unemployed. More importantly, the tax will be aggravated by displacement of labor in the newsreel, documentary and laboratory sides of the industry where at present there is very little unemployment.

“The tax will fall particularly heavily on independent producers working to modest budgets and on the producers of documentary and other short films. In this latter type of film the items of film stock, printing and processing constitute the heaviest items in the total budget.

With reference to the effect of the tax on film laboratories, it must be noted considerable employment has in the past been given to British subjects in the manufacture of dupliicate negatives from the imported first print of a film. The proposal to charge the same rate of duty on the first print as on the negative has led to the major importing companies stating in future they will import film only on a limited basis, as a negative, on the same as has been their practice in the past. Reduced work to film laboratories will consequently result.

“Pete-Roleum and His Cousins” (Animated Puppet Film—Com- mercial) by Joseph Losey in 25 mins.

Novelty Puppet Technicians

Clever novelty sponsored by the Petroleum Industry, the film being designed for showing at the Birth of the World Fair primarily. Here is a very ambitious puppet film, done in Technicolor. It seems to open up a new field for the use of flexible puppet heads and body forms and a somewhat revolutionary sound system. The story is a phantasm of the oil industry employing individual characters. These puppets have heads and bodies shaped like oil drops. They are four inches high, and composed of flexible armatures with rubber skin faces that assume any expression desired. Each puppet seems, however, to be photographed by the stop-action camera. The average production rate was 15 feet of film a day. The unusual sound system employs two interlocking sound tracks on the screen and in the rear of the auditorium. One sound track presents the voices of the screen characters, while the other delivers the taunts and wise-cracks of an audience hecker. Very effective. The action of the phantasm starts with the covered wagon days, and comes down through the different periods to the present streamlined travel in air, on water and land, all showing how the use of oil has smoothed the road of comfort and progress. There is one central character, Peter-Roleum, and he engages in a conversation with the hecker. This conversation is held between the two cousins, under the hecker, quite the earth, which starts to drop back into the ground without the dog. The dog is seen in the background human activities. Then they return at the pleading of the hecker, who sees his mistake. Here is a film that shows interesting possibilities for some Hollywood producer, an interesting variation on cartoons that seems capable of provoking public interest. The producer, Joseph Losey, originated the Federal Theater’s Living Newspaper series. The sets and puppets were designed by Howard Bay, and they are a distinct advance in technique in their field.

“Dog-Gone” (Radio Flash Comedies) by RKO Radio in 16 mins.

Good Laughs

Fanny mixup with James Finlayson as the husband and Muriel Evans as his wife, who owns a pet dog that gets sick. She also has her husband examined for more insurance. A vet and a veterinarian is called to prescribe for the dog. Finlayson gets the vet’s call, and assumes it is his doctor prescribing for him. The diet is raw meat, castor oil and grass. So when he is found later in the garden eating grass, all hands figure he has gone nuts and they bring in a psychiatrist to straighten him out. It ends by the husband being carted off to the vet’s in a dog wagon. Produced by Bert Gilroy. Directed by Charles Roberts.

“Voodoo Fires” (Your True Adventure) Vitaphone in 12 mins.

Good Mystery Yarn

The latest of the Lloyd Gibbons series takes us to a plantation where Voodooism is practiced by the natives. Gibbons commentary is interesting and the subject holds your attention. A new overseer at the plantation is to be confronted with a number of Voodoo stories by the manager who is leaving. He accosts the story, receives a warning. Soon after he gets in serious trouble when he continues his study of Voodoo. He escapes from a native attack by a secret tunnel and scaries the natives when they see a white man emerge in their sacred meeting ground from the tunnel.

“Archer Versus Golf” by J. H. Hofberg in 10 mins.

Interesting Sport Reel

The merits of accuracy, exemplified by crack golfers and archers, provide an unusual and interesting subject in this reel. Filmed at a well-known Mid-western golf course we see two archers and two professional golfers play a match. The archers have a target on the greens and the golfers play golf. The outcome is even, but it is entertaining to watch this masters of the bow and brassie compete.

Col. Cole in Detroit on “Good Will” Tour

Detroit—Visit of Col. H. A. Cole, Allied president is here primarily for creating good-will, presenting the same message as in the past few days at Indianapolis and elsewhere. No formal action was taken by Michigan Allied’s directors who met with him yesterday afternoon.

Col. Cole told THE FILM DAILY no formal speech would be made, but that he would devote himself largely to explaining national Allied activities to the local association.

Morros Signs Sutherland to Direct First Picture

West Coast Bureau of THE FILM DAILY

Hollywood—Boris Morros has en- tered into an agreement with A. Edward Sutherland to direct his first production, “The Flying Deuces,” new title for “The Av- iators,” co-starring Laurel and Hardy which RKO Radio will release. Morros has also closed for head- quarters at the General Service Studio.

“New Horizons” with Boris Chirkov, Vera Kibardin.

Amkino 92 mins.

STUDY OF EARLY SOVIET IDEOLOGIES FALLS SHORT OF FAR DESPITE FINE ACT- ING.

The Russian film makers come forth with another analytical study of the ideological problems confronting young Russia in 1918 with this release, but it does not come up to the standard set by other releases. The Gaumont by Boris Chirkov and Vera Kibardin is excellent throughout. Principal fault lies with the story, which has only a few exciting moments. Problems confronted by the workers when they are thrust into business as a reward for their part in the revolution provides the base for the story.


CREDITS: Lenfilm Production; Director, Gregory Kozintsev. Presented at the Cameo Theater with Russian dialogue and English titles.

DIRECTION: Okay, PHOTOGRAPHY: Good.

Propaganda, Not Indecency, Canadian Censor’s Problem

Montreal—Chairman O. J. Silver- thorne of the Ontario board of mo- tion picture censors said in his an- nual report that propaganda rather than indecency has become the major problem. The board found it impos- sible to avoid references to “Euro- pean isms” in films but will insist films be in line with thought in O- nario and in keeping with the policies expressed by its government.

The board reviewed 2,681 films in 1938, as compared with 2,476 the previous year. Of 2,465 U. S. films, 357 were altered, and of 80 from Great Britain, 27 were changed.

Canada produced 34 pictures, all meeting the board’s requirements. One U. S. and one Russian picture were banned.

The board again expressed regret that there were so many film sub- jects which were unsuitable for young people and at the same time emphasized that parents and guar- dians had as much a duty in supervising the children’s selections of screen entertainment as they had in regard to plays and books.

New House for Lust

Washington Bureau of THE FILM DAILY

Washington — Sidney Lust, has bought a new home in a new Little Theatre at Hyattsville, Md. The new house is expected to be open by Oct. 1.
FOLLOW THE CROWDS,' TELEVISION STRATEGY

(Continued from Page 1)

of the area, sources high in the tele field told THE FILM DAILY yesterday that while the statistics are accurate, nevertheless the Farrier statement is not indicative of the tremendous interest in the interests.

A strategy which is being currently followed, is based on the “follow the crowd” principle, in other words for television to expand via eventual commercial programs sent out from stations in the chief cities, virtually in the order of their population.

This plan, it is pointed out, is only logical one, since commercialized tele, when it comes, will be sponsored—and, for sponsors interested in the tele to be attracted to television will require a worthwhile audience, both numerically and in purchasing power.

The network transmitted by Farrier to reach 45 per cent population is declared a very long range view. On the other hand, it is cited by those concerned to the same 20 per cent of the population could be reached via transmitters properly placed in areas of only five big U.S. cities, namely, New York, Chicago, Philadelphia, Detroit and Los Angeles. Surveys have been completed, it is said, in all these areas with eye to the transition of tele from experimental to outright commercial.

Commercial sponsorship of tele programs depends vitally upon the public acquisition of sets, it is reiterated. Latter will have to be mass-produced and offered at an attractive price to purchasers, if sponsors are to be lured into program investments, it is said.

Discussing economic problems facing the new industry, Farrier disclosed the high cost of tele programs as compared with films. It has been estimated, he stated, that it costs $1,000,000 a year to transmit one hour of tele programs, roughly three times that of radio program of comparable character.

West Coast Tele Station to Install 441-Line Cameras

West Coast Bureau of THE FILM DAILY

—From Paving the way for the use of standard tele receivers in this area, 441-line cameras will be installed by W6XAO within 30 days, it is disclosed by Thomas S. Lee, manager of the West’s pioneer tele station.

W6XAO, on the air with tele for seven years, has been using a 300-line screen because of the unusual spread of 50-cycle power in Greater Los Angeles.

While replacement work is in progress, the station will discontinue the Tuesday through Friday live-tailgate programs, but all other programs will continue.

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A strategy which is being currently followed, is based on the “follow the crowd” principle, in other words for television to expand via eventual commercial programs sent out from stations in the chief cities, virtually in the order of their population.

This plan, it is pointed out, is only logical one, since commercialized tele, when it comes, will be sponsored—and, for sponsors interested in the tele to be attracted to television will require a worthwhile audience, both numerically and in purchasing power.

The network transmitted by Farrier to reach 45 per cent population is declared a very long range view. On the other hand, it is cited by those concerned to the same 20 per cent of the population could be reached via transmitters properly placed in areas of only five big U.S. cities, namely, New York, Chicago, Philadelphia, Detroit and Los Angeles. Surveys have been completed, it is said, in all these areas with eye to the transition of tele from experimental to outright commercial.

Commercial sponsorship of tele programs depends vitally upon the public acquisition of sets, it is reiterated. Latter will have to be mass-produced and offered at an attractive price to purchasers, if sponsors are to be lured into program investments, it is said.

Discussing economic problems facing the new industry, Farrier disclosed the high cost of tele programs as compared with films. It has been estimated, he stated, that it costs $1,000,000 a year to transmit one hour of tele programs, roughly three times that of radio program of comparable character.

West Coast Tele Station to Install 441-Line Cameras

West Coast Bureau of THE FILM DAILY

—From Paving the way for the use of standard tele receivers in this area, 441-line cameras will be installed by W6XAO within 30 days, it is disclosed by Thomas S. Lee, manager of the West’s pioneer tele station.

W6XAO, on the air with tele for seven years, has been using a 300-line screen because of the unusual spread of 50-cycle power in Greater Los Angeles.

While replacement work is in progress, the station will discontinue the Tuesday through Friday live-tailgate programs, but all other programs will continue.
Ohio ITO Ready to Fight
Sales Tax on Pix Rentals

(Continued from Page 1)

County Court of Appeals to require the Ohio Tax Commission to collect the 3 per cent sales tax on all film rentals paid by exhibitors, since January, 1935, should decision favorable to the plaintiff be handed down tomorrow.

Announcement to this effect came yesterday in the wake of the ITO's directors' meeting here Wednesday. It is estimated that should the final decision be in favor of the taxpayer cost to Ohio exhibitors, will be in excess of $1,250,000.

Where the average weekly film rental is $100, collection of the back tax for four years would stand the showman $624, while if the film rental average is $500, cost would be $3,120.

The ITO regards that a higher admission tax avoided by passage of Circuit Bill No. 40.

Resignation of J. Real Neth as a director was accepted by the ITO board.

Rep.'s "Man of Conquest"
Booked for Loop City

"Man of Conquest," Republic's top-flight feature of the current season, on the basis of the highly successful run at the local Capitol Theatre, has been booked for the entire houses in the Loop's Metropolitan district, it was announced by Republic's home office yesterday.

Fix, which is the first Republic attraction ever to play all of this circuit's stands, is slated to open June 8 at Loew's State, and then the other houses, including the de luxe theaters Paradise and Valencia.

It was also stated that James R. Granger, Republic's president, will definitely arrive in New York on Sunday from the Coast aboard the Broadway Limited.

157 Memorial Week Dates
for "Juarez" Set by WB

With the addition of 50 playdates yesterday Warners home office reported a total of 157 selected Memorial Day week showings of "Juarez" set to date. The feature is being nationalized on the basis of the week of June 10, with certain approved dates for Memorial Day Week.

Acquire Chi.'s Carvel Co.

Chicago—The Carvel Film Co. has been taken over by George Haig and Mercer Francisco with offices at 30 North LaSalle St.

WARNERS SET EIGHT MORE STARTING DATES

By RALPH WISE
West Coast Bureau of THE FILM DAILY

Burbank—Launching a heavy 8mm production program, Warners has set starting dates on eight more features:


RKO Radio Purchases Film Rights to "Father Damien"
West Coast Bureau of THE FILM DAILY

Hollywood—Father Damien," the John Farrow biography of the career and martyrdom of the Belgian priest who sacrificed his life in behalf of the Molokai lepers, has been purchased by RKO Radio. It will be produced by Bob Slak with Farrow directing the screen version of his own book. John Twist will write the screenplay.

Claudette Colbert Signed for "Drums Along Mohawk"
West Coast Bureau of THE FILM DAILY

Hollywood—Claudette Colbert will be starred with Henry Fonda in "Drums Along the Mohawk," it was announced yesterday by Twentieth Century-Fox. Nancy Kelly, original cast for the role, will be given another assignment by the studio. John Ford will direct.

Speaking of Pix
Karl Hoblitzzelle of Dallas, president of the Interstate Circuit and Texas Consolidated Theatres, has, of course, long been associated with pictures . . . cinematically speaking. But the section of St. Louis Post-Dispatch and the Dallas Museum of Fine Arts now reveal him as a lover of the world's most important pictures. It has been confirmed that Hoblitzzelle is the owner of the immensely loaned collection of some 40 fine films which hang in the museum and asserted by art critics to comprise "the finest group of European old masters which has ever turned up unobtained in the United States." The paintings were given to the Museum by another Clausen, Hoblitzzelle, now residing in Italy, who bought them in Paris in 1912.

III. Anti-Duals Bill Fails to Gain Consideration
Springfield, Ill.—The bill drafted by Representative Schanckenberg to end dual bills in this state failed to gain consideration on roll call in the Legislature here yesterday, and of such, proponents are expected formally to move to strike the measure from the calendar.

Legislators generally were amused when the bill was called up and only a very few professed to see any merit in it.
20th-Fox's S. A. Expansion on Reciprocal Basis—Kent

PLAN "MINIATURE UA" FOR FRANCE—SILVERSTONE

Kuykendall Rejects Allied's Bid to Minneapolis Meet

Sees No Benefits to be Derived from Attendance, Steffes Told

Ed Kuykendall, MPTOA president, has rejected Allied's invitation to attend the latter's convention in Minneapolis on the grounds that "Allied and MPTOA have such widely different approaches to national problems of this industry." Kuykendall so informed Al Steffes, general chairman of the Allied convention, over the week-end.

At the same time, Col. H. A. Cole, (Continued on Page 5)

CANCEL ALLIED EAST REGIONAL MEET HERE

Because a number of Allied's Eastern regional directors have informed Frank Lydon, regional vice-president, that it would be impossible to attend both the New York and Minneapolis conventions, the Allied convention here has been canceled.

Housing Bills Permitting City Admission Tax Pass

Albany—Legislature, prior to adjournment at the week-end, passed the Desmond-Moffat-Mitchell house. (Continued on Page 5)

Reciprocity Keynote of 20th Cent. Fox Expansion Policy in S. America—Kent

Dunningcolor Absorbs Two Dunning Companies

West Coast Bureau of THE FILM DAILY

Hollywood—Work will start immediately on an office building for the newly organized Dunningcolor Corp., which has absorbed Dunning Process Co. and Dunning Realty Co. Carroll H. Dunning continues as president and Dodge Dunning as vice-president.

Expansion of 20th-Fox in South America will be "on a reciprocal basis, one that will mean much to the development of the industry itself," there, it was learned at the week-end as Sidney R. Kent, company's presxy, sailed for Rio Janeiro to address the first 20th-Fox sales convention held in Latin America.

Ria convention opens June 1, and spans three days. Before returning (Continued on Page 4)

Fore!!!

The event—27th FILM DAILY Golf Tournament. The day—Thursday, June 22. The place—Rye Country Club, Rye, N. Y.

ASSIGNMENT OF JUDGE TO TRUST SUIT ASKED

Washington Bureau of THE FILM DAILY

Washington—U. S. Attorney General Frank Murphy, it was learned at the week-end, has requested that one Federal judge sitting in the Southern N. Y. District devote all his time to the current New York case (Continued on Page 5)

6 Mos. Probation For Gregg in Pix Bootlegging Case

Chicago—R. E. Gregg, operator of the Pan-American Laboratory here, who was indicted March 10 by Judge Lieb, (Continued on Page 5)

Kehoe Heads Monogram Non-Theatrical Division

Monogram has established a non-theatrical division, under the supervision of Joseph A. Kehoe, with (Continued on Page 5)

SALES HEADS TO GET ARBITRATION SETUP

Sales managers and attorneys for the major companies will resume discussions of the arbitration proposals in the trade practice code today. Meeting is scheduled to start at 11 o'clock in the Hotel Astor.

I. Levinson, Warner attorney, and (Continued on Page 3)

Pathe Film Corp. Wins Stockholders Proceeding

Justice Rosenman of the Supreme Court, New York County, Friday denied the motion of Anna Bashlow, a stockholder of Pathe Film Corp., which sought an examination and investigation. (Continued on Page 4)

"Music School" Set

Rivoli Theater has booked Samuel Goldwyn's "Music School," with Jascha Heifetz, and pix will have a gala charity world premiere on July 15. Production goes in for extended run. Charity angle is being completed, and details will be announced later.
The Broadway Parade

Picture and Distributor

Theater

Wuthering Heights (United Artists-Goldwyn) — 6th week. (Rivoli)

Rip: City of Washington (2nd week). (Saratoga)

Goodbye, My Chips (Metro-Goldwyn-Mayer) — 2nd week. (Astor)

Only Angels Have Wings (Columbia Pictures) — 2nd week. (Music Hall)

Union Pacific (Paramount Pictures-Bookhold) — 2nd week. (Paramount)

It's a Wonderful World (Metro-Goldwyn-Mayer). The Kid from Kokomo (Warner Bros. — 2nd week. (Strand)

San Francisco (Metro-Goldwyn-Mayer) (d). (Citation)

Blind Alley (Columbia Pictures). (Globe)

Alphers (United Artists) (b). (Central)

Dodge City (Warner Bros. — 2nd week. (RKO Radio)

Sonofy Sonata (RKO Radio Pictures) (c). (Palace)

Bride of Frankiestein (Universal Pictures) (a-b). (Rialto)

Ducal's Daughter (Universal Pictures) (a-b). (Rialto)

TWO-A-DAY RUN

Juarez (Warner Bros. Pictures) — 5th week.

FOREIGN LANGUAGE FEATURES

Crime in the Maginot Line (Tower Pictures) — 3rd week. (55th St. Theater)

New Horizons (Amkino) — 2nd week. (Cameo)

Happy Cavaliers (Scandinavian Talking Pictures)

Champs-Elyses (Tri-National Pictures) — 2nd week. (a-b). (World)

World Wide Smiles (French M. P. Corp.) — 2nd week. (a-b). (Rialto)

Escape from Yesterday (U. N. Hoffberg Co.) — 5th Ave. Playhouse

My Heart Belongs to You (Italia Theater) — 2nd week. (Cine Roma)

CINEMA OPENINGS

Bridal Suite (Metro-Goldwyn-Mayer). — 22nd. (Garden)

Captain Fury (United Artists) — 22nd. (Music Hall)

Some Like It Hot (Paramount Pictures) — 22nd. (Columbia)

The Two Whales from Utah — May 25. (Kooy)

Climbing High (20th-Fox Gaumont British) — May 27. (Globe)

The Mikado (Universal-G. P. Pictures) — June 2. (Palace)

Dark Victory (Warner Bros. Pictures) — May 24. (a). (Palace)

Return of the Cisco Kid (20th-Fox) — May 24 (a). (Palace)

The Oppenheim Family (Amkino) — May 25. (a). (Cameo)

Invitation to Happiness (Paramount Pictures) — May 31. (Paramount)

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Reissue.

Ask 20th-Fox's “Lincoln” Defense to Be Stricken Out

Robert L. Sherwood and Playwrights Producing Co. filed notice in Supreme Court on Friday that they will file today a request with the Court to strike out defenses of 20th-Fox in current action.

The defense is that (1) plaintiffs sold their film rights to “Ab Lincoln in Illinois” to Max Gordon Players and Pictures Corp. and RKO Radio Pictures, and (2) that the Court has no jurisdiction.

Plaintiffs claim these defenses are insufficient.

Action was brought by plaintiffs on the claim that 20th-Fox is trading on the popularity of “Ab Lincoln in Illinois” via production of “Young Mr. Lincoln.”

Injunction and damages are asked.

German-American League Okays Warners’ “Nazi Spy”

Chicago — German-American League for Culture has placed its seal of approval upon Warners’ “Confessions of a Nazi Spy,” and has urged its liberal U. S. cities to support.

Sustain Billboard Veto

Concord, N. H.—Gov. Francis F. Murphy's veto of a measure aimed at the purifying of the billboard has been sustained by the House by a unanimous vote. It was the first bill ever voted by the state executive, who is serving his second term.

Fred Miller Dead; Veteran West Coast Theater Owner

West Coast Bureau of THE FILM DAILY

Hollywood — Fred A. Miller, veteran exhibitor, died Friday of a heart attack. Entering the exhibition field in 1917, Miller later built the California Theater, which he sold to Samuel Goldwyn in 1920.

Miller acquired the Carthay Circle in 1925, retiring in 1929, but two years later he reopened the California and returned to the Carthay for a short time. Lately he had been confining his activities to his Blythe ranch.

Para. Gets Leave to Appeal Ben Blumenthal Decision

Appellate Division on Friday granted leave to Paramount to appeal to the Court of Appeals in Albany from the decision of the former court which reversed the New York Supreme Court's decision and refused to restrain Ben Blumenthal from bringing suit against Paramount in England.

Blumenthal claims he is entitled to commissions on sale of Paramount theaters in England, and he has been denied same despite his position as a nominal broker in the deal.

Leo Spitz Hospitalized

Chicago—Leo Spitz, RKO special counsel, is at Mayo Brothers hospital in Rochester, Minn. for a minor operation and a checkup.

The following are on view at the Filmrow:

MURRAY SILVERSTONE and MARY PICKFORD arrived from Hollywood yesterday.

RALPH DOLLY, RKO eastern representative, was in Australia, on business, from Hollywood Friday.

HARRY KOSINER, eastern sales representative, for Walter Wagner, arrives here today after studio visit.

MAX WEISFELD, Columbia's short subject sales supervisor, returned to the home office on the weekend from Chicago.

LARRY KIMBLE, writer, arrives here Wednesday from the Coast for a vacation.

MIDDEL MISS, secretary to Bob Taplinger, is here for a month to visit the Warner staff.

WALTER DAMROSCH arrives in Hollywood to-day from New York.

DAN CARROLL, Australian theatre executive, en route to New York from Hollywood.

PROFESSOR and MRS. THOMPSON FLYNNS parents of VALO FLYNN, arrive here from Ireland next month to visit the Warner stars.

HAL HOREN, v.p. of Walt Disney Productions, arrives on the Coast for the 2nd day of his evening meetings. He is accompanied by RICHARD CONDON of the Disney Eastern publicity office.

Foreign Print Con. Meets

West Coast Bureau of THE FILM DAILY

Hollywood—The Research Council Committee on foreign release print quality, under the Chairmanship of Gerald M. Best of Warners met Friday to consider the results of a survey of foreign release print conditions, techniques, and procedures recently completed.

THE THEATRE

George Abbott Productions

"There have been a number of good shows in town of late, but this is by all odds the most brilliant... Max Gordon," New York Sun.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Lynn Eddie Teddy SAVO MURRAY ABBEY HART ALVIN, W. 524 St. Mats. Wed. & Sat. Columbus 5-6134

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CREATING AND GOING COMING

SIDNEY R. KENT sailed for South America Friday night.

GEORGE SCHAFFER has returned from the Coast.

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Ury kendall rejects bid to allied meet

(Continued from Page 1)

ally president, informed THE FILM DAILY staff correspondent in Detroit that "there is no reason for closer ties" with MPTOA, adding that the two organizations "have nothing in common."

Kuy kendall's statement pointed out that not only did the two bodies have different approaches to national problems but also that "I feel that the facing of myself and members of my organization on your committee is in jest, and that we would not feel like injecting our viewpoints into your convention, feeling also that whatever came out of the open discussions, your board of directors could still speak for the convention, in the past. I can see no benefits to be derived for your or my organization by my attendance."

The MPTOA chief added that he had meetings scheduled with MPTOA units at the same time as the national Allied meeting, but expressed hope that Allied would have a well attended, constructive convention.

Leonard on exploitation for Goetz-Gordon's Pix

Charles Leonard has been named special exploitation director for the forthcoming Harry Goetz-Max Gordon pictures, "Abe Lincoln in Illinois" and "The American Way," which are to be distributed by RKO. Meanwhile, Leonard will handle the exploitation for RKO's picture based on the life of Edith Cavell. Goetz and Gordon left Friday night for the Coast to prepare "Abe Lincoln" for production. Camera work is slated to start about July 25. Goetz plans to return to New York in mid-July to attend the RKO sales convention.

"Juarez" In Final Week

"Juarez," begins the fifth and final week of its roadshow engagement at the Hollywood Theater tomorrow. It will be withdrawn next Sunday, because it is scheduled to be re-released nationally on June 10.

Happy Birthday

Best wishes to THE FILM DAILY to the following on their birthday:

May 22
Patricia West
Leo Grandillo
Al Pettreau
Ferd Kurf

SALES HEADS TO GET ARBITRATION SETUP

(Continued from Page 1)

Tyree Dillard, of Loew's legal department, are understood to have completed most of the details relative to arbitration machinery and that the plan will be placed before the sales heads today.

Housing Bills Permitting City Admission Tax Pass

(Continued from Page 1)

ing bills giving cities the right to tax each theater admission and also impose excise tax on possession and operation of vending machines.

State sales tax measure was defeated, but is certain to bob up later in the year if a special session is called.

1,500 Attend Chicago's "Sons of Liberty" Dinner

Chicago—with Harry M. Warner as guest of honor, approximately 1,500 attended the dinner at the Stevens Hotel last night honoring the memory of Haym Salomon, Jewish-American hero of the American Revolution. The dinner was sponsored by the Patriotic Foundation of Chicago of which Mayor Kelly is honorary chairman.


Film Recording Files Suit Against Miles Reproducer

Suit was filed in Federal Court on Friday by Film Recording Corp. vs. Miles Reproducer Co., Inc., Jacob M. and Hattie Kulick, and Samuel Bernbaum, claiming defendants have infringed patent which provides for improvements in recording and reproducing, whereby sound is recorded on celluloid film by means of a stylus. Plaintiff seeks accounting, damages and an injunction.

Second Mayor Honor

St. John, N.B.—Freedom of the city was conferred upon Louis B. Meyer, Metro production chief, in a colorful ceremony in City Council Chambers here.

Educated in this city's public schools, Meyer returned to New Brunswick last week to receive an honorary doctorate of laws from the University of New Brunswick at Fredericton.
**Reciprocity Guides 20th-Fox in S.A.**

(Continued from Page 1)

North, Kent will also attend a convention in Trinidad.

"Extent of 20th-Fox's expansion below the Rio Grande will be determined upon Kent's arrival in New York. Walter J. Hutchinson, oversea executive, directs Kent in Rio.

Kent, sailing, said that selling was not up to last year's mark, but attributed this to the late start.

"A man, in his opinion, an industry drive was desirable, the 20th-Fox exec. said, "if we find a plan with some intelligent, we could use it." He commented that last year's drive had been "too rushed."

During the pending trade pact, Kent said he was not in favor of it entirely for the 1939-40 season. He said the arbitration section was "nearly ready."

"Kent said he was in a position to deal to Palace Tele in the Roxy had been closed and indicated he regarded the theatre as still distant in the U. S."

**Pathe Film Corp. Wins Stockholders Proceeding**

(Continued from Page 1)

Section of the books and records of the Pathe Film Corporation, Judge Roseman also denied a motion by a number of other stockholders of Pathe Film Corp., who sought to intervene in the proceeding.

Louis Nizer of Phillips & Nizer represented Pathe Film Corp. and its directors and Maurice Shaine of Shaine & Weinbach represented the petitioners, Anna Blishow, while Geist & Netter represented the intervening stockholders.

The DAILY in reporting the proceedings in court had stated arguments by counsel for Pathe to the effect that Bernard Nisenson had in a prior proceeding conceded that he had made errors in calculation of $100,000 and other mistakes and omissions. The decision of Judge McCook in that prior decision reveals that it was not Reis personally who conceded such errors, but that such concessions were made by the plaintiffs in that proceeding of which Bernard Reis was one.

**Detroit Industry Nine**

Detroit—Baseball team, entering local sandlot league, has been organized by Irving Belinsky, of Film Drug Store, to represent the Film Industry. Players are: Floyd Pontius and Dal Fear, Burriss Premiums Office; Bill Robinson and Leo Gardner of Film Truck Service; Joe Brick, Amusement Supply Co.; Sam Wilson, Republic Pictures; Earl England, Cliff Perry and R. Thompson, M-G-M; Stan Malinewski, Camera Service; Joe Tracy, Vitagraph; John Rush and Dave Kaplan, Theatrical Advertising.

"Estasy" Still Under Ban

Atlanta, Ga.—"Estasy," the foreign pic, banned in Atlanta when management of the Erlanger attempted to show it, was also banned when it was moved to the Brookhaven theater in the adjoining county.

**April Admission Tax Collections Show Drops**

Washington Bureau of THE DAILY

Washington—Admissions taxes collected in the U. S. for April show a decrease compared to the previous month of March, 1939 and April of last year, it is reported by the Bureau of Internal Revenue.

April, 1939 admissions taxes collected were $1,384,721.72 compared to $1,606,904.13 for March for a drop of $222,172.41. Collections for April, 1938 were $1,541,517.87 which is $156,706.15 more than the revenue for April of this year.

Broadway collections likewise show a decline in both categories. April, 1940, the DAILY reported at $506,065.29 compared to $506,085.84 for the same month of last year, representing a drop of $89,560.05. March Broadway collections amounted to $612,784.91, which is $169,099.62 more than the April figure.

**Small Town Trend Toward Films That Educate—Felt**

"The trend is toward pictures that educate and this is what we need in the small towns," says Louis M. Felt, owner of the Westmar Theater, Norristown, Pa., a week-end visitor at K&O Radio Pictures’ lounge for those attending the New York World’s Fair.

**Argue Griffith Extension Motions In O. C. Today**

Okalhoma City—Federal Judge Edgar Vaught will hear arguments of the “Ecoffee” plans of the National Film Board of Canada, which owns the copyright on Griffith’s "Ecstasy," which Griffith plans to show in the small towns.

Ralph Blank Sells

Lincoln — Ralph Blank, district manager and 5 cent per owner of Central States Theaters in Nebraska, sold his interest and backed off the job this week. Bought by Ray and Myron Blank and Harry Warren, M. E. McClain, district manager for CSTI in Iowa, will also handle Nebraska.

Brad Blank, due to his sale, said he had no future plans. Deal involves Nobel, Albion, Kearney, Holdredge and Fremont (home office).

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**Revive "Under Two Flags"**

Twentieth-Fox’s "Under Two Flags" is set for a Radio revival. It’s the fifth successive year pic has been revived at a Broadway first-run.

**Congress Quits in July**

Washington Bureau of THE DAILY

Washington—Congress may call it quits between July 1 and the 10th, it was indicated at the week-end.

**Cancel Allied East Regional Meet Here**

Neapolitan conventions within a three week period, the regional meet was scheduled for tomorrow has been postponed until after the national convention.

"The sessions were to have been held during the morning at an opening day of the New York unit convention.

However, indications are that several of the regional leaders will attend the New York convention on an affirmation or as reservations made by the group for the local organization’s board meetings will be held tomorrow morning in the appointment.

Upon the receipt of Lydon’s letter of cancellation to Max A. Cohen, New York Allied president, the later sent the following answer to the regional vice-president:

"I am in receipt of your letter under date of May 18 in which you state that it is impossible for you to hold your Eastern regional conference in conjunction with the convention of New York Allied.

"I want to call your attention to the fact that you asked for permission to hold the Eastern regional meeting in conjunction with New York Allied and that, if I were not here, I would have given the said consent immediately that you had received the approval that you intend to use for the same from Col. Cole. Of course, you understand that New York Allied had no idea that you intended such a meeting and furthermore, you made no request to the effect of your correspondence on the subject. Under these circumstances, the cancellation of this meeting certainly must reflect negatively against national Allied and hinders rather than promotes the main objective we are to accomplish."

"I do hope, however, that members of your unit, including yourself, will give us the pleasure of having you visit with us as I am certain they will find at this convention a great many matters of interest, locally and nationally."

**Revoke Drive-In License**

West Springfield, Mass.—Board of selectmen revoked the amusement guide license of the General Theater Co., which intended to operate an outdoor theater on Riverdale St. The board said it submitted a petition against the proposed outdoor movie saying it would create a nuisance. A further reason for the revocation was that the community was a residence B zone.
ASSIGNMENT OF JUDGE TO TRUST SUIT ASKED

(Continued from Page 1)

Equity action against the majors in order to expedite pre-trial proceedings and bring the case to a conclusion by the latter part of the Summer. He made no suggestion, it is said, as to the bench for the trial. Meanwhile, Assistant Attorney General Thurman Arnold is in California. His office asserted on the week-end that his visit there has no connection with investigation of the film industry, as it evidenced by fact that he is not scheduled to be in Los Angeles during present trek. He is expected back in Washington on May 29.

Murphy is expected to follow Arnold to the Coast this week, and has indicated he will take a hand in the film probe situation there.

Kehoe Heads Monogram Non-Theatrical Division

(Continued from Page 1)

headquarters at the company's home office. Each of Monogram's branches in the United States has similarly set up a non-theatrical department to handle the release of films for engagements which are not in competition with regular exhibition. Thirteen releases are being made available.

Amicable Settlement Hope Held by Nikitas D. Dipson

Buffalo—Hope for an amiable settlement of the product situation involving the Century here was expressed at the week-end by Nikitas D. Dipson, who takes over the house Aug. 1 on lease from the Midland Properties, Inc., owners. Century is now operated by Shae Amuse Monogram.

Dipson emphasized that he is not seeking Government intervention, that in his 28 years experience in the film biz he has always stood for remedying our "ills" from "within," and that in this case, it is Midland, which has a profit-sharing agreement, which is threatening to lodge a complaint with the D of J unless there is an assurance of an adequate supply of first run pix.

THE WEEK IN REVIEW

(On the Legal Front—British Protest Tax)

* * *

ADMINISTRATIVE: Way was cleared by RKO reorg, plan proponents, via hearing in Federal Court, for Richard C. Patterson, Jr., Assistant Secretary of Commerce, to take over board chairman. Up of the reorganized company. Judge Bondy indicated he would approve.

TELEVISION: BBC submitted to MPPDA a co-op plan for pix and television, but saw little hope for move reaching Hays organization's approval, since members of body to date have shown no inclination to make pix available for telecasts... Dr. W. R. G. Baker, GE tele and radio department head, suggested in an address that limited program service, "a few hours a day, with proper preparation and timing," would benefit television... RCA set up a new committee to pass on tele policies.

FOREIGN

BRITISH TAX: London cable de clare Sir John Simon, Chancellor of the Exchequer, was greatly impressed by evidence brought forward by the industry that the budget levies on films should be modified and assured deputies that case would be considered with utmost urgency.

* * *

OTHER DEVELOPMENTS:

Spanish-Nazi trade pact was viewed by U. S. pix interests as a threat to normal film relations with Spain... New South Wales 25 per cent cancellation privilege was seen beneficial by Charles Munro of Hoyts, who arrived on Coast from Australia, Mexico City, bar against product of two U. S. companies in several houses was lifted, and dispatches additionally declared that a new 7,200-seat cinema palace is to be built there.

Patrons Want Bank Night

Says South Dakota Exhib.

"Motion picture producers should not make disparaging remarks in films about Bank Nights," says F. J. McCarthy, owner of the State Theater at Brookings, S. D., and a weekend visitor at RKO Radio Pictures lounge for World's Fair visitors.

"Bank Night is an excellent plan to build a patronage." McCarthy contends, adding, "the public wants it and it brings them to the theater." The S. D. showman believes the appearance of stars on radio programs is detrimental to theater business.

Scharin Forms Company To Handle Foreign Pix

Eugen Scharin, formerly with 20th-Fox and RKO Radio in Europe, has organized Transatlantic Films, Inc., with offices at 1775 Broadway, to distribute foreign pix, largely American-made, to foreign markets. Scharin, a Czech film, "Wishing in White" and "No More Lovers.

Halliday Succeeding Wolf As Para. Studio Story Ed.

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Halliday, Paramount's eastern story editor, has been appointed story editor at the studios. He will succeed Manny Wolf, who plans to accept a production offer at a different studio. The appointment main at Paramount until Halliday takes over his new duties.

GREGG ON PROBATION IN BOOTLEGGING CASE

(Continued from Page 1)

the Chicago Federal Grand Jury, and pleaded guilty May 9 before Federal Judge Philip L. Sullivan to the charge of distributing unauthorized duped copies of motion pictures, was put under six months' probation by Judge Sullivan yesterday. Under the copyright law he faced a year's imprisonment, a fine of $1,000, or both.

Arrest of Gregg followed a year of investigation by the Copyright Protection Bureau and the Federal Bureau of Investigation. The two bureaus traced the distribution of duped or stolen 35 and 16 mm. prints through New York, Michigan, Ohio, Illinois, Wisconsin, Iowa, New Mexico, West Virginia and Indiana to Chicago, and actuality followed upon his arraignment.

Jack H. Levin, director of the Copyright Protection Bureau, stated Saturday that the Bureau would not rest with the disposition of the case against Gregg but would spend the summer months in going after the exhibitors who had received from Gregg, and exhibited, the bootlegged prints.

He also stated that the CBP was available to all exhibitors of the country who had complaints to make concerning the use of such bootlegged films and that they were urged to communicate with the bureau.

Dunningcolor Absorbs Two Dunning Companies

(Continued from Page 1)

vice-president. Air conditioning system will be installed in the corporation's present laboratory building. Construction of the new building will represent an outlay of $50,000.

Dunningcolor, which is a three-color process on 35 and 16 millimeter films. Issue of 150,000 shares common stock in Dunningcolor Corp., which was offered the public by Quincy Cass Associates, Los Angeles at $1.50 per share was immediately over-subscribed.

Defer Kuhn Writ Hearing

Hearing on application of Fritz Kuhn for injunction to halt showing of "Confessions of a Nazi Spy" pending trial of his $5,000,000 suit against Warner Bros. was adjourned on Friday in Federal Court to May 26, because defendant claimed to have had insufficient time to collect various records and other proof in connection with the motion.

STORKS!

Samuel Hadelean, operator of the Capitol, Bridgeport, Conn., is father of a 7 1/2 pound baby girl.
FRENCH MINIATURE UA PLAN -- SILVERSTONE

(Continued from Page 1)

already been discussed for new producers to join UA ranks in the 1940-41 campaign.

The foreign field, he declared, is to be object of continued expansion via pacts with some five French producers, which would be distributed by UA in all French-speaking countries. While small scale operations in this respect have been in force over a period of several years, the object now is to establish a "miniature UA" in France.

S. A. Pix for Wanger

South America will also be given increasing attention. Mel Schauer is slated to make a feature, one of five or six products, which Schauer, with Walter Wanger is currently considering sending a pix expedition to South America. It may be featured with native background, comparable to the classics "Grass" and "Chang." Production is also planned for Australia, and, if of top quality, will get release outside of that country. UA, through its new South Australian arrangement associated with 20th-Fox, and a newly established office, is looking to larger revenue from that source.

Czechoslovakia, he pointed out, presents an ever-increasing problem, which may see withdrawal of all majors in near future, since a cultural commission there is highly partial to totalitarian ideologies. Spain, he added, will probably be okay for U. S. interests, and, paradoxically, more business was done by U. S. attraction there during the recent Spanish civil war than before hostilities, while in England, UA product has more than met the quota credit requirements.

SI Pact Signed

During his stay on Coast, Silverstone, John Hay Whitney and Selznick signed a "continuing contract" for a period to clear through UA, and the three pix from this source are in the offing, comprising "Rebeccas," "Intermezzo" and a yet unannounced feature which is expected to be based on a famous play.

UA, he added, will have a minimum of 28 and a maximum of 32 pictures for 1939-40, five of which will be ready for release as soon as new season opens. These are: "Seven Feathers," "Winter Carnival," "Man in the Iron Mask" and the Heilits picture.

Mary Pickford expressed advantages which have accrued from the "Silverstone Plan" for allocation of revenue to the member producers, and said that would be a source of bigger pictures, as it would encourage these producers to aim in that direction themselves.

She also advocated the wisdom of exchange of stars and equipment by UA producers, and that although she has not announced a film of her own, the project of her making a new feature in the million dollar

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UA May Elect President in Fall

Question of electing a UA president is slated to come up at the Autumn meeting of the company, it was learned on the weekend. The decision of the company's executive committee. Presidential post has been vacant since resignation of Dr. A. H. Giannini.

Two Detroit First-Runs

Turn to Dual Revivals

Detroit—Two first-runs shifted from New York to the United Artists and the Cinema. Policy change was unexpected at the UA, which has been the class single house bill house of the city for 10 years, but it goes into double bill revivals with "San Francisco" and "The Champ." It is expected to return to straight single bill first-runs in the Fall. No price change is planned.

At the Cinema, prices for week-ends are being dropped from 55 to 40 cents, to conform to prices the rest of the week. Duals policy will prevail and the UA, for the third to fourth week shift. Opening program embraces "Mayerling" and "Secret Agent." A feature which has given the Fox, the downtown situation becomes universal double bill policy here.

Juniors Discuss the Movies

Annual Spring Conference of the National Board of Review's junior motion picture study club—called "Juniors"—was held Saturday, in the School of Education auditorium, New York University at Washington Square. About 400 boys and girls were present.

bracket was discussed with Silverstone on the way to New York from Hollywood.

The Fairbanks - Pickford studio, whose name was subsequently changed to United Artists, was "re-baptized" the Goldwyn studio a week ago, and that Goldwyn has a occupancy arrangement, which may extend four years further, that she and Fairbanks are still the owners and have option to work-out the deal.

UA Holdings Not For Sale

She said most emphatically that her holdings in UA are not for sale, nor are those of Fairbanks, Chaplin and Korda.

Silverstone disclosed that Jack Schleifer will attend the Allied conclave in Minneapolis, and will attend the Gold the ITOA meeting in New York.

When asked if UA producers will cooperate with trade reform pact framers, Silverstone replied that UA has been complying for many months, and will go on from there. Gold added that at no time has there ever been coercion of exhibs by UA.

Gold said company is on most cordial terms with both the Music Hall and the Rivoli, and that company product will play in future at whichever of these houses provides best terms.

Silverstone leaves for England at the end of this month, as will Mary Pickford, and latter's husband, Charles "Buddy" Rogers.

New York Circuit Talking Deal for Baird Tele Sets

Baird Television is dickering with a New York theatre circuit welcomed in interested in installing the Baird large screen theatre equipment, it was learned. An expensive device was reported that the circuit was talking to the situation of installing all of the sets if demonstrations are satisfactory by the latter part of this week. When the first theatre in New York, presenting this device has not been made public, but it is reported that it will be made about the week of June 1.

New Disc Record Patent

Granted to Leon Dewan

A patent has been allowed to Leon Dewan covering a disc record which will play for a longer period of time than existing records. The new record is being used by the company itself a volume control, and greater fidelity of sound results, it is said. A very inexpensive device was reported new experience record to be played on the ordinary reproducer without change, it is added.

George H. Callaghan, joint owner with Dewan, will market this patent.

Monogram Will Increase

1939-40 Western Budget

Monogram's decision to tilt budget heavily to the Western division and to company's Westerns, it was said at the week-end by Prexy W. Ray Johnson.

Placed in the special category are four Tex Ritter musical westerns, "Colorado Trail," "Under Western Stars," "Riders of the Sundown" and "Oklahoma Land Rush"; two Jack Randall vehicles, "The Prairie" and "The Pioneer," from the Cooper mov-

ai Jennings will be seen with Randall in "The Last Outlaw" and "The Cowboy and the Bandit."

Ohio Tax Case Up June 15

Columbus, O.—Showdown on the right of the Ohio Tax Commission to exempt film rentals from the sales tax was deferred Saturday to June 15 in Franklin County Court of Appeals.

Second Lincoln Vaude Try

Lincoln, Neb. — Second try of vaudeville for 1939 in Lincoln is this week's booking of Johnny O'Brien's N.B.C. vaude unit for "The Liberty." Is set for May 26-29 inclusive. Previous try was one week-end at the Lincoln in January.

SEVEN FEATURES SET TO START ON COAST

By RALPH WILK

[West Coast Bureau of THE FILM DAILY]

Hollywood — Seven new productions for the 1939-40 season apply to the courts in the next weeks, as was announced this week. Paramount "ill start two, with "Are Hush... Is November," by Hope Emerson, and "The Lady," by Fred MacMurray and Madeleine Carroll with Allan Jones, Helen Brod-

Griffith, director. "The Woman on Parade" to be directed by James Hogan.

At RKO "Bad Lands" all male fea-

tured cast. Robert Sisk producer and Lew Landers director. Story based on dramatic episode of old West. Involved is a sheriff's posse trapped in the moun-

tains by Apaches.

At Columbia "Escape from Alcatraz" with Brian Donlevy and Jacqueline Wells. Charles Barton di-

rector. Wallace MacDonald associate producer for Irving Briskin unit. A prison story.

At Warners, "Career Man" with Joel McCrea and Jeffrey Lynn. Asso-

ciate producer, Edelman and director, Lloyd Bacon. Adapted from the novel "Glitter" by Kath-

erine Strang, this story of the phony drama service dealing with spies. "The Return of Doctor X" with Lyn Belilove, "Sherman" and associate producer, Bryan Foy. Hor-

ror story dealing with a bloodthirsty maniac.


versal; "Memory of Love," "Careen-" "The Spellbinder," "Timber St"-

pede," RKO; "The Rains Came," hotel for Women," "Chicken Wags-

on Family," "Charlie Chan at Treas-


wyn; "Done with the Wind," Selz-

A SURVEY COMPLETED!

The FILM DAILY has just completed an exhaustive survey of the exhibition field to determine the SHORT SUBJECT likes and dislikes of exhibitors.

The RESULT of this SURVEY will be just one of the important features of the FILM DAILY SHORT SUBJECT QUARTERLY

WEDNESDAY - MAY 31st
EASTMAN'S three new motion picture negative films have quickly established themselves as the favorites of the industry. *Plus-X* for general studio work . . . *Super-XX* for all difficult exposures . . . fine-grained *Background-X* for backgrounds and all-round exterior work. Each makes its special contribution, and all have that typical reliability closely identified with Eastman films.

Eastman Kodak Company, Rochester, N. Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee; Chicago, Hollywood.)

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**EASTMAN Plus-X... Super-XX... Background-X**
See Slight Chance for Pending French Film Measure

SIX NEW INDIE EXHIB. GROUPS SEEK ALLIED TIES

Question Right to Assign Trust Suit Cause of Action

Point Raised by Defense Counsel in Momand
$4,500,000 Suit

Oklahoma City—Federal Judge A. P. Murrah has postponed hearings in the A. B. Momand cases until May 26 and possibly May 27 or 29, at which time he will be back from Denver to sit in Federal District Court here.

At the tenth hearing on pre-trial motions, a four-part motion by the defendants to dismiss the $4,500,000 anti-trust damages case was heard by the court Saturday.

The court held during arguments that the defendants may file a motion.
(Continued on Page 7)

PIX COPYRIGHT HELD INTANGIBLE BY COURT

New Orleans—Film rentals are regarded actually as licenses to exhibit a copyrighted work and as such are not subject to the “use” tax phase of the Louisiana sales tax law, the opinion of Judge Charles A. Holcombe, received here yesterday.

Judge Holcombe's opinion, handed down.
(Continued on Page 7)

Chaplin's "Dictators" to be Ready in October

Charles Chaplin's announced pix, "The Dictators," will go before the cameras this Summer and will be completed in October at a cost of approximately $1,500,000, it is de-
(Continued on Page 7)

Newsreel Cameramen's Union Calls Fair Strike

Strike of all newsreel cameramen at the New York World's Fair will be continued until the Fair hires still photographers who are union men, it was stated yesterday by an officer.
(Continued on Page 6)

National Allied President Says Divorcement Drive Marking Time

New independent exhibitor organizations are springing up in various parts of the country and each is a potential Allied unit, Col. H. A. Cole, president, stated in New York yesterday, following his arrival for the first New York Allied convention and exposition which opens today at the Hotel Astor.

Col. Cole said that at least six exhibitor bodies, some in embryonic form, had solicited his co-operation in affiliating with the national organization in the last few weeks. The Allied president said that the
(Continued on Page 8)

N. Y. ALLIED OPENS STATE MEET TODAY

New York Allied's first state-wide convention and motion picture exposition gets under way today at the Hotel Astor. Thirty-six booths, representing as many equipment and film distributors, have been set up in the proximity of the grand ballroom where the sessions are to be held.

Today's program calls for a board
(Continued on Page 8)

Illinois Film Bills Apt to Come up for Vote This Week

Springfield, Ill. — Illinois Senate may act this week on the pending industry legislation sponsored by Senator Joseph Mendel of Chicago. Bills cover theater divorcement, state
(Continued on Page 6)

Frank Capra Elected Prexy of Screen Directors' Guild

West Coast Bureau of THE FILM DAILY
Hollywood—Frank Capra has been re-elected president of Screen Directors Guild. W. S. Van Dyke II was elected first vice-president; John
(Continued on Page 6)
Completion of Arbitration Plan Expected Today or Tomorrow: "Language" a Problem

Distributors' arbitration proposals are expected to be completed before the New York Allied connection men, who held their annual convention here today following an all-day session of the sale managers. Another meeting is planned for today or tomorrow. One of the members of the group said that the task of putting the arbitration plan into proper language had been a stumbling block during the sessions, but that the proposals were "very close" to completion.

Grainger Names Benjamin to Republic Sales Post

James R. Grainger, who formally returns to his presidential desk at Republic's home office today, following his return from the Coast on Sunday, announced that William Benjamin, has been appointed central-midwest district sales manager, supervising the Kansas City, St. Louis, Omaha and Des Moines territories, and headquarters in Kansas City.

These exchanges were formerly handled by Max Roth, Republic's midwest district sales manager, who will now concentrate on Chicago, Milwaukee, Indianapolis and Minnesota. Ben Petrie, has been named central-midwest district sales manager, latter branch was transferred under the new setup from central sales division.

Benjamin, who was formerly GN's branch manager in Chicago and Detroit, is now in New York to confer with Grainger, and will leave for his territory this coming weekend.

It was also announced by Grainger that Arthur Newman, who has been appointed special sales representative for Republic in the Albany territory, at least until a franchise deal has been closed. Albany spot, together with Buffalo, Detroit, Los Angeles and San Francisco, are currently in Republic hands pending franchise arrangements.

Exhibit Gift Enterprises Slapped by Neb. Official

Lincoln, Neb.—Wide range slap at all gift enterprises was delivered here by the Attorney General's office, the blast being aimed at bribe suits used in Beatrice, Neb. by Far-West Coast houses. Had been giving $5 and $10 prizes to the oldest man or woman who attended a show, for the largest theater party, or for the first person to show up who had never seen a talking picture.

Rush Clarke, assistant to Attorney General Johnson, opined: "Gift enterprises may seem trivial, but they do come within the scope of definition given by framers of the constitution of ideas they are opposed. With the wisdom of the constitution we are not concerned, but we assume it to be the supreme will of the people."

Bank and Job Nights were killed under ruling of a previous date.

To Appeal Censor's Ban

"Conflit," French film being distributed here by Transatlantic Films, was refused by the New York State censor. Distributors plan an appeal to the Board of Regents.

Stirn Granted Extension for Filing Appeal Briefs

Circuit Court of Appeals yesterday, with Judge Swan presiding, and Judges Augustas Hand and Patterson, participating, granted an extension of time until June 2 to Ernest W. Stirn, through his counsel, John S. Stover, for the filing of brief in connection with the Stirn appeal from the confirmation order handed down by Federal Judge Fullen in the RKO reorg. plan proceedings.

H. Cassel & Co., another appellant, filed a supplemental brief, as well as a cert. tax disclosed by court sources. Latter channels also indicated that, although the hearing of appeals is still for the week of June 3, the matter will doubtless be heard during the third week of the June term.

125 Attend Testimonial Dinner for Morton A. Levy

Minneapolis—More than 125 persons attended the testimonial dinner for Morton A. Levy here at the Nicollet Hotel last night. At the speakers' table were John J. Friedl, Ralph G. Branton, Harry Warren, Roger Ferri, Clyde Eckhardt, Max Roth, Joe Podoloff, Theodore Hayes, William Elson, Stanley Mayer, Jack Lorenz, Joe Scott, Moe Levy and L. J. Ludwick. Hayes presented to Levy an over-night travelling bag and a brief case. Elson was toastmaster.

Many telegrams from industrial leaders were presented, including being selected the Kent Drive leader. Forty-out-towners were present.

Wis. Seat Tax Measure Faces Strong Opposition

Madison, Wis.—The Assembly Judiciary Committee offered no recommendation following a hearing on the Measure bill which would legalize horse racing and pari-mutuel betting and assess theaters an occupational tax ranging from $5 to $100 per unit as well as from 2 to 30 cents per seat. Opposition to the measure is so strong that no action is regarded as doubtful.

Hal Home Returns

Following a three weeks' stay at the Disney studios on the Coast, Hal Home, newly elected vice-president in charge of distribution for Walt Disney Productions, has returned to New York. Mr. Home, who arrived yesterday following an all-day session of the sale managers, another meeting is planned for today or tomorrow. One of the members of the group said that the task of putting the arbitration plan into proper language had been a stumbling block during the sessions, but that the proposals were "very close" to completion.

HAL B. WALLIS, Warners' exec., Mrs. WALLIS, the former Louise Fazenda, and their two children, sail for Europe today on the Niclaus Amsterdam.

COLONEL H. A. COLE, president of Allied, arrived in New York over the week-end.

HERMAN WOBBER, MRS. WOBBER, "MAR- GARET, SULLIVAN'S HAYWARD" and HARRY HAMM, arrived yesterday on the Queen Mary.

JOHN HAY WHITNEY, S.J. board chairman, flew in from the Coast last night.

HAL HORN, vice-president in charge of distribution for Walt Disney Productions, has returned to New York.

HARRY M. BESSEY, secretary-treasurer of Attec, has returned to New York after a 10-day trip through the South.

GEORGE ROBERTS, 20th-Fox district manager in the Cleveland area, and his 1st vice-president branch manager, arrive in New York tomorrow.

RALPH CRAMBLE, United Artists branch manager, will arrive in New York shortly to open office for headquarters.

LEE GOLDBERG, of Big Feature Rights in Cleveland, New York.

ROY HAINES, Eastern and Canadian sales manager for Warner Bros. left yesterday to visit Toronto and Montreal.

CHESTER L. TOBIAS, Air Ops. film exec, arrives on this week.

MRS. HAL ROACH and her daughter, MARY, left New York last night for Hollywood on a two-week vacation here.

MOE HOWARD, LARRY FINE and JERRY HOWARD, COLUMBIA'S Three Stooges, sail tomorrow for the Queen Mary for England.

VERA ZORDIN has left for the Coast to start work in a new Warner picture.

LEW AYRES, MARY JO ALLEN and MARY PICKFORD are at the Sherry Netherland.

THE BEATLES

The Beatles from Syracuse with Jimmy Wynn. Eddie Todd and Savo Murray Albert Harp.

ALVIN, 524 2d St. Mpls. Wed. & Sat.

THE CIRCUS

The Circus from Greece with Jimmy Wynn. Eddie Todd and Savo Murray Albert Harp.

ALVIN, 524 2d St. Mpls. Wed. & Sat.

THE THEATRE

Wednesday, May 23, 1939

George Abbott Productions

"There have been a number of good plot and music shows in town late, but this was the most brilliant of the lot."—Watts, Her.Trib.

George Abbott, Rodgers and Hart

The Boy From Syracuse with Jimmy Wynn. Eddie Todd and Savo Murray Albert Harp.

ALVIN, 524 2d St. Mpls. Wed. & Sat.

THE ORCHESTRA

Theodoluth Orchestra with Jimmy Wynn. Eddie Todd and Savo Murray Albert Harp.

ALVIN, 524 2d St. Mpls. Wed. & Sat.

THE THEATRE

"The longest, roughest, toughest, tendered, didactic, most decent, and certainly fanciest play for your money you can put on safe this season."—George Jean Nathan, Newsweek.

PRIMROSE PATH

By Bob L. Backer and Walter Hart with Helen Betty. Mary Russell and Westley Garee Mason Hardee.

CORT, West 48th St. Mpls. Wed. and Sat.

THE MILITARY THEATRE

"Boars of Pleasure"—Ahrens, Townes.

WHAT A LIFE

with ERIA STONE as Henry Aldrich. MANSFIELD, 524 2d St. Mpls. Wed. and Sat.

CORT 5-6404
"Let it be known here and now that 'Sons of Liberty' is the finest short made by anyone anywhere. It is more entertaining than 90 per cent of full length features."

Jay Emanuel Publications

"A distinguished landmark in short subjects. It's big time stuff with a big time cast and far superior to the average product that constitutes the lower half of a dual bill."

Boxoffice

"The press reviewers applauded it spontaneously and sincerely."

Motion Picture Herald

"Overwhelming, inspiring, outstanding! A credit to Warners, indeed—but also to the industry and the nation."

Film Daily

"A feature in everything but length. There has never been a short subject of finer merit. Advertise it as big as a feature."

Showmen's Trade Review

"Our organization will cooperate to the limit of our facilities in focusing the public's attention upon it!"

Veterans of Foreign Wars

A 2-Reel Vitaphone Short In Technicolor

with

CLAUDE RAINS
Gale Sondergaard • Donald Crisp • Montagu Love

Directed by the man who made 'Robin Hood' and 'Four Daughters'

MICHAEL CURTIZ

Original Screen Play by Crane Wilbur

Warner Bros. Produced It Like A Feature!

Warner Bros. Promoted It Like A Feature!
BROADWAY'S FILM BIZ SHOWS IMPROVEMENT

(Continued from Page 1)

Saturday-Sunday upswing a sign that from this point on their takes would be normal, and also that when the general World's Fair visitor influx takes place about June 1, receipts will increase through the remainder of the Summer months.

M-G-M reported yesterday that the week-end saw "an overwhelmingly favorable attendance record" established by the "Goodbye, Mr. Chips" at the Astor, the attraction drawing close to 14,000 pixevoes. "Union Pacific" and "Orphans' Home" strongly attracted at the Paramount and Music Hall, where each is in a second week. Good biz was also reported from the Roxy playing third week of "Rose of Washington Square"; the Rivoli, presenting sixth week of "Wuthering Heights"; and from Broadway's new films, "It's a Wonderful World," at the Capitol, and "The Kid from Kokomo," Strand.

 Majors Win Added Time to Answer in Okla. Suit

(Continued from Page 4)

and Esten, et al, for an extension of time in which to file their replies to the charges brought by the D of L in its current anti-trust action here.

Court allowed 60 days, dating from service of summons on May 1 and 2, and set the next hearing for July 27.

All 12 defendants contended that to respond adequately to the charges would necessitate voluminous compilation of data, and that attorneys have only just been assigned, in most instances, to the case.

Exhib. Wins Sunday Case

Warsaw, Va.—William A. Jones, owner and manager of the Warsaw Theater, was acquitted in the Circuit Court of Richmond County on a charge of operating his theater on Sunday contrary to law. The case was tried before Judge E. Hugh Smith, with William Wright, State Senator, counsel for the defense. This was second trial; first jury failed to agree.

Happy Birthday

Best wishes FROM THE FILM DAILY to the following on their birthday:

May 23
Douglas Fairbanks
James Gleason
Coop Stone
Durham Lea
Ben Silvey

20TH-FOX SALES CHIEF RETURNS OPTIMISTIC

(Continued from Page 1)

on the Queen Mary after a month's trip, during which he attended both the continental and U. K. conventions of the overseas sales organization.

Wobber stated that plans were being discussed now by the foreign department for resumption of activities in Spain. He expressed the opinion that the estimated 20 per cent increase in foreign business pledged by the company's foreign organization should be realized.

Asked what he thought of television, Wobber said that he had been well satisfied with reception on a Baird set he used in his London hotel, but believed that considerable development must be done before this medium could serve its place in the entertainment field. He had not seen a theater screen demonstration, but stated that the English fans of the company were not worried about encroachment of serious proportions in the theater field.

Four pictures from the company's English studios will probably be distributed here this year, Wobber stated.

Possibility of a tax revision by the English Government was hoped for by the industry here, with business generally good at this time, he said. Wobber said that he had been informed that U. S. business was off about 20 per cent.

RKO Radio Foreign Reps. to Attend Sales Sessions

General Manager Phil Reisman of RKO Radio Pictures' foreign department yesterday announced the names of foreign RKO representatives who will attend the International Sales Convention at the Westchester Country Club, Rye, New York, June 19-20, along with Ralph Hanbury, United Kingdom; Ralph Doyle, Australasia; Nat Liebkind, Argentina; Bert Reisman, Peru; Max Gomez, Mexico; Pedro Saenz, president Cia Cubana de Pelucias, S. A.; Reginald Armbrust, continental Europe; Leon Britton, Far East; Bruno Cheli, Brazil; Fred S. Guibransen, Panama; Ned S. Seeker, Cuban home office representative; Gus Schaefer, district manager for central and northern South America.

Sherriff With Korda

London (By Cable)—R. C. Sherriff has been appointed to the post of literary adviser in the new organization of Alexander Korda Film Productions.

Birth-Minded

Milwaukee, Wis.—Refused permission by the motion picture commission to show the "Birth of a Nation," the Alhambra theater has secured the commission's approval of the "Birth of a Baby," for showing.
"HELLO Allied States Exhibitors!"

An absolute sensation at the Astor, N. Y. and 4-Star Theatre, L. A.
Topping "Pygmalion" and now being launched in the same showmanship manner. A friendly hit from the Friendly Company.

ASK CONTEMPT CHARGE FOR CLC EXEC SEC'Y

REVIEW OF NEW FILMS

The Kid from Kokomo

with Pat O'Brien, Wayne Morris, Joan Blondell

Warners

95 Mins.

HOLLYWOOD PREVIEW

MODERNIZED VERSION OF JACK LONDON STORY MARKED BY PLENTY OF ACTION.

Jack London's story has been modernized, but there is no lack of interest. For thrills are an airplane crash and fights in which humans and dogs figure. John Carroll not only demonstrates his prowess with his fists, but also sings two numbers. Movita is appealing as the love interest opposite Carroll. John Sheehan does splendid work in supplying all the comedy as a talkative Irishman.

Peter George Lynn gives an effective performance, while Guy Usher, Wheeler Oakman, Polly Ann Young, Holmis Herbert, Cleo Clark, John Kelly and Grey Shadow, the dog, are among the principals.

George Waggar handled the direction and Paul Melvyn functioned as producer. Carroll's weakly father, Usher, sends his playboy son to Alaska, where he investigates after his errant daughter. Movita, daughter of Cleveland, is a chemist. Oakman, the mine foreman, is a fool of Herbert, who is determined to cheat his friend, Usher, of the true value of the mine. Carroll's newly-made friends at the mine, tip him off to Oakman's intentions, and they are fights at the jungle camp before word is finally gotten to Usher of the real value of the mine.

CAST: John Carroll, Movita, Peter George Lynn, Guy Usher, Holmes Herbert, Polly Ann Young, George Cleveland, John Kelly, Wheeler Oakman, John Sheehan, Charles Irving, Grey Shadow, the dog.

CREDITS: Executive producer, Scott R. Dunlap; producer, Paul Melvyn; director, George Waggar; based on novel by Jack London, Screenplay, Joseph West, Cameraman, Fred Jackman, Art Director, E. R. Hickson; Editor, Carl Pierson; Musical Score, Edward Kay; Songs by Fleming Allen.

DIRECTION. Good. PHOTOGRAPHY. Good.

Frank Capra Elected Prexy of Screen Directors' Guild

(Created from Page 1)

Cromwell, second vice-president; Frank Tuttle, secretary and Phil Rosen, treasurer.

Pa. Chain Store Tax to be Argued in High Court Today

Harrisburg, Pa.—Argument on appeal of the Dauphin County court ruling which declared unconstitutional the state chain store and the 3 liquor tax set by the legislature for argument today by the Pennsylvania Supreme Court, which yesterday opened its annual session.

The state expected to obtain $3,000,000 annually from the tax, which Judge William M. Hargest last Feb. declared unconstitutional. Represented in the appeal are American Stores Co., Stanley Co. of America, Consolidated Drug Stores, Robert Morris, and Warner Bros. Theats, Inc.

EXTRA FAVOR SAG REP.

West Coast Bureau of THE FILM DAILY

Los Angeles—By an overwhelming majority, Class B members of Screen Actors Guild voted to have the Guild name as a representative of this extra.

CAMERAMEN'S UNION CALLS STRIKE AT FAIR

of Local 644, cameramen's union. The union holds that since the Fair is definitely in the amusement business, coverage of the performances by photographers should be handled by union men.

Walkout of newsreel lensers was called early in the week-end following a refusal by the Fair to hire union men still when the Fair still staff was augmented. It was pointed out that the Fair has been granted a staff of four still men who are not union men, but that it was understood any additional men would be members of Local 644.

The Local is contemplating establishing picketing this morning at the Fair. Further possibility of the dispute is that all affiliated members of the Theatrical Trades Council group, which embraces 644, will be asked to support the strike before the end of the week. This action would bring about a large scale walk out. The five newsreels and the March of Time are affected by the strike order.

SWG Members Seeking to Retain Tele Right:

(Continued from Page 1)

talent. Script writers are attempting to develop a standard contract calling for one-time use of their material, through the Radio Writer's Guild. Should they be successful in enforcing this ruling, televisio rights would, it is said, be "pro tec ted."

Scenario writers are likewise attempting to retain full television rights through the SWG. Because of the widespread showing of film material by television broad casts, screen writers are becoming increasingly aware of the television "market" and are attempting to secure special clauses in contracts giving them full television rights.

Gov't Would Extend Scope of Contempt Case Inquir

Chicago—Extension of the inquir into the D. of J contempt case against B & K and the major beyond the three-year statute limit is being sought by the Gov't. Arguments will be heard Thursday. B & K counsel yesterday pointed out that the "market" and are attempting to secure special clauses in contracts giving them full television rights.

Amusement Tax Measure Threatens in Michigan

Lansing, Mich.—Introduction of a special measure imposing an amusement tax is threatened by Rep. George Higgins, Republican, Ferndale, following defeat of a move to raise the state sales tax 3 cents per sales tax admissions.

CINEMAS:}
RIGHT TO ASSIGN BOBS UP IN MAMDAD CASE

(Continued from Page 1)

Continued on Page 1)

WARNERS TO GLOURY REUTERS, CUNARD LIME

London (By Cable)—Warner's, with Sam Sax at the helm at Tuddington, will "gloody" both LaCrosse and the Westerners. Former pick will be based on the life of Baron de Reuter, with Wolfgang William picking up a story by Walther Clohessey. Let prolixly linked with the pick from its founding. Sax has also set Ian Hay's adaptation of Somerset Maugham's "Czar's Wife" for early shooting.

COURT RULES IN LA CROSSE SUIT

Milwaukee—Representatives of Producers, Exhibitors, UA, Wisconsin Amusements Co. and Ed Ruben, must answer questions in connection with alleged conspiracy in restraint of trade and Clayton Sherman Acts as charged by plaintiff. Defendants claim there was no conspiracy and that the real issue is a question of possession of the Orpheum from obtaining first-run Class A major pictures.

DEFENSE MUST ANSWER, COURT RULES IN LA CROSSE SUIT

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Evans to the Bank of Commerce and Trust Company, to assign three lots as collateral for $50,000, stating that he would consider the assignment

insofar as it pertained to the question of causes of action. The defense attorney with Henry Wells was arguing points of their motion when the court suggested the postponement of further hearings due to his inability to grant sufficient time for its hearing Saturday. He was stressing that the suits were based on assignments by 15 different Mondam companies to Mondam himself only for "other or other considerations."

"For the sum of $30 at the most," Wells told the court, "this defendant is asking nearly $6,000,000 as an assignment of all these alleged causes of damages."

"In order for the court to sus- pend the right to the money, he must, first, prove the issue is assignable, secondly, he must be in a position to take these assignments and enforce them, and thirdly, these assignments must be for a proper and legal conveyance and assignment."

Wells further contended that a use of action under the Sherman Anti-Trust Act was not assignable.

Judge R. M. Martin, in a ruling handed down by Federal Judge Nordbye in Wisconsin Circuit Court, said that the order was supported by the arguments made in the case, and that he considered it a very important point that should be decided before any other hearing is taken in the case.

He also intimated that he would call a pre-trial conference for the resolution of the issues upon which the trial itself is to be held.

J. PROBE OF MEMPHIS THEATRE SUGGESTED

Memphis—Tennessean—It is said that a J. S. investigation of an alleged agreement between operators of downtown theaters and major distributors was made was contained in a report to representatives of bondholders of the Orpheum by Collins L. Evans, operator of the house.

The suggestion, contained in a letter from Chalmers Collins and Nate

Chicago—George Palmer Putnam, author and publisher, and his bride, the former Mrs. Frances J. James, arrive here today from Boulder City, Nev., where they were married on Sunday, last. From 1932 till last week, he was chairman of the Motion Pictures Production's editorial board, and last February announcement was made that he had signed with Harold Pascall, film producer, to work with him in preparing a film biography of the late Saula Earhart.

WEDDING BELLS

(Continued from Page 1)

PIX COPYRIGHT HELD INTANGIBLE BY COURT

(Continued from Page 1)

Edna Down in Baton Rouge as reported by the Daily Film, over a suit involving major theater circuits and the superintendence of public prints. The companies, it is said, attempted to get back the taxes, plus interest, they had paid under protest, affirms the stand taken by the theater companies.

It reads in part:

"The plaintiff contends that the use of the film is only incidental to the privilege of exercising the license to exhibit..."

"The mere possession of a motion picture film without the right to exhibit it would avail one nothing, whereas the privilege of exercising the right conferred by the copyright is a thing of value. It is therefore the license to use a copyright, the only right from which the copyright holder can derive benefit, that is paid for."

The judge declared copyrights to be intangibles and not the tangible property whose lease would call for a use tax under the law. The contention of the plaintiff that film was not worth more than a specified amount as stock and that a use tax had already been paid on this raw stock in California, was also noted. The "use" tax is an attempt to carry the sales tax over to property leased or bought outside the state lines and brought into the state for use.

Plaintiffs in the suits filed were: Sanger Realty Corporation, Sanger-Ehrlich, Canal Realty and Improvement Corp. (two-thirds owned by Loew, one-third by Sanger), Capitol Theaters, Dixie Theaters, United, Western and Southern Theaters Corp., Morgan City Amusement Company, St. Landry Theaters, Southern Amusement Company and its subsidiary De Soto Theaters, Singer New Orleans Corp. (Mort H. Singer's Orpheum and Liberty).

GEORGE BACHUS DEAD

Merrick, L. I.—George Backus, 81, veteran film and stage actor died in his home here on Sunday. He began his motion picture career under contract to Famous Players Studio.

ST OR KS!

West Coast Bureau of THE FILM DAILY

Hollywood—Nicholas Bela, film writer and director, and his wife, the former Catherine Davis, of Jamestown, N. Y., are celebrating arrival of their twin daughters at Lebanon Hospital. The eight-pound, 12½-ounce pair will be named Nicholas Falconer Bela.

Minneapolis—A baby girl has been born here to Mrs. Charles Stoflet, whose M-G-M'S North Dakota salesman.
SLIGHT CHANCE SEEN FOR FRENCH FILM BILL

(Continued from Page 1)

those provisions in the original bill.

Measure, as it now stands, may never come up, it is asserted.

French producers, who have been clamoring for some sort of State protection, do not like certain aspects of the Zey bill. Exhibitors, too, are bitterly opposed to it, since one of its inevitable consequences would be the death of double features, which favor foreign over to get preferred concessions.

Col. Col. said yesterday that he believed the Minneapolis convention, June 13-15, would be the biggest in the history of the organization.

Cleve, Cleveland Ind. Huddle on B. O. Slump

Cleveland—Col. Col. president of national Allied, Martin Smith president of Independent Theater Owners of Ohio and secretary P. J. Wood attended a midnight meeting of the Cleveland Motion Picture Exhibition Association.

The CMPA, composed solely of local independent exhibitors, met to discuss means of preventing loss of present divest in business, ultimately to

One Way to Get Biz

Paul, Minn.—Auditorium Theater last night proved a stimulant instead of deterrent to box office business. An unexpectedly large number of people, however, showed up and hungered for tickets and entered the house. Fire was confined to a washroom.
Allied Ass'n Still Hopeful of Distributor Policy Changes

"FRICTION" SEEN BETWEEN ALLIED AND N. Y. UNIT

16 MM. Circuit Operation in Mid-West to Hit New High

More Than 300 Showmen Will Be Engaged in Field, Estimated

By JOSEPH ESLER
FILM DAILY Staff Correspondent

Chicago—Already "big biz" in the Central West, 16 mm. circuit operation by itinerant exhibs. is expected to further mushroom for a new high this summer.

It is estimated by William Jordan, veteran in the distribution field, that more than 300 showmen will be engaged when the 16 mm. itinerant season reaches its peak.

One or more shows a day, six days a week, are given, Jordan estimates, over which is usually met by...

(Continued on Page 5)

REPORT GULF STATES SELLING HITTING WELL

New Orleans—Film selling in the Gulf States territory got off to an earlier start than usual this year as far as deals with indie houses are concerned and at the moment seems to be hitting well.

Most of the circuits signed deals...

(Continued on Page 4)

No Letup Can Be Expected in D of J's Pix Crackdown

San Francisco—The film industry can expect no letup in the Department of Justice's current crackdown, despite Eastern rumors to the effect that not all of the...

(Continued on Page 4)

Loach Replaces Stewart as Monogram Director

T. P. Loach was elected a member of the Monogram Board of Directors at its monthly meeting last week, according to an announcement made yesterday by W. Ray John...

(Continued on Page 3)

FREAK ADMISH TAX RATES

3¢ Levy on 50¢ Tickets, but Only 2¢ On 51¢ Admissions

A reading of the Moffat housing bill as passed at Albany and sent to the Governor reveals the tax on admission tickets authorized to be imposed by cities to pay principal and interest on housing bonds provides for a one cent tax on a 49 cent admission ticket, a two cent tax on a 51 cent admission and a three cent tax on a 50 cent admission ticket. Counsel for amusement interests called attention of introducers to this incongruity but they refused to amend the bill. The language in question reads:

(a) An excise tax on the sale of tickets of admission to places of public amusement...

(Continued on Page 3)

MAXIMUM WB SUPPORT FOR SAX—H. B. WALLIS

Warners will give maximum support to Sam Sax, new head of company's production in England, in his executive endeavors at Teddington, it was declared by Hal B. Wallis, as...

(Continued on Page 5)

Theater Insurance Co. Looms as Liability Rates Increase

Increase of personal liability insurance rates for theaters recently following a court decision holding that theater owners are responsible...

(Continued on Page 4)

50 ILLINOIS EXHIBS.

FORM THEATER ASS'N

Chicago—United Theater Owners of Illinois was organized here yesterday by 50 leading exhibitors. Edward Zorn of Pontiac was named chairman, and appointed Jules Rubens of the Great States Circuit...

(Continued on Page 3)

RKO Delaying Release of "60 Glorious Years"

RKO has reconsidered earlier release plans for the Herbert Wilcox production "Sixty Glorious Years," which played a test engagement at...

(Continued on Page 5)

Allied Still Hopes for Distributor Policy Changes, Says Abram F. Myers

Gov't Seeks Total B & K Film Rentals in Chi. Contempt Case

The Government is asking for total film rentals paid by B & K and also the totals paid film exchanges in the Chicago territory since 1922 by other theater owners serviced by Chicago exchanges in the B & K...

(Continued on Page 3)

Allied's hope for "sweeping changes in policy" via distrib. action is "not entirely dead," Abram F. Myers, board chairman and general counsel, told New York Allied's first annual convention here yesterday via a phone "message."

Discussing "The Need for a Better Understanding," Myers briefly traced attempts to reach an amicable...

(Continued on Page 8)

Col. H. A. Cole Speaks Today; May Censures Local Association

By AL STEEN
FILM DAILY Staff Writer

While New York Allied's convention on its opening day yesterday was uneventful, indications are that the delegates and all concerned are due for a "blowoff" before the sessions are concluded tomorrow. That "friction" exists between the national body and the local unit was apparent yesterday from several individual sources—a "friction" that is likely to reach a climax today.

It appears certain that national Allied is opposed to the New York unit's stand on the Neely Bill, trade...

(Continued on Page 8)

GOV'T LOOKS ASKANCE AT PROPOSED COMBINE

Speaking unofficially, a Department of Justice representative yesterday said there was "no economic justification" for the proposed Allied booking-buying combine which would embody 2,500 theaters.

Such an organization, he said, would create a monopoly similar to...

(Continued on Page 3)

Extension of Schine-RKO

Syracuse Pool Disclosed

Extension of the RKO-Schine operating pool in Syracuse on a 10-year basis was disclosed yesterday. Theaters affected by the deal embraced B. F. Keith's, Paramount...

(Continued on Page 6)

Code Arbitration Clause May Be Finalized Today

Arbitration clauses to be added to the trade practice code may receive their finishing touches today when sales managers and counsel for the majors hold another meeting at the Hotel Astor.
RK0 Branch Managements Filled Via Promotions

Jules Levy, general sales manager of RK0 Radio yesterday announced the appointement of general managers from the ranks and additional changes in the field staff.

Joe Brecher, formerly RK0 manager of the Charlotte exchange, has been promoted to the managemen of the Atlanta office, succeeding Guy Brown, who resigned. In J. W. A. W. Schenck, formerly RK0 salesman in Memphis, has been promoted to the helm of the Charlotte branch, filling the vacancy created by Brecher's promotion.

Levy also made known these additional changes: Lou Padolf rejoins the company and has been assigned to the Detroit staff. Grover Wray has joined the Memphis staff and Scott Chesnut has been added to the staff at Oklahoma City. Lou Fink, Robert Renz and Joseph P. Smith have been added to Los Angeles, Buffalo and Boston, respectively, as student salesmen. Harry Levinson, formerly booker in Chicago, has been named the new head of office manager in the Detroit office.

Foreign Sales Executives Coming for Para. Conclave

A number of Paramount's foreign sales executives are converging on New York for the purpose of engaging in sales conferences here and later attending the Paramount convention in Los Angeles.

Floyd C. Henry, manager in the Philippines, will reach New York today by train from the West Coast.

C. G. Dickinson, general sales manager, and T. C. Reedin, advertising and management, arrive from Hollywood and will take part in the Paramount organization in Great Britain, will arrive in New York on board the Anquitana Tuesday. They will precede由 Henry Krollf, general manager in France, who will reach New York Monday on board the SS Normandie.

F. H. Prachet, general manager in Central America and the Caribbean, is already in New York as is Harry Hunter, mananger director in Australia and New Zealand.

ROK Branch Managements Filled Via Promotions

May Decide Jurisdiction of Tele At 4A Board Meet

With the regular meeting of the AAA in its capital scheduled for this afternoon at the AAAA office, it was a matter of conjecture yester- day as to whether or not the question of jurisdiction in the television field would be brought up for a decision.

Eyeing the claim, and jurisdiction in the field, but opposition has been put forth to the claim by other member unions of the AAA. Or- derizing the situation, it is certain that a decision is forthcoming soon, it was reported. It is refusing to del it is not granted jurisdiction, a singular inter- union fight is certain that Equity has stated it has no intention of relinquishing its claims and fully believe that no other union has any right to it.

Schuyler Theater Co. Sues Col. Over Product Supply

Schuyler Theater Corp., through its president, William Toon Joan, yesterday filed a suit in Supreme Court here against Columbia. Plaintiff claims that in December, 1938, he signed a contract with the defendant for the 1938-39 season, and agreed to take 40 features, and that the contract's terms was that availability of product would be the same for Schuyler as its competitor, Arden Theater. Plaintiff alleges that in violation of the contract Arden is getting preference. Further, that Columbia is refused to del it is not required by agreement.

An injunction, it is said, will be sought today by the plaintiff to restrain defendant from giving preference to Arden.

Structural Work Starts on 20th-Fox H. O. Addition

Preliminary interior structural work on the three-story building ad- jacent to the 20th-Fox home office has been started, plans calling for establishment of the ad. and pub. departments, stills, adas, poster, mimeographing departments in the building when it is completely reno- vated late in July.

Need for additional space in the house office forced use of the build- ing at this time. Coast representa- tives at the home office will be in Chicago and pub depart- ments present quarters following alterations then.

Suit was filed in U. S. District Court yesterday by Jesse Solomon and R. S. Grossman, Inc., petitions' board last month upheld Censor Irwin Esmond. Defendant's brief contends its fundamental ob- jections are not yet removed.

ARTHUR HORNBLOW, JR., Paramount pro- ducer, is scheduled to arrive from the Coast to-day with ARNIE MAYO, director, is en route to New York from Hollywood for a vacation.

GEORGE W. WEEKS left last night fr. ""City to City to Albany,"" the Missouri Thed's ""Annie Get's Your Cat,"" convention there Thursday. Tuesday, will visit several Monogram exchanges.

DOUGLAS FAIRBANE and MRS. FAIRBANE BEATRICE LILLIE, TESSIE JANDY, LAURIE MELCHIOR and his wife, CUTHRIE MCCLINTIC ABUR BORSKANS and his wife, and PENELA D. WARD sail for England today on the Queen Mary.

RODNEY BUSK, exploitation manager for 20th, is in Springfield making arrangements for the premiere of ""Young Mr. Lincoln"" on Decoration Day.

S. E. SAMUELSON, art director of Intermont Theater, registered yesterday at the World's Fair house. MRS. SAMUELSON is with him.

JOE WILSON, Pathes Newscope director HARRY SMITH, cameraman. DICK HERTEL, at instant kind. ""Children of the Sun"" is up, to be in upstate New York at Livingston, opening a new Sportscope.

EDWARD FIELDING flies to the Coast Saturday for a role in David O. Selznick's production ""Interruptions"

France Honors Algyaz

Paris f (By Cable) fAlgyaz, who on his American trip signed contract with RKO Radio for th foreign distribution of his picture ""Racia"" (The Raw Devil), has been named a Chevalier of the Legion of Honor by the French government.

Stanley Acquires Midwest

Chicago f (The Stanley Theater Equipment Co. purchased the Mid west Theater Supply Co. yesterday. Stanley Levine will manage both companies.

THE THEATRE

George Abbott Productions

""There have been a number of good girls, and a number in town at the moment, but this is by all odds the most brilliant of the lot.""—Watts, Fill 'em, Thr.

George Abbott—Rodgers and Hart

The Boys from Syracuse

with Jimmy Wyman Eddie Teddy SAVO MURRAY ALBERT HART ALVIN, with St. Matts. Wed. & Sat. COLUMBIA 6-1414

""The lowest, roughest, roughest, ten- derest, dirtiest, most decent, and cer- tainly fondest puppy for money put on sale this season.""—George Jean Nathan, Newsmen.

Lillie Langtry

with EVA STONE as Lillie Langtry, EYES OF GLAMOUR. 6-0640.

THEATRE

THE MATAI

The MATAI

With Bette Davis, as Lillie Langtry, ""Lillie Langtry: The Eyes of Glamour."" 6-0640.

THE LITTLE LADY

With Bette Davis, as Lillie Langtry, ""Lillie Langtry: The Eyes of Glamour."" 6-0640.

THEATRE

THE MATAMORE

With EVA STONE as Lillie Langtry, ""Lillie Langtry: The Eyes of Glamour."" 6-0640.

THE LITTLE LADY

With EVA STONE as Lillie Langtry, ""Lillie Langtry: The Eyes of Glamour."" 6-0640.
**10 ILLINOIS EXHIBS, FORM THEATER ASS’N**

(Continued from Page 1)

Ed Anderson of the Anderson Cir-

it, G. A. Alger of the Alger Cir-

it, H. B. Bailey of Bailey Enter-

tainer, on the organization commit-

tee, to meet May 31, at Springfield to

complete the organization.

Eil Kuykendall, president of

PTOA stopped off and addressed

the meeting, urging co-operation, in

spite of the organization to to

fight adverse legislation both state

and national.

Both circuits and in-

ependents will back the movement.

**Break Admission Tax**

Rates in Moffat Bill

(Continued from Page 1)

an exhibition, amusement or enter-

tainment for which a payment is ex-

pected. Such tax shall not be in ex-

cess of the following rates: one cent

on each admission charge not in ex-

cess of fifty cents per person, exclu-

sive of all other taxes; two cents

on each admission charge of fifty cents

or in excess of one dollar per

person; five cents on each admission

charge in excess of one dollar, but

not in excess of two dollars per per-

son; ten cents on admission charges

excess of two dollars per person.

**M & R, A & W Monopoly Suit**

Hearing Put Off to May 31

Boston—Trial before a Federal
court special master of the com-

bined Morse & Rothenberg and A

& W Amusement Co. monopoly lit-

gigation has been postponed until May

31. Necessity of the presence of

Edward McMullen, Paramount law-

yer, at a different trial, combined

with the coming holiday precipi-

tated the break which comes one

week after an earlier two weeks' reex-

cess.

**Pathe News Crew Leaves**

**Friday for Quins Short**

Frank Donovan, production man-

ager of Pathe News, Alexander

Woollcott, and a technical crew,

leave New York Friday night for

Canada to start production on a new

short with the Dionne quintuplets

entitled “Five Times Five”. Wooll-

cott will do the narration. “In-

formation Please” will also be started

Friday, and the company is cur-

rently working on a short on skeet

shooting, entitled “Gunplay.”

**Gov’t Seeks Total B & K Film**

Rentals in Chi. Contempt Case

(Continued from Page 1)

contempt case now before Master

in Chancery Eldridge.

Counsel for film companies and

B & K will oppose this request at

tomorrow’s hearing, contending this

information has no relation to the

present case, which relates to Loop

theaters only and covers three

years’ business, prior to Nov. 8,

1938.

**Quebec Board of Censors**

**to be Fully Reorganized**

Quebec—Provincial board of cen-

sors will be completely reorganized

shortly, Premier Maurice Duplessis

announced yesterday, drawing atten-

tion to the new powers conferred by

the recently amended act and the

fact that the Government can, under

that law, decree that the salary of the

Chairman Arthur Laramee and

his colleagues shall be paid by the

film distributors and exhibitors.

Hitherto the provincial govern-

ment assumed the cost of operating

the board.

**GOVT LOOKS ASKANCE**

**AT PROPOSED COMBINE**

those which the Government is

seeking to break up, even though

the combine would include theaters

paying lower rentals.

Indications are that the D of J

does not take the combine reports

seriously.

**Loach Replaces Stewart**

as Monogram Director

(Continued from Page 1)

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Pathe, Inc., replaces William

Rhinelander Stewart, resigned.

Harry M. Iverson was elected

comptroller to fill the vacancy left

by the resignation of Ben Agren.

**Reynolds Funeral Held**

Washington Bureau of THE FILM DAILY

Washington — Funeral services were

held yesterday at St. Peters

Church for Daniel R. Reynolds, 45,

manager of Warners Penn Theater

here. Reynolds, who is survived

by a sister, Mrs. May V. Murphy,

died Saturday in Province Hospital

after a brief illness. Interment was

in Cedar Hill Cemetery.

---

**ALLIED CONVENTION VISITORS**

See our displays of

**Simplex E-7 Projectors**

**Simplex Four Star Sound**

AT THE

**HOTEL ASTOR BOOTH G**

NATIONAL THEATRE SUPPLY COMPANY

JAMES FRANK, JR., Manager

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Report Gulf States Selling Hitting Well

D of J Quizzes Schlaifer on UA Selling in Chicago

D of J’s examination of Jack Schlaifer, VA vice-president and western division sales manager, was concluded yesterday by Special Assistant Attorney General Seymour Krieger, in connection with Government’s equity action against the majors.

Questions generally covered cities in mid and far west with respect to negotiations with exhibs, and why certain of the latter were selected over others.

Krieger touched on the Chicago situation and inquired why UA preferred B & K. Schlaifer said that UA has negotiated with Jones, Linnick & Schaefer but their offer to UA was not advantageous to the company and the deal fell through.

Edward C. Rafters, VA counsel, opposed any further question on Chicago because of anti-trust suit brought there, and Krieger shifted inquiries to other cities.

Examination of Andy Smith, former UA general sales manager, is tentatively set for early June, but because he is on his honeymoon there is almost certain to be a postponement until later that month.

(Continued from Page 1)

Aluled anti-trust suit would materialize.

That was the interpretation industry observers here placed upon these words by Thurman Arnold, Assistant Attorney General, and the key man in the Department’s assault upon films:

“Our is the task of clearing away the underbrush of restraint of trade so that full benefit can be obtained from progress. We have had enough of dreaming about the perfect amendments to the anti-trust laws which will come after years of study. We must develop the tools which we have at hand. There may be better instruments to accomplish our purpose, but this (the Sherman act) is the only one we have.” We need public support in its use,”

Arnold was here to address the National Association of Purchasing Agents.

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Arnold was here to address the National Association of Purchasing Agents.
 local merchants who run small ads in the screen. The shows usually run for two hours and include cartoons, short subjects and even features, as well as cartoons and shorts. Most of the films shown are of an old vintage—from one to eight years.

Among other firms which distribute 16 mm. films in the territory are the Ideal Pictures of Chicago, the Martin 16 mm., Pictures Co. of Detroit, the Keystone Picture Co. of Pittsburgh, Tymwan Films of Cincinnati, Dennis Film Bureau of Wabash, Ind., Jam Handy of Detroit, Bell & Howell and Burton Holmes Laboratories of Chicago. Each company has its own number of 16 mm. films which they loan to distributors and organizations for presentation. A Nester publishes a house organ called Roadshower's News which is distributed among the 16 mm. circuits in the area.

Leroy Dennis of Wabash operates 18 circuits in Indiana, supplying six towns each week. His circuit consists of three small circuits of five or six shows each and a small number of 16 mm. films which they loan to distributors and organizations for presentation. A Nester distributes a house organ called Roadshower's News which is distributed among the 16 mm. circuits in the area.

Quarter Century With "U" Joseph Marks Anniverssary

New Haven, Conn.—With William A. Seecly, F. J. A. McCarthy and A. J. Herman representing the home office, local merchants, who run small ads in the screen. The shows usually run for two hours and include cartoons, short subjects and even features, as well as cartoons and shorts. Most of the films shown are of an old vintage—from one to eight years.

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Where formerly local merchants were solicited for support of weekly shows in many spots, the merchants now have their sponsored shows with an average attendance of 1,000 persons. Usually the show goes unseen in the midst of a busy street. The screen suspended from a wire attached to buildings on opposite sides of the street is often the occasion the screen is merely suspended from the rear end of a large truck.

Merchants prefer exhibition in streets rather than in parks or vacant lots because members of the audience are likely to enter the nearby stores and make purchases after the show.

The Dennis Film Bureau during the past year furnished operators, films and equipment to 198 towns, divided into 33 circuits of six towns each. Dennis believes that these merchant-sponsored 16 mm. film shows are an aid to picture industry as his bureau never contracts a theatre that has a theatre and on showing of these films in theaterless towns creates a demand among its residents for a picture theater.

He advances as an argument in support of this thesis, the fact that almost no theaters near the Dennis Film Bureau are closed due to the depression, while closings were numerous in areas that had no free shows. He believes that habit, he contends, and free shows in theaterless towns create a habit which often results in the erection of a picture theater.

Three New Theaters for Madison, Wis.

 Metro's 6th Territorial Confab Opens Here Today

Sixth and concluding territorial conference of M-G-M office managers, bookers and checking supervisors will be held today and tomorrow in the South Garden of the Hotel Astor. Among those attending will be representatives from the company's branches in Albany, Boston, Buffalo, Cleveland, New Haven, Canada, the New York exchange and the home office. Alan F. Cummings, manager of M-G-M's exchange operations department, will preside.

Due to register are:


The radio City Music Hall, and was also titled subsequently, "Sixty Glorious Years," originally planned for release at this time, being deferred. Later when released will probably be given still another title.

Three Waltzes" to Reopen

"Three Waltzes," French film being distributed by Vedeo Films, will re-open at the 55th St. Playhouse on June 3. Picture recently completed a run at the Filmatre.

GOOD MEATY DRAMA WITH PLENTY OF ACTION SHOULD CLICK EASILY.

"The Zero Hour" is a good meaty drama with a fine cast headed by Frieda Inescort and Otto Kruger, who give excellent performances. Sidney Salkow's direction builds the action and keeps it at an even pace throughout. Sol Siegel, associate producer, who has given the picture a great deal of care and consideration. The photography, and especially the process shots, are excellent. Kruger, a Broadway producer and actor, and his protege, Frieda Inescort, fall in love and are on their way to be married when an accident occurs and Kruger is crippled for life. Frieda still wants to marry him but he refuses. She vows never to leave him. At the behest of the doctor he must go to Indiana to be treated for the injury. D.W. Griffith, having heard of the case, decides to make a film of it. Frieda gives in and Kruger comes to her. They are soon to be married when a banknote that was part of the ransom money, although he had nothing to do with the snatch, is discovered by the lawyer for the gang. It was a simple matter of identifying the banknote, and Frieda is finally able to take her man. This is a well-made, well-acted picture with some good scenes. (HOLLYWOOD PREVIEW)

"Tell No Tales" with Melvyn Douglas, Louis Platt. M-G-M—69 Mins. (HOLLYWOOD TECHNIQUE BRIGHTENS KIDNAP PLOT WITH SUSPENSE BUILT UP IN CLEVER STORY.

A bright and polished drama built around a kidnapping, with Melvyn Douglas as the detective who is trying to get the Scoop for his paper. However, he has difficulty with his boss, the publisher, who seems to think that he is officiously interfering with matters that properly come within the jurisdiction of the police. It later develops that the8upright publisher had suspected that his wife has been carrying on a

CREDITS: Associate Producer, Col. C. Siegel; Director, Sidney Salkow; Production Manager, Harry Green; Associate Director, Fred Kott; Screenplay, same; Cameraman, Ernest Miller; Supervising Editor, Harry Hall; Editor, William Morgan; Art Director, John Victor; Mackay; Musical Director, Cy Feur.

DIRECTION, Very Good. PHOTOGRAPHY, Excellent.

WEDDING BELLS

Richmond, Va. — Frank Storino, manager, Lincoln, and Miss Mary Gambardella, of Norfolk, have announced their engagement to be married, with the ceremony set for early Fall.

Helen Berg, secretary to George F. Dombrowski, manager, National Screen Service, will be married May 28 to Ivan Branfman, not connected with the film industry.

Indianapolis — Marjorie Quaite, Twentieth Century-Fox office staff and Von Snyder, are married.


This Larry Darmour production is a nice little picture that will fit on any double feature bill. Lewis Collins' direction is capable and he maintains suspense throughout the picture. Jack Holt turns in a nice performance as the scientist and doctor, and Dickie Moore does good work as his son. Holt develops a high explosive while working on a formula for anti-toxin. The manufacturers for whom he works demands the formula, but Holt will not give it to them. He refuses on the grounds that he is trying to save lives, not wipe them out. Holt is discharged when an accident occurs in his laboratory, through the disobedience of one of his assistants. The manufacturer gets the explosive formula with the aid of Holt's wife, Gertrude Michael. She leaves him when he refuses to sell and takes their son, Douglas Moore, with her. In the meantime Holt has perfected his anti-toxin formula. Dickie and his mother are in an accident in which the mother is killed and Dickie is badly burned. With the aid of Holt's discovery the boy is saved. The cast consists of William A. Davidson, Regis Toomey, Holmes Herbert, Harry Holt, Charlotte de la Ronde and Edward Best. A well-made picture with an excellent cast.

CREDITS: Producer, Larry Darmour; Associate Producer, Randolph Flood; Director, Lewis D. Collins; Author, Gordon Rigby; Screenplay, same; Cameraman, James S. Turner, Jr.; Editor, Dwight Caldwell; Sound, Tom Lambert; Music by Lee Zeller.

DIRECTION, Capable. PHOTOGRAPHY, Good.

Extension of Schine-RKO Syracuse Pool Disclosed.

(Continued from Page 1)

Strand and Eckel. Latter is the only Schine house in the pool; RKO has sub-leases on the Paramount from Publix and on the Strand from Warners. Schine-operated Palace, however, is not in the pool, it is understood.

The Syracuse Strand closes Friday for the summer, but reports current in Syracuse to the effect that RKO was dropping the house at the expiration of the sub-lease are denied here.

Nine other RKO circuit houses are now set for summer closings, it was said today by John J. O'Connor, vice-presxy and general manager of the circuit.

To Discuss War In China

Mr. Ch'ao-Ting Chi and Oliver Caldwell will tell the Monday morning meeting of the TAC Film Division tomorrow night at the Hotel Edison.

"The Gorilla" with the Ritz Brothers, Anita Louise, Patsy Kelly, Lionel Atwill. 20th-Fox—67 Mins. (HOLLYWOOD PREVIEW) FUNFEST WITH MYSTERY

Laughs come thick and fast in the Ritz Brothers newest funny. This time the brothers play detective—real dumb and frightened. To add to the fun there is a giant, terrifying gorilla that belongs to a circus, who has been brought to the home of Lionel Atwill on the night Atwill has been warned he will be murdered. Allan Dwan has done a splendid job of directing, while Harry Joe Brown deserves praise as associate producer. Patsy Kelly contributes a goodly share of laughs, while Joseph Calleia, Bela Lugosi, Anita Louise, Wally Vernon and Paul Kelly are among the principals who do good work. Rian James and Sid Silvers supplied a clever screenplay based on Ralph Spence's play. Paul Harvey accuses Atwill of trying to defraud him of money, and Calleia, a mysterious stranger, leads the Ritz Brothers to Atwill, who is bound and gagged. As the triumphant Calleia is leaving the Atwill home, one of the Ritz boys discovers evidence that points to Calleia being the ape-man. Calleia admits his guilt, and Atwill explains he had set a trap for him.

CAST: Jimmy Ritz, Harry Ritz, Al Ritz, Anita Louise, Patsy Kelly, Lionel Atwill, Bela Lugosi, Joseph Calleia, Edward Norris, Wally Vernon, Paul Harvey, Art Miles.

CREDITS: Executive Producer, Darryl Z. Schull; Assistant Producer, Bill Browm; Director, Allan Dwan; Based on play by Ralph Spence; Screenplay, Rian James and Sid Silvers; Cameraman, Edward Cronjager; Editor, Allen McNeil; Art Directors, Richard Day and Lewis Creber; Sound, George Leverett, Roger Heman; Musical Direction, David But-

DIRECTION, Splendid. PHOTOGRAPHY, Okay.

Pa. Appeals Chain Store Tax Case to State Supreme Court

Harrisburg, Pa. — The State appealed to the Supreme Court yesterday to uphold the chain store and theater tax, declared unconstitutional by a Dauphin County court.

There is a clear distinction between one store operating a number of store locations, and many owners operating one store each, and legislation may make this distinction the subject of taxation.” John Scott, counsel for the state, contends.

STORKS!

West Coast Bureau of THE FILM DAILY

Burbank — A daughter, weighing seven pounds, three ounces, has been born to Mr. and Mrs. Johnnie Davis at Santa Monica Hospital. Father is a Warners featured player, husband (Martha Garver) is the daughter of a Brazil, Ind., exhibitor.

Cincinnati — Universal's Dave Schrieber is the father of a baby girl.
What they are—
Who has them—
and
How good are they?

SHORTS

All
About them
in the
FILM DAILY
SHORT SUBJECT QUARTERLY
MAY 31st

What they are—
Who has them—
and
How good are they?

SHORTS

All
About them
in the
FILM DAILY
SHORT SUBJECT QUARTERLY
MAY 31st
National Allied, N. Y. Unit at Variance on Policies

"Blowoff" May Come Over Sharp Differences in Industry Policies

(Continued from Page 1)

practices and on the subject of regulation, all of which was outlined by Max A. Cohen, president. A national officer yesterday admitted that the controversy as to whether New York Allied's published policies on these issues, although there was the highest respect for the organization and its achievements during the year of its existence, New York Allied official policy may be disclosed today by the resolutions committee.

Differences on Neely Bill

New York group has gone on record as favoring a trial for the trade practice proposals and as being against the Neely Bill—a stand which is contrary to national policies.

In fact, the local unit's policy is best summed up by Harry Koech, council of the New York organization, who, in a statement in the convention journal, wrote:

"I am firmly of the opinion that more can be accomplished by negotiation and arbitration than by litigation or legislation. I am also fully convinced that results of the past year have just been a step forward and that through similar efforts and fair dealing most of the controversies between the majors and the independent theaters eventually can be eliminated. I am firmly convinced, too, that it is much wiser and better that the abuses in this industry are curtailed by the industry itself, rather than by using the instrumentality of Government, whether legislative or executive."

I am quite sure that the members of New York Allied will concur in this. The results accomplished for our individual members in individual instances, throughout the past year, are the best evidence that this can be done."

Col. H. A. Cole, national president, is expected to furnish the highlight of today's afternoon session. Col. Cole, who usually speaks his mind, may do a little censuring of the local body's tactics, if and when the convention adjourns from within, rather than by using the instrumentality of Government, whether legislative or executive. However, Col. Cole yesterday declined to comment on the subject of his talk today.

Exhibits Attract Delegates

Although the convention failed to bring out the anticipated crowd yesterday, a bigger delegation is expected to be on hand today. Up to 1100 delegates were reported registered, but the exhibit rooms were well filled with visiting exhibitors only. Not only are registered members old and new, but exhibitors and distributor representatives.

Revision of the present system of dues occupied most of the time at the opening session. A plan to fix an assessment of $50 on theaters of not more than 750 seats, $75 on capacities ranging from 750 to 1,000 and $100 on theaters of more than 1,000 seats was tabled for further discussion today. While most of the delegates present appeared to favor the dues, there was some opposition from operators of small theaters upstate and it was voted to give the matter another consideration before presenting a plan for general vote.

Elect 3 Convention Delegates

Three delegates were elected to the Minneapolis convention. They were Mitchell Conery, of Ravena; Harry Koech, counsel, and Max Cohen of Brooklyn. In addition, Max Cohen, president of the New York unit, will attend.

Abram F. Myers, Allied's general counsel, is tentatively scheduled to speak today, but indications are that pressing business in Washington will prevent his attendance.

A report by the grievance committee, the resolutions committee and a discussion of the insurance company and the topics for discussion today. It was pointed out that liability insurance rates are due for an increase of 40 per cent, jumping from 11 cents to 18 cents per one hundred seats.

Registered at Convention

Yesterday's registered delegates, not counting the equipment people, included the following:

Lauritz Gorman, Baltimore; R. P. Merriman, Syracuse; James Conant, Syracuse; Steve Tallin, Rochester; Mitchell Conery, Ravena; Charles Wilson, Troy; John W. Gardner, Schenectady; Marvin

RCA's television demonstration drew crowds of curious conventions yesterday. For many of the boys it was the first glimpse of television in action.

It was a little lady who halted passage of the amendment raising the dues of the organization. When President Max Cohen called for a vote, Mrs. Minna Rosen got to her feet and plainly told the convention that she couldn't afford to pay the price, inasmuch as she owns a small 15-cent house in Buffalo.

Tom Keene, the cowboy star, paid his respects to the convention. Noting the small gathering, he said, "I wouldn't like to be playing this house on percentage."

RKO has a simple but very effective exhibit. An artistically designed shadow box, more than eight feet high, informs passers-by that all exhibits are welcome at RKO's lounge room at 1270 Sixth Ave.

Tickets for the Broadway picture houses were available to delegates last night—and gratis.

Frank Lydon, regional vice-president, was unable to make the trip from Boston because of illness. Arthur Howard, business manager of the New England unit, however, was present.

C. H. Olive came down from Washington and Lauritz Gorman, Morris and Ben Flaks came in from Baltimore.

Trips to the World's Fair are on the program of tonight's activities.

Col. Cole, Allied president, sat on the dais yesterday, but only as an observer. He has his "say" today.

At Los Angeles, New Falls; Herbert Hoch, Buffalo; Alec Papayanouk, Canton; Mrs. Minna Rosen, Buffalo; Albert Cohen, New York; Mrs. Louis Tunkel, Baltimore; Irving Gerber, New York City; Herman Lawrence, Cattaraugus; Andrew Gindler, Silver Creek; Irving Sherman, Pearl River; Abe Levy, New York City; Joseph Rosensweig, New York City; Max Cohen, Brooklyn; A. Haas, New York City; A. C. Knowles, New York City; I. Goedel, Brooklyn; C. H. Olivo, Washington, D. C.; Ray Pashley, Baltimore; Charles Mazar, Manchester, N. J.; Michael Baumansour, Malone; Abraham Stone, Albany; Arthur S. Tempkins, Schenectady; Irving Landau, New York City; Tom De Lorenzo, New Palis; Martin Wagner, New York City; Morris Flaks, Baltimore; Ben Flaks, Baltimore, and Ben Bordenaro, Olean.

Hartford Projectionists

Make Picketing Threat

Hartford, Conn.—Motion Picture Operators' union officials have notified E. M. Loew's Theater that they will resume picketing of the house in view of the Supreme Court decision in favor of the Loew's units not being met in a bargaining conference. The Superior Court for Hartford County rendered E. M. Loew's an anti-picketing injunction last year, which has now been upheld by the Supreme Court. The higher court has just reversed the decision, and removed the injunction.

Cleveland Stage Shows Out

Cleveland—The RKO Palace will again drop stage shows for the summer, starting June 2.
Cohen Scouts Reports of Friction With Nat’l Allied
HEAR BERMAN TO LEAVE RKO RADIO POST OCT. 1
Anti-Block Booking Bill Sweeps Thru Illinois House

Three Para. Releases Set for Rivoli
Three Paramount releases will go into the Rivoli, Broadway, as a result of a deal reported closed with the management yesterday by Joseph J. Unger, Para.’s Eastern sales head.

Pin are “Jamaica Inn” and “London After Dark.” Mayflower productions starring Charles Laughton, and the Elizabeth Bergner starrer, “Stolen Life.” Latter, it is understood, will follow Universal’s “The Mikado” into the Rivoli, with “Jamaica Inn” set next.

WEISMAN DISCHARGE TO SPECIAL MASTER
Federal Judge John C. Knox yesterday referred to a Special Master the question of the discharge of Milton C. Weisman as receiver of Fox Theaters Corp., and also whether his final accounting should be approved. Special Master has not been named as yet.

WRIT OF MANDAMUS TO BE ISSUED
Pandro S. Berman, vice-president in charge of production for the company, will endeavor to obtain a release from his contract with RKO Oct. 1 in order that he may take a long wanted vacation. Berman is reported to be planning a world tour, returning to Hollywood.

ARBITER CLAUSES TO N. Y. ALLIED TODAY
The distributors’ proposals for a system of arbitration are expected to be presented to the New York Allied convention during the open forum session this afternoon. This (Continued on Page 7)

Mull Mexican Situation
at Hays Office Meeting
Meeting of major company foreign heads was held yesterday at the Hays office for a round table discussion (Continued on Page 7)

“One Third of a Nation” To GN for Brit. Release
London (By Cable) — Grand National Pictures, Ltd., has acquired “One Third of a Nation” for distri-

Universal and Republic Execs. at Toronto Meet
Nate J. Blumberg, Universal president; William A. Scully, general sales manager; and F. J. A. McCarthy, eastern division sales manager, left New York last night for Toronto to attend the two-day convention, at the Royal York Hotel.

Goetz Lab. Deal Report
Spiked by Para. Sources
Sources close to Paramount yesterday spiked report, current both locally and on the Coast, that Para., in company with UA, M-G-M and 20th-Fox, will clear their British film printing through a

By AL STEEN
FILM DAILY Staff Writer

In contrast to Tuesday’s session of New York Allied’s convention at the Hotel Astor, yesterday’s meeting was a lively one and drew a larger attendance. Highlights were:

1. Emphasis by President Max Cohen of any friction between his own organi-

(Continued on Page 5)
Business Men to Fight Plan to "Blackout" Broadway

Business and real estate men in the Broadway theatrical district were yesterday preparing to fight a City Planning Commission's plan to darken Broadway through a regulation that no billboards or signs, with the exception of non-flashing signs not more than 15 feet high or covering more than 35 per cent of the frontage of the building, be permitted, more than one sign to a building.

If the regulation is put into effect in the Times Square and adjoining areas, merchants and renters see almost a complete "blackout" for the district. Their only recourse would then be an appeal to the Board of Standards and Appeals. At present there is no limit to the size or brilliance of signs.

Diamond on Coast Trip to Scan Indie Product

Lou Diamond, head of Paramount's short subject department, will leave shortly for Hollywood on his semi-annual visit for the purpose of viewing availability of shorts, a subject product which may be incorporated into Paramount's 1939-40 short subject line-up.

Diamond is scheduled to arrive in Hollywood the first week in June and will make his headquarters at the Paramount Studio.

NLRB Tackles Settlement of Strike Against Warners

Meeting will be held at the NLRB office today by the Board with Warners and the American Federation of Bookkeepers, Stenographers and Accountants in an effort to work out a settlement of the strike the union called against the film company. Charges of unfair labor practices were filed with the Board last week by the union.

Small to Spend 5 Millions on Seven UA Productions

West Coast Bureau of THE FILM DAILY Hollywood—Edward Small has set a $5,000,000 production budget for the seven pix he will make for the 1939-40 UA lineup, it was learned yesterday upon Small's return from a Honolulu holiday.

N. Y. to See "Beau Geste" First at the Paramount

"Beau Geste" will have a pre-release run at the New York Paramount, it was learned yesterday.

"U.P." Gets 4 at N. Y. Para.

As a result of the excellent two weeks' business at the New York Paramount, the theatre is billing Mille's "Union Pacific" will play a four-week engagement at this theatre, Paramount officials announced yesterday. It is followed by "Invitation to Happiness."

Business Has Jurisdiction, Ruling in "Lincoln" Suit

Supreme Court Justice Lloyd Church yesterday granted application of Robert E. Shervood and Playwrights' Producing Co., and dismissed two defenses made by 20th-Fox as defendant in the action charging that 20th-Fox in its production of "Young Mr. Lincoln" is capitalizing upon plaintiffs' property, " Abe Lincoln In Illinois."

Justice Church stated that the suit is for unfair competition, and, therefore, the Court has jurisdiction; and also that defense of assignment of the film rights to RKO and Max Gordon Plays and Pictures Corp. is not a defense as set forth.

20th-Fox has right to amend its answer.

Re-elects Butler; Faces 3 Years More of Censorship

Omaha—Re-election of Dan Butler as Mayor of Omaha, over five other candidates was arranged by observers as procuring three more years of censored entertainment for Omahans. Books, movies and plays will live up to his guardianship of the city's morals or face a ban.

"I'm going to see to it we have decent plays, shows and literature in Omaha," the bachelor Irish Mayor stated. "We are not going to have these seavengers come in here."

Newsreels Won't Testify at Film Ban Peal Rehearing

Washington Bureau of THE FILM DAILY

Washington—Representatives of newsmen companies, who would benefit under terms of the bill, are not expected to testify at the Senate hearing of the bill. The manager of the Broad- way Burro's office to reveal to the anti- interstate shipment of film.

Bowen of Senator Lundeen, chairman of the Interstate Commerce Sub-Committee which will hold the hearings, told THE FILM DAILY last night that newsmen companies have not asked to be heard.

Conn. House Passes Bingo Bill

Hartford, Conn.—Bitter debate in the House ended in the passing of the Bingo bill late in the afternoon, in a once more revised form, which will limit its operation to "non-commercial" organizations, such as religious, fraternal, and social groups of two years' standing. The act now returns to the Senate, where it previously passed without the limiting clause.

Solons See "Juarez"

Washington Bureau of THE FILM DAILY

Representatives and other distinguished guests attended the Congressional preview showing last night of "Juarez," at the Department of Interior, Department of Interior.
"GOODBYE MR. CHIPS"
Not only launching a great current attraction, but solidifying the box-office stature of Robert Donat and introducing the screen's sensational new star Greer Garson.

"TARZAN Finds A Son!"
The first Tarzan film in 3 years, with all new and all different thrills to pack in the devoted fans. With Johnny Weissmuller, Maureen O'Sullivan and a Tarzan, Jr. child wonder!

"MAISIE" The Explosive Blonde
Watch for M-G-M's trade announcement "How To Exploit 'Maisie'". This surprise picture is a showman's opportunity. Ann Sothern, Robert Young in a sock entertainment!

"On BORROWED TIME"
Broadway's beloved stage hit comes to the screen with power, thrill and human appeal. The top role in Lionel Barrymore's career! And a new juvenile star is born, Bobs Watson!

"Andy HARDY Gets Spring Fever"
Completed and ready for preview and already the studio is humming with advance raves. Lewis Stone, Mickey Rooney and all the folks in a Hardy picture sensationally different from any one thus far!

"TAYLOR-LAMARR"
The most eagerly awaited picture of years is this story of a half-caste girl of the tropics. Those who have seen it thus far are predicting the biggest box-office property of the heat waves! Tell your folks "Hedy was worth waiting for!"

Now — and in the months to come — and in glorious 1939-40! THE FRIENDLY COMPANY
STOA'S PARLEY WILL ATTRACT 300 EXHIBITS.

(Continued from Page 1)

夜 at the George Washington Hotel is in the nature of a get-acquainted gathering and will be attended by Mayor George C. Blume, Fuller Warren, of the State Legislature, Ed Kuykendall, president of the MPTO, Dave Palfreyman, of the Hays organization, among others.

Most of the business will be transacted during the morning sessions on Monday and Tuesday. A golf tournament has been planned both afternoons at the Ponte Vedra course, ocean side, golf links where the International Ryder Cup matches will be played this Fall. On Monday night a seafood dinner has been arranged at Jacksonville Beach and is given by the J. S. Sparks Enterprises, operators of more than 100 Florida houses. Guy Kenngott, of the Sparks organization will host.

The principal talks are scheduled for the opening day. Ed Kuykendall will speak on "Legislation or Self-Regulation;" and talks will be made by Dave Palfreyman and R. B. Wilby, head of the Wilby-Kinney Corp., operators of theaters in Alabama, Tennessee, North and South Carolina. Wilby will discuss the trailer situation in general and the value of trailers to the exhibitor.

An analysis of the test practice plan will be discussed by Mitchell Wolfson, of Wometco Theaters, Miami; and Col. T. E. Orr, of Albertville, operator of a chain of theaters in Alabama.

Roy E. Martin, of Columbus, Ga., will discuss film buying and selling, and Nat Williams, of Thomasville, Ga., will select his own subject.

"The Attitude of Distributors Towards the Code" will be the subject of a talk by O. C. Lom, of Rome, Ga.

The final business of the session on Tuesday will be the election of officers and directors. The next meeting place is left to the directors and is usually decided at a later meeting of the board.

All business sessions of the STOA will be presided over by M. C. Moore, president of the association, who is serving his third term as president. Moore is manager of the Riverside Theater in Jacksonville here.

The STOA has 647 members in the group which includes representatives of every circuit in the four states covered.

"ONE BIG UNION" PLAN RECOMMENDED TO 4A

(Continued from Page 1)

studying the situation recommending these changes.

It was pointed out that over-blind could be greatly reduced, operating expenses cut and greater efficiency could be effected by this move. It would mean all members would be on a one-card basis, only one set of books would be kept by members and they could transfer from one jurisdictional sphere to another without any red tape, delays or extra dues payments.

Member unions would retain jurisdiction within their own field, but a central operating board would be set up to handle disbursements and business matters of an internal nature. Action on the matter is expected in the near future by the international board, with the membership of the affiliated unions expected to vote favorably on the measure when it is put up for ratification.

The question of television jurisdiction did not come up at the meeting, with no indication forthcoming as to when it would be settled.

Burstyn Off for Paris

Joseph Burstyn, associated with Arthur L. Mayer in the distribution of foreign films, leaves today for France. He is to see the Chaillot and the Palais Royal and be gone about five weeks and will spend most of his time in Paris conferring with French producers on American distribution of recent releases. Mayer and Burstyn are currently releasing "Ballerina" and recently acquired the American rights to "Katia" which will be nationally released in the Fall.

Theater Owner a Pa. Censor

Harrisburg, Pa.—The appointment of John Charles Fisher, Sharon veterans' trouper, manager and theater owner as a member of the Pennsylvania Board of review picture censors was confirmed yesterday by the Senate.

Joe E. Brown at Capital

Washington Bureau of THE FILM DAILY

Washington—Joe E. Brown flew in from Hollywood yesterday to testify before the House Immigration and Naturalization Committee in support of a bill to admit 20,000 German refugee children.

Revolving Globe Sign

Detroit—Now Atlas Theater is being equipped with a distinctive V-shaped porcelain marquee Edmunds has been awarded the contract by the General Electric Sign Co. The sign is of beveled raised blocks of porcelain enamel and has a three-foot revolving globe or Atlas which makes two revolutions to the minute. The globe is illuminated showing the difference between day and night on the globe. The ceiling of the marquee is made of porcelain enamel with a unique trim - a minute detail for bulbs. Robert Weir is the architect.
THESE RAVE REVIEWS PROVE

BLIND ALLEY is A SHOWMAN'S PICTURE!

N. Y. WORLD-TELEGRAM
"Engrossing melodrama. Keeps audience excited and fascinated. Film is blessed with fine cast."

N. Y. HERALD-TRIBUNE
"James Warwick's intriguing play about a killer and a psychiatrist has been made into an exciting and refreshing screen melodrama. The idea has originality and power."

N.Y. JOURNAL and AMERICAN
"A thoroughly entertaining melodrama. Creates and sustains unusual suspense."

N. Y. MIRROR
"Unusually exciting melodrama. Holds your interest firmly. The cast is an interesting one, happy in its choice of principals. Direction is brisk."

N. Y. DAILY NEWS
"'Blind Alley' is something new! Thoroughly absorbing, darn good melodrama. Every performance has the right amount of force."

N. Y. POST
"Excellent! The most interesting crime picture in months."

N. Y. SUN
"An extraordinary, completely credible melodrama with psychology used for the first time as a weapon stronger than a gun... A tense piece of drama."

N. Y. TIMES
"You wouldn't believe how exciting terms like 'subconscious' can be! Distinguished by more than the usual amount of characterizations."
Cohen Says N. Y. Allied “Has Been Independent in Thought”  

(Continued from Page 1)  

zation and the national body;  
(2) A defense of Allied policies and the national president, Col. H. A. Cole;  
(3) An attack on Allied policies by Harry Brandt, ITOA president;  
(4) Passage of resolutions supporting the national organization and advocating the appointment of a new negotiating committee to continue trade practice conferences with the majors;  
(5) Appointment of a committee of operators, a liability insurance economy plan;  
(6) Adoption of a new system of dues.

Harry Brandt furnished the convention with a controversial address, during which Col. Cole left the room. Brandt lashed out at the Neeley Bill and at Allied’s policy of soliciting legislation. “Allied’s program,” he said, “tends to lead to nothing but Government regulation of insurance.” He said that if he had not been asked not to do so, but hinted that the ITOA had a house organ through which he could speak freely.

Despite persistent reports of internal dissension over policy, Cohen vehemently stated that New York Allied was remaining loyal to national Allied, even though it did not see things “eye to eye” with some of the organization’s views.

“While New York Allied has been independent in thought,” he said, “every suggestion was along the same lines of organized endeavor.” In regard to trade practices, we believe the door has been opened for a better understanding and we intend to keep that door open.”

The fact that the New York unit believes the trade practice proposals “are a step in the right direction,” does not clash with national Allied’s views, he added.

Cole Traces History

Col. Cole traced the history of the present litigations and legislative actions against the industry, going back 20 years when, he said, “there were no ethics” in this business. The fight to gain recognition of the independent exhibitors’ rights has been a long one, he added. Col. Cole said that adding that those operators have asserted that they can use their power under the lights granted by the Constitution and that all rights can be taken away from any person who abuses those rights and stated that in his opinion the circuit operators were guilty of abuse.

Col. Cole said he didn’t believe strict government regulation was a healthy thing for the industry, but there were too many groups which have enjoyed special privileges too long, and these abuses must stop, he added.

“If I can be shown where our policies are wrong,” he said, “I will be the first to admit it.”

Brandt Hits Neely

Harry Brandt, called to the platform by Cohen, expressed the opinion that passage of the Neeley Bill would put the independent out of business, taking a further jab at Senator Neely for his advocating a national daylight saving law.

Brandt said the ITOA had remained unaffiliated because there was no national organization with which it would like to join but he said he would welcome a national body that would be led by and for exhibitors. He charged that New York Allied to send representatives to the Minneapolis convention who would “stand up and fight” for the solution of industry problems from within. Brandt pledged his organization’s support to New York Allied in helping solve state disputes and adverse legislation.

Harry Kosch, counsel for the New York unit, read two resolutions which were unanimously adopted. One pledged support to the national body’s aims and the other recommended the appointment of a new negotiating committee composed of one representative from each state unit, adding that the new group would not affect any rights of the independent exhibitors or the presentation of the Government’s action against the majors.

In commenting on the latter resolution, Col. Cole said that the national board may not approve the proposal but it would be open for consideration at the Minneapolis convention.

A committee was appointed to work out a plan for the reduction of liability insurance, following an address by Arthur Peltzerman, of the Mitchell May insurance agency, who advised the convention that rates had gone up and added the only hope for economy. The insurance committee is slated to make a report at today’s meeting.

Chi. F B C to Reorganize

Chicago—The Film Bookers Club will be reorganized.

N. Y. Allied Adopts New Dues Plan

A new schedule of dues was approved and adopted by the New York Allied convention yesterday, following recommendations by Thomas De Lorenzo, chairman of the finance committee. Under its new plan, which will be in effect from July 1, anyone paying the $5.00 per year for the first 500 seats will pay $355 annually; from 500 to 500 seats, $50; from 500 to 1,000 seats, $75, and more than 1,000 seats, $100. It was voted to permit the members to pay their dues on a monthly basis.

Three of Four Towne Pix for RKO Based on Classics

(Continued from Page 1)

“The Deerslayer,” published in 1848, and “Tom Brown’s School Days,” published in 1857. It is estimated that each of the three has sold at least 14,000,000 copies.

Four pix that were made by Towne for the 1939-40 RKO lineup will be “African Intrigue,” by Alfred Batson, described as the account of a young African nation still recorded in Berlin, Paris and London Foreign Offices as “unfinished business.” All majors were interested in the story, it is understood, but Batson elected to make a deal with Towne.

Latter in collaboration with Graham Baker will direct two features for the two of the four, one of which will be “African Intrigue.”

Filming of “The Deerslayer” as soon as possible is planned and a Brownie “stocking Tales” cycle for 1939-40, Monogram having previously announced both “The Pioneers” and “The Prairie.” “The Deerslayer” was made by Stolznic in 1923.

Kan.-Mo. TOA to Discuss Buying Pool Formation

(Continued from Page 1)

A proposal of a buying pool made up of association members. George Hartmann, secretary and treasurer of the independent organization stated that while complete details of the plan would have to be worked out in the meeting, the plan now under consideration by certain exhibitors would be calculated to give the organization prestige and greater buying power in regard to supplies, if not in the matter of film product, in which connection any possible advantages would be more likely to accrue to the small town exhibitor than those in Kansas City and the larger centers of Missouri and Kansas.

With the scheduled appearance before the meeting of Ed Kuykendall, of the TOA proxy, the proposed fair trade practice code will take an important place on the two-day program, as will a discussion of anti-competitive practices now pending in the Missouri legislature. In addition the annual election of officers will be held on the final day of the convention. While little in the way of entertainment has been planned, two noon luncheons will be held, open to the trade in general.

ALLIED BUYING POOL TEST FOR OKLAHOMA?

(Continued from Page 1)

of Oklahoma, new association, organized last month.

It is understood that the pool plan has had considerable legal checking and found to be satisfactory. Unofficially it has also been learned that the buying pool plan may have the backing of the national Allied organization.

From reliable sources FILM DAIL has learned that Allied may hold up the deal buying plan in order to thoroughly set up the Oklahoma organization, put the pool plan into operation, and give it a thorough test in the state. If such tests result satisfactorily, the same plan may then be adopted nationally.

As reported previously in FILM DAIL the plans call for negotiation of contracts by the pool management, but after distributor salesmen have actually sold the independent exhibitor on purchase of the company product. After this negotiation the independent exhibitor signs an own contract with the pool for buying service by the pool only if desired by the exhibitor.

Oklahoma Allied Advancement Membership Goal to 200

Oklahoma City—Active membership drive of Allied Theater Owners of Oklahoma has been started with a letter mailed to all independents in this state of area by Orville Vo Guiker, chairman of the organization committee.

At the same time George Summe, corresponding secretary of the national group, has announced signing of 100 independent theater owners of the state to the organization rolls following a two week’s unofficial drive by the organization committee.

Goal of 100 previously set by the organizers has been advanced to 200 following the reception to initial organization efforts.

Von Guiker also has announced that an open board of directors meeting will be held here June 6 to which all independent theater men are invited. Following this an organizational meeting of all members will be held in Oklahoma City before the first convention set for early Fall of this year.

Mutual Adding Four

Detroit—Mutual Theaters, bookir combine, is adding four new mer men, Al Raymond, Orville Moon, general manager, announce Edward Dalton, operator of the RKO in Royal Oak; Ray Johnson, Roy At Charles, and the Merrill at Merri and Henton and Worthing, operate the Boyne at Boyne City, are to new men.
ARBITRATION CLAUSES TO N. Y. ALLIED TODAY

(Continued from Page 1)

was learned following another, and reportedly final, meeting of sales managers and counsel.

Finishing touches to the plan were completed late yesterday afternoon and it is understood that the proposed system will be offered for consideration and comment.

"One Third of a Nation" To GN for Brit. Release

(Continued from Page 1)

tion in Great Britain. Deal was closed by Maurice Wilson, co-managing director of GN, during his recent trip to the U. S. Filetson & Meyers, New York attorneys, handled the negotiations.

Wilson closed the deal with Triple A Productions, Inc., producers of the picture which stars Sylvia Sidney and Leif Erickson, and with Paramount, which is distributing the picture in the U. S.

Universal and Republic Execs. at Toronto Meet

(Continued from Page 1)

of Empire Films, Ltd. Initial session of concave is scheduled for this morning.

James R. Grainger, president of Republic, also left the home office last night for the concave, which he will address during series of sessions.

Both Universal and Republic release their product in Canada through Empire Films.

Grainger, Scully and McCarthy will return to New York on the week-end, but Blumberg will continue from Toronto to the Coast where he is slated to remain during the summer months.

Mull Mexican Situation at Hays Office Meeting

(Continued from Page 1)

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403 of 467 Features Shown in Australia in '38 U. S. Pix

Sydney (By Cable) — Full report for 1938 of the Australian Chief Censor shows that 403 of the 467 feature pictures shown in Australia during 1938 were produced in the U. S. Britain furnished 61 features, while three came from other countries.

In 1937 the imports from the U. S. were 297, with 103 from Britain. American imports increased by six, those from Britain decreased by 42.

Of the films censored 403 were passed uncut, 48 were cut, and 16 rejected in the first instance. Of those rejected, three were rejected on appeal, and seven were not re-submitted.

The Chief Censor, Cresswell O'Reilly, states that eliminations in British pictures were "still nearly double" those in U. S. productions.

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FCC Com. Recommends Action Delay on Tel Standard

Not Far Enough Advanced to Set Rigid Restrictions, Report Holds

Washington Bureaus of THE FILM DAILY

Washington—Following an intensive study of television development, the Television Committee of the FCC yesterday released the first part of its conclusions in a report on standards for the television industry. Report, signed by Chairman T. A. Craven and Commissioners Norman S. Case and Thad H. Brown, recommended that the FCC not approve any standards proposed by the RMA.

Basis for this recommendation, the committee said, was that the television is not far enough advanced at present to set rigid standards.

We wish to facilitate, and not delay the speedy emergence of television as a mass production industry, the report states. "Fundamentally, we believe the Government should do except to keep order and insure protection of the public's interest as set forth in general terms in this report. The technical ingenuity of American inventive genius must solve the problem and indicate the road television development ultimately will follow. The Committee is firmly of the opinion that it would be hazardous to the best interests of the industry and the public to attempt by administrative fiat to freeze the art at this stage of its development.

This first report on standards is to be followed by another later on applications before the FCC for television construction licenses, it is believed.

The television receiver must be within the pocketbook capabilities of an average American citizen or the industry cannot survive as a sound business enterprise, the Committee warns.

The limited number of channels presents a problem to television development, the Committee believes. "It is necessary that television service on a nation-wide scale be operated ultimately on a competitive basis. At present, by reason of the high cost of operation, it appears that cities of less than 100,000 population may have difficulty in supporting one television station, and that in cities of population less than 1,000,000 it may be difficult to operate two television stations on a profitable basis if reliance for financial support must be placed upon advertising as the only source of income.

Beside its recommendation that the RMA standards be neither approved or disapproved the Committee recommends that future applicants for television licenses proposing external transmitter performance differing from those previously in general use prove that such performance not only equals the 'established quality but also will be in the public interest; the Commission adopt a policy of cooperation with the industry as a whole and keep abreast of current developments; and that the Commission announce it will not hold formal public hearings on proposed standards at this time as development has not progressed far enough.

CBS Television Inaugural Deferred Until Midsummer

CBS's inauguration of television service has been postponed from June until "midsummer," because of a delay in installing transmitting equipment, Gilbert Seldes, director of television, announced yesterday. "We will endeavor to get our central station on present on live talent productions, rather than rely on films.

Availability of films for television broadcast is to be discussed, it was revealed, while several legitimate producers have indicated that they were willing to cooperate with CBS in this regard so long as it was proved to be to the benefit of the company's prints, as well as US's.

CBS talent budget was not revealed, but Seldes declared that English experience had shown that approximately one-third of the expenses are for talent, while the remaining two-thirds are for transmission costs.

CBS's special television studio in the Grand Central building is nearing completion, although certain acoustic conditions must be corrected. No plans have been made for regular studio audiences there, but it is indicated that large crowds of basketball games and tennis matches from the huge studio are under consideration.

Want III. Ban on Endurance Contests

Springfield, Ill.—Illinois' four women representatives have banded together to outlaw walkathons, endurance dancing or roller skating events; driven to last more than 12 hours. Mrs. Maul N. Peeterson (Republican) of Aurora has had a bill drafted against such affairs at a public health measure. Representatives Lottie Holual D'onnell (Republican); Lizzie Barnes (Democrat); Carmel and Bernice T. Van der Vlies (Republican) are giving it their support.

Hearing of Suit of Deposed Proxy of Local 37 Continues

West Coast Bureau of THE FILM DAILY

Hollywood—Attorney A. Brigham Rose, counsel for Joe Carpenter, defendant-preserved president of Local 37, who is seeking return of Local 37's books, records and financial assets which were seized by IATSE on March 13, indicated to Superior Judge Willis that he is trying to prove by the testimony of Thad E. Newman, former international representative of IATSE, that when International President George E. Brown declared a state of emergency to exist in the Hollywood local he did so on recommendation of Newman rather than on the recommendation of the international union executive committee.

Attorney George M. Breisen, representing IATSE, objected to this line of questioning, stating that regardless of whether Newman had taken credit for the declaration, the international there was no sign that the executive committee had not also taken action on the matter.

Goetz Lab. Deal Report Spiked by Para. Sources

(Continued from Page 1) Laboratory deal now being negotiated by Ben Goetz, who represents M-G-M in England. Paramount has its Olympic lab, which was developed with the company's prints, as well as UA's, and some also for M-G-M.

Goetz, it is understood, arrived again on the Coast yesterday from New York by plane. He had returned to New York with the intention of sailing for England aboard the Queen Mary.

Transatlantic Acquires Two

Transatlantic Films has acquired the American rights to two French films titled "La Maison Du Maltais" and "Esclave Blanche" starring Viviane Romance, noted French actress. Both films will be released in the fall.

Bert Healy Expires

Chicago—Bert Healy, joint owner with Herman Sapirstein of the Washington Theater, is dead following a heart attack. He is survived by his widow. Burial will be in Arlington Cemetery.

ike Van Ronkel Dies

Chicago—Ike Van Ronkel, 70, pioneer film distributor and former movie deal in Co. executive, is dead here. His widow, two daughters and a son survive. Burial took place yesterday in Mt. Isaiah Cemetery.

HEAR BERMAN TO QUIP RKO POST OCTOBER

West Coast Bureau of THE FILM DAILY

Hollywood—Gontard-Illfeld Productions will make a series of one-reelers dealing with the romance of industry. The series will show the growth of industry under the American system in contrast to countries where industry is restricted. The series is sponsored by the University of California and will follow the release of the subjects in the theaters, they will also be shown in high schools and colleges for educational use. Initial subject will be "Power" as it is likely that "Paper" will be the second subject. Bert v. Gontard president and Lester R. Ilfeld vice-president.

Hoblitzelle in Hollywood

Dallas—Karl Hoblitzelle, preside of Interstate Circuit, Inc., is in Hollywood to collaborate with Jack FitzPatrick, travel film executive, the final cutting of a Technicolor picture showing the history of Texas. The film is to be shown in the building at the New York World's Fair. Hoblitzelle is acting chairman of the Texas World's Fair committee.

Frank Succeeds Secor

James Frank, Jr., succeeds Clarence H. Secor resigned, as manager of the New York branch of Natlor Theater Supply. Lately, Frank, w. has been with NTS in various capacities since 1937, has function in NTS sales promotion setup. See, it is understood, will rest during the summer months and announce future plans at the end of that time.

Four Schoenstadt Closing

Chicago—Schoenstadt circuit closing Archer, Crane, Crown a Kenwood theaters for the summer.

That New York Touch

Dallas—Jean Finley, resumed a special exploitation job for Menor, "streets of New York," at the Melba, possible step toward a "Broadway" as a crowd getter. This was dismissed — of course — at strictly a p.a.'s dream. But Finley walked up to the theater the next day and discovered that the local Alf was out of luck standing at the pavement in front of the Melba.
D of J Cites 55 Acts of Alleged Coercion by Majors

ARBITRATION MACHINERY CALLS FOR TWO BOARDS

Films Will Find Tele Bigger Boon Than Sound

Weeks

Monogram Sales Head Sees
It As Advantageous
To Indie Exhibs.

BY DAVID A. BROWN
FILM DAILY Staff Correspondent

Kansas City, Mo.—Television as a
boon to film biz will dwarf the im-
petus provided by the advent of
sound, George W. Weeks, Mono-
gram's general sales manager, told
the Kansas-Missouri Theater Own-
ers Association convention at the
Hotel President here yesterday.

"Sound proved to be a vital shot
in-the-arm for the entire picture in-
dustry. We all know that we can
use such a stimulus today and, in my
(Continued on Page 10)

SAG AIR SHOW INTAKE
$220,000 FOR SERIES

When the "Screen Guild Show,"
under the auspice of the Screen Ac-
tors’ Guild, completes its present
series over CBS on Sunday, June 4,
returns in the fall of 1939, a total
of $220,000 will have been paid to
the Motion Picture Relief Fund by
Gulf Oil Company, sponsor of the
broadcasts, toward a new home for
aged and indigent picture workers.
Stars, writers, directors and tech-
(Continued on Page 3)

Louisiana Appeals Film
Rentals Tax Case Decision

Baton Rouge, La.—Appeal against
an adverse decision which prevents
it from collecting sales taxes on
film rentals was taken to the Louis-
ia supreme court by state tax col-
(Continued on Page 3)

Code Costly to Majors--Rodgers

Key sentences from the address by William F. Rodgers, Metro's sales chief,
and spokesman for the Distributors’ Negotiating Committee, at New York Allied's
convention yesterday:

"Some from within your ranks, through the statements they issue, are doing everything human-
ly possible to deprecate us in the eyes of the trade and the business world in general."

"Metro, Goldwyn, Mayer, or Lew's, Inc., are not apologizing for any practices that we have
followed. We are proud of our reputation and have no apologies to
offer anyone for anything."

"No matter what statements were issued as a result of the
Chicago meeting, I tell you, and I will leave it to your own Negoti-
ating Committee to confirm, or deny, that an agreement in prin-
ciple was reached there in November last."

"The crumbs that are referred to run to the millions of dollars
per year and the only chance whatever that producers or distri-
butors have to recoup in production of pictures that will attract
more attendance to the theaters."

(Continued on Page 3)

Permanent and Special Panels
Proposed; Rodgers Tells
Of Code Revisions

By AL STEEN
FILM DAILY Staff Writer

A system of arbitration ma-
chinery which the distributors
believe will assist in settling
disputes within the industry
was announced yesterday by
W. F. Rodgers, M-G-M general
sales manager, and an important
figure in devising the plan.

Admitting that the system was
not perfect, but that it represented
the distributors’ best efforts, Rodgers
told the New York Allied convention
that he hoped it would be accepted.
The arbitration machinery pro-
(Continued on Page 3)

QUIZ RODGERS ON CODE
AT N. Y. ALLIED MEET

New York Allied's open forum on
the trade practice proposals yest-
derday confined itself to questions
asked of W. F. Rodgers, spokesman
for the distributors’ negotiating
committee, who answered them on
the basis of the proposed code.
While a more heated and lively de-
(Continued on Page 7)

British Tax Concessions
Seen Only for Newsreels

London (By Cable) — Informed
sources here stated yesterday that
every indication pointed to no revi-
sion of the proposed new film taxes
by the English government except
(Continued on Page 7)

Hays, Fair Speaker

On invitation of Governor Townsend
of Indiana, Will H. Hays will deliver a
speech at the Indiana Day program at
the New York World's Fair next Thurs-
day afternoon.

D of J's Alleged Coercion Acts
Are Charged Against Paramount

Glass Predicts France
Will Modify Duals Bill

Stipulations in the Jean Zey bill
which would virtually doom duals in
France will be either eliminated or
altered, Max Glass, French producer
(Continued on Page 3)
M-G-M’s Territorial Meet Talks “Friendly Co.” Co-op.

Analysis of the problems of the checking organization and the informal discussion pointing to the thorough co-operation with the sales force of the assembled delegates in carrying out the “Friendly Company” slogan marked the second day of M-G-M’s final territorial conference of office managers, bookers and checking supervisors in the South Garden of the Hotel Astor.

Today’s session, concluding the three-day meeting of representatives from Albany, Boston, Buffalo, Cleveland, New Haven, Canada, and the New York exchange and the home office, will center upon the duties of office managers, Alan P. Cummings, manager of exchange operations, presiding, announced.

Delegates were visitors at the World’s Fair last night, and are scheduled to return home tonight.

Para. Train Off June 4

Home office execs, and delegates to Paramount’s annual sales convention, to be held in Los Angeles on June 8th and 9th, went yesterday that special train leaves Grand Central Terminal on Sunday, June 4, at 3 p.m. E.S.T. (4 p.m. Daylight Time).

True Name Bill Offered in Illinois Legislation

Springfield, Ill.—Rep. John Ryan has introduced a bill in the Illinois legislature requiring that a public record be made of owners of theaters and other business places. It prohibits any person from doing business under an assumed name or under any designation, corporate or otherwise, other than real names.

Persons now in business must file with the county clerk of each county, a certificate setting forth facts about the owners. A fee is provided for filing and certification. The bill will not affect duly organized corporations, or partnerships providing true names are used.

Douglas Desch Appointed Monogram’s K. C. Manager

Douglas Desch, appointed manager of Monogram’s Kansas City, Ex- change, will assume his new duties Monday. Desch, presently branch manager for Grand National, succeeds Lester Durland, who has sold his interest in the office, after two years at the helm. Desch has been associated during the past ten years with Public, Denver and Kansas City; A. F. Baker, Electric; Fox Mutual, and Famous British.

J. R. Wilson, Monogram home office supervisor, is locating at the Kansas City office until Desch takes over his new duties.
Permanent and Special Arbitration Boards Proposed

Code Costly to Majors--Rodgers

(Continued from Page 1)

"If Trade Practice Code should be tried and in doing so understood that all things desired cannot be had at the first attempt . . ."

"I do believe all this ballyhoo about diverrnment, alleged unfairness, must be getting very boisterous, not to be allowed to stop, even to the public; most of us, and I speak to you as well as for our group, would like to get back to the running of our business."

". . . the trade press, generally speaking, have encouraged a Trade Practice Code, but some have been inclined to treat lightly the good intent or purpose of those engaged in its preparation."

". . . one would be led to believe from what he had heard in Washington from the proponents of the Neely Bill that we should all be ashamed to be identified with this business."

"This prophecy can be accepted as fact, no matter what the content of the (Neely) Bill, its provisions as such will positively preclude selling our pictures until after they are completed."

Glass Predicts France Will Modify Duals Bill

(Continued from Page 1)

stated yesterday upon his arrival here from France.

Glass is here to arrange a premiere showing of the film "Entente Cordiale" at the French Pavilion at the Fair. He produced the picture with the sanction of the French government as it deals with a former treaty between France and England in the days of Edward VIII. Picture cost $500,000, Glass said.

He said that he is talking a deal with an American major company to make one picture here some time this year, and is also talking deals for American distribution of "Entente Cordiale" and "The Tragedy of the Imperial." He also said that a United Artists producer was dickering for the remake rights to "Entente Cordiale." He will be here four weeks.

Louisiana Appeals Film Rentals Tax Case Decision

(Continued from Page 1)

West Coast Bureau of THE FILM DAILY

Hollywood—Jeff Lazarus yesterday asked for and obtained a release from his Paramount producing contract after agreeing to remain at the studio long enough to complete his current production, "Are Husbands Necessary," finish the script of "Navy Nurse" and the preparation of the treatment to "Air Raid X." Lazarus plans to leave Hollywood the middle of August on a medic's ordered vacation.

SAG AIR SHOW INTAKE
$220,000 FOR SERIES

(Continued from Page 1)

nicians in these programs contribute their services gratis. The money ordinarily paid to them is turned over to the Fund instead at the rate of $10,000 each week.

Actual construction and purchase of the site will not be undertaken until the MPRF has reached its $500,000 quota. This amount, guaranteeing perpetual upkeep of the home, is assured on completion of the 1939-40 series, which will add $390,000 to the fund. "Gould Show" contracts, renewed regularly, will increase the Fund to more than $2,000,000.

Probable site of the home will be in Sun Fernando Valley, near Hollywood. Plans call for a main building surrounded by a group of bungalows. Hospital sanitary and dormitory facilities will be housed in the main building. Bungalow units will be named after donors and performers of beloved leaders in various classifications of the industry such as: Marie Dressler Bungalow, for the actress class; Will Rogers Bungalow for the actors' unit, and Irving Thalberg Bungalow for the producers' group. The general MPRF Fund provides direct help for needy, medical and dental service, a wardrobe department and an unemployment service.

Last March, there were 553 cases on the Fund's books. These resulted in direct financial aid to 1,338 people. Of the 553 cases, 228 were actors, 139 were extras, and 46 directors. In addition the fund's medical and dental service offers free professional attention and hospitalization to those actors who are destitute. Treatment to the city's best hospitals is also available.
Board in Each Exchange Territory; Panel of Neutral Arbitrators

Text of the proposed Rules of Arbitration, completing the pending Trade Practice Code for the film industry, was made public late yesterday by P. F. Lyden, Consulting for the Distributors Negotiating Committee. The complete draft follows:

I. Exchange Territories

Arbitration of disputes which are subject to arbitration under the Trade Practice Code of a territory hereunder referred to as exchange territories) served by the film exchanges in the cities below named:

Albany, Atlanta, Boston, Buffalo, Charlotte, Chicago, Cincinnati, Cleveland, Dallas, Denver, Des Moines, Detroit, Indianapolis, Kansas City, Kentucky, Memphis, Minneapalis, New Haven, New Orleans, New York, Philadelphia, Pittsburgh, Portland, St. Louis, Salt Lake City, San Francisco, Seattle, Washington, Shall, in each exchange territory, be governed by these Rules of Arbitration from and after the date of their publication.

II. Panel of Neutral Arbitrators

All distributors and affiliated exhibitors and organized exhibitor groups which are parties to the Practice Code of the territory, and from which these Rules of Arbitration are annexed, and which at the time of the appointment of the arbitrators shall be the parties to the Practice Code of the territory, shall be entitled to serve as arbitrators.

Neutral arbitrator shall be any exhibitor who, in the opinion of the arbitrators, is not party to the Practice Code of the territory, and from which these Rules of Arbitration are annexed, and which at the time of the appointment of the arbitrators shall be the parties to the Practice Code of the territory, shall be entitled to serve as arbitrators.

III. Permanent Arbitration Board

(A) Appointment of arbitrators. Each exhibitor or distributor which is a party to the Practice Code of the territory, and from which these Rules of Arbitration are annexed, and which at the time of the appointment of the arbitrators shall be the parties to the Practice Code of the territory, shall be entitled to serve as arbitrators.

(B) Right to eliminate arbitrator. In any case where a neutral arbitrator is chosen by the parties to the Practice Code of the territory, and from which these Rules of Arbitration are annexed, and which at the time of the appointment of the arbitrators shall be the parties to the Practice Code of the territory, shall be entitled to serve as arbitrators.

V. Parties to Disputes

Disputes between a distributor and an exhibitor. All disputes subject to arbitration under the Trade Practice Code except disputes relating to over-billing, and to the nature of such an exhibitor, and to the nature of such a dispute, shall be between two parties, a distributor and an exhibitor.

Disputes relating to over-billing. Disputes relating to over-billing shall be between two parties, the complaining exhibitor and the distributor. All disputes subject to arbitration under the Trade Practice Code except disputes relating to over-billing, shall be between two parties, a distributor and an exhibitor.

Disputes relating to arbitration. Disputes relating to arbitration shall be between three parties (a) the complaining exhibitor, (b) the distributor, and (c) the arbitrator designated by the arbitrators. All disputes subject to arbitration under the Trade Practice Code except disputes relating to over-billing shall be between two parties, a distributor and an exhibitor.

VI. Oaths of Arbitrators

Each arbitrator shall take an oath as an arbitrator, to be administered by the Permanent Arbitration Board, that he shall be impartial in the discharge of his duties and shall subscribe to the following form of oath:

[Oath administered by Permanent Arbitration Board]

VII. Term of Office of Arbitrators

Removals and Vacancies

Term of office. The members of each permanent arbitrator panel shall hold office for a term of five years.

Removals. Arbitrators in the panel appointed by the distributors and affiliated exhibitors may, at any time, and for just cause, be removed by a majority of the distributors and a majority of the affiliated exhibitors. The arbitrator shall be notified in writing of the cause, and the panel shall be entitled to a hearing by the arbitrator.

VIII. Jurisdiction of Boards

No Permanent Arbitration Board shall hear and decide any dispute submitted to it which is covered by the arbitration provisions of the Trade Practice Code of the territory in which the dispute arises, unless the parties by agreement in writing have waived such arbitration provisions.

No Special Arbitration Board shall hear and decide any dispute submitted to it which is covered by the arbitration provisions of the Trade Practice Code of the territory in which the dispute arises, unless the parties by agreement in writing have waived such arbitration provisions.

IX. Arbitration Proceedings

(1) Statement of claim. To initiate an arbitration, either party shall deliver personally or mail to the secretary of the Permanent Arbitration Board a statement of claim and a copy or copies thereof, in writing, and such copy or copies shall be written in non-technical language following:

(a) The name and address of the complaining party.

(b) The name and address of the defendant party.

(c) A demand for arbitration, and, in case of a dispute relating to clearance, the date of the claim.

(d) The complaint thus made shall be referred to the Permanent Arbitration Board for its action.

(2) Removal of a defendant. In case a defendant party has been served with a copy of the complaint, and has not responded thereto, or in the event that the defendant party fails to appear within ten days after such service, the arbitrators may, without prejudice to the rights of either party, order the arbitration to proceed without the defendant party.

(3) Notice of arbitrators. Any party to a dispute shall have the right to require that the arbitrators be notified in writing of the names and addresses of the parties to the dispute. The arbitrators shall have the right to require that the parties to the dispute be notified in writing of the names and addresses of the arbitrators. The arbitrators shall have the right to require that the parties to the dispute be notified in writing of the names and addresses of the arbitrators. The arbitrators shall have the right to require that the parties to the dispute be notified in writing of the names and addresses of the arbitrators. The arbitrators shall have the right to require that the parties to the dispute be notified in writing of the names and addresses of the arbitrators.

(4) Disqualification of arbitrator. Any arbitrator may be disqualified from serving in arbitration, except such arbitrator has, either directly or indirectly, a personal or financial interest unless such disqualification.

[Continued on Page 7]
smell this flower...  AND DIE!
puff this cigarette...  AND DIE!
sniff this perfume...  AND DIE!

LOOK at this picture AND...
You’ll die LAUGHING!

If you have any doubts...just read what the boys say about Paramount's Spring laugh hit...

"THE GRACIE ALLEN MURDER CASE"

"One of the top comedies of the season."
—Variety

"It's an uproarious amusing comedy. It is all-purpose, all-place entertainment, a complete justification of its innately humorous title and an extremely amusing film."
—Motion Picture Herald

"Entertainment all the way and has exceptional earning capacity."
—Daily Variety

"As hilarious as 'The Thin Man' without in any way resembling it."
—Motion Picture Daily

"A laugh riot with Gracie scoring strongly...should be box office winner."
—Film Daily

Get your business on the U.P. and U. Paramount

"Union Pacific" continues to U. P. grosses by gigantic margins wherever played. "Midnight" is still proving its gilt-edged merit as the best comedy of the screen year. The boys are clamoring for "Invitation to Happiness"...and why not...with every trade paper shouting it's Wesley Ruggles' biggest hit...a greater grosser by far than "Sing You Sinners". Then "Stolen Life", the Elisabeth Bergner picture they're all asking for, is a Paramount release...don't forget that. And Jack Benny's due in shortly, in "Man About Town"...which the West Coast sharpshooters predict will be the best of the Bennys...but you get the idea...Paramount's rolling 'em. Get on the UP AND UP WITH PARAMOUNT.
Arbitration Rules Provide That Costs Shall Be Assessed by Boards

(X)

Awards

An award in favor of the complaining party shall contain a statement of the claim or claims determined in favor of such party and the procedure, if any, required to be followed in carrying out the award.

An award adverse to the complaining party shall dismiss the claim for lack of merit.

Each award of a Special Arbitration Board shall include an assessment of costs of the arbitration.

XI. Local Rules and Regulations

Each Permanent Arbitration Board may establish such rules and regulations, not inconsistent with these Rules of Arbitration or the local system of arbitration, as it deems necessary or proper to facilitate the arbitration of disputes.

Each such rule or regulation shall be served.

Hearings shall be held in the city named in Article I hereof in which are located the exchanges from which the complaining exhibitor is served or, if the complaint is filed by the distributor, in the city named in Article I hereof in which are located the exchanges upon which the exhibitor complained against is served.

Parties may represent themselves or be represented by counsel. Such parties shall have the right to examine or cross-examine all witnesses.

Witnesses shall testify under oath.

Each arbitration board shall be the judge of the weight and sufficiency of evidence offered, but the legal rules of evidence shall not be applied and the board may inquire into the good faith of any claim of fact which may not be otherwise established.

Each arbitration board shall have the power to request copies of records of any type which require prompt and immediate action, and such records may be submitted to the board and examined and the report made.

XII. Cost of Arbitration

No Permanent Arbitration Board shall assess costs in any arbitration heard by it.

In each arbitration heard by a Special Arbitration Board, such board shall assess as costs against one or more of the parties, in such proportion as it may deem just and proper and without regard to which party shall have invi

ted the Special Arbitration Board, all fees of the neutrals or arbitrators. No arbitrator shall be entitled to a fee, except as provided hereafter, for the service of expenses of arbitrations hereafter in the exchange territory where collected. To the extent that the moneys received are in agreement with all such rules, the distributors, the affiliated exhibitors and the organized exhibitor groups who are entitled to participate in the appointment of the panel of arbitrators for such exchange territory shall be entitled to the reasonable cost of such arbitration.

If said distributors, affiliated exhibitors and the organized exhibitor groups are unable to agree upon a fair apportionment of such expenses, the arbitration shall be made by a Special Arbitration Board constituted for that purpose, in which case said distributors and affiliated exhibitors shall be deemed to be one party and said organized exhibitor groups shall be deemed to be the other party.

British Tax Concessions

See Only for Newsreels

(Continued from Page 1)

in the case of newsreels, despite the fact that a strong representation had been made to Sir John Simon, Chairman of the Finance Committee, by an all-industry deputation.

It is believed that in the case of the newsreels a concession may be maintained without excise tax on negative organizations which the ITOA represents.

Leon Rosenblatt was appointed chairman of the committee to argue the case of the newsreels.

Clarin Films Formed in England by Curry

Here from London to settle final details on several deals negotiated on his last visit, Harry Curry, English distributor, endorsed yesterday the formation of a new English producing-distributing firm, Clarin Films Corp. Ltd.

Four pictures have been lined up by the company as its initial program and several will go into production shortly. Curry returns to London today on the Strythia and returns here next month on the maiden voyage of the new Mauretania.

Urges Australian Fair Trade Program

(Continued from Page 1)

practice program as a solution for current problems, was voiced yesterday by Dan Carroll, Australian circuit head, who arrived in New York this week to confer with execs. of companies with whom he does business.

He believes that the exhibitor organizations would strongly support such a move and certainly would approve of it. It is the desire of everybody in the film business there to reconcile differences and internal problems, as achievement of this end would keep the government out of the film business, he said. He said that business was holding up, but current government legislation may prove troublesome.

Carroll will be in New York for several weeks and will then go to England, returning to Australia via the U. S. after he leaves England.

Pittsburgh Senator Switching

Pittsburgh—The de luxe Senator, Theater, which has been operated by the Harris Amusement Co., as a first-run and holdover house since it opened last November, is changing its policy to a subsequent-run, double bill theater, at reduced admission prices, effective this week.

Ship'm Fast

BY RAILWAY EXPRESS

AT NEW ECONOMIC RATES

Day and night, right to your door, films speed by RAILWAY EXPRESS—at low cost.

Special rate reductions on shipments of 21 lbs. or less regardless of distance shipped and up to 50 lbs. to nearer points. No extra charge for receipts, insurance, pick-up and delivery in all cities and principal towns. Your local RAILWAY EXPRESS agent will gladly explain the rate revisions to you. For super-speed deliveries use AIR EXPRESS—2500 miles overnight! Merely phone the nearest RAILWAY EXPRESS office for information, and complete nationwide service.

1839...A Century of Service...1939

NATION-WIDE RAIL AIR SERVICE

Sunday, May 26, 1939

QUIZ RODGERS ON CODE AT N. Y. ALLIED MEET

(Continued from Page 1)

rected and anticipated, even to the point of verbal barrages, the tabling of the motion improved. The Rogers appeared to be clarifying and informative.

Rogers told the assembled exhibitors who attended the wind-up session of the state convention that most of the questions put to him were issues that could be settled by arbitration through the medium just devised by the sales heads. These questions concerned clearance and right to bill and were brought to him.

Typical of the questions asked of Rogers, and the answers given, were the following:

Q: Will the code be included in the contract? A: Some of its principles can be incorporated.

Q: What about the arbitration clauses to be inserted in the contracts? A: No, if they were, it would be compulsory by arbitration which has been outlawed.

Q: Has an exhibitor the right to insist on arbitration? A: He has.

Q: Will it be compulsory to take company-made trailers? A: No, and it will not be added to the contract, but salesmen will be instructed to sell them wherever possible.

While assurance was given that product would not be sold away from an existing customer, the code did not bar an exhibitor from getting where such a thing had taken place. Rodgers promised immediate investigation of such a complaint if his words brought applause.

Many of the exhibitors were reluctant to enter into the discussion until they had had an opportunity to read the new arbitration plan and the revised portions of the code. Harry Brandt and Col. Cole remained silent throughout.

In adjoining the session, President Max Cohen expressed hope for harmony and predicted that a "new era of rights would begin for the independent exhibitors."

The Allied convention wound up last night with a very colorful banquet attended by about 400. Ozio Nelson and his orchestra supplied the music.

Brandt's Arbitration Views After ITOA-Unit Conferences

Speaking for the ITOA, Harry Brandt last night stated that he had read the arbitration proposals and that they would await the organization's position as soon as he had contacted the other independent or
TICKET REGISTER BIZ
PICKING UP--FINKE

Film exhibs. all over the country, during the past year, have become more and more “counter conscious,” meaning that managers and owners of theaters are today keeping a much closer check on the register counters than ever before in the history of the film business, it is declared by D. H. Finke, vice-president of General Register Corp.

He states that in a recent swing through the West and South, he talked on this subject to many prominent theater operators. Latter expressed view that they were at one time perfectly satisfied with the ticket number count as final, but they are now depending on the register counter.

Finke said that he would not be surprised, if, within a comparatively few years, tickets will be printed with no numbers whatever on them, and that now there is a definite trend in that direction.

Purpose is kept the ticket sales secret, and, at the same time, prevent anyone from checking the amount of business done at the theater.

He said that sales of company’s new Secret Cash Control Automatic-ticket Registers, for the first three months of 1939, is at least 20 per cent ahead of the corresponding period of 1938.

Improving Ark. Theaters

Little Rock, Ark.—The Dixie at Dierks is being remodeled. Dixie at Ashdown, recently bought by K. Lee Williams Theaters, Inc., is also being remodeled and new sound equipment installed. New, at Melbourne, has recently been repainted. Gem, Nashville, is being rebuilt and new equipment installed. This house also owned by K. Lee Williams.

Robinson to Improve

Pittsburgh—Extensive alterations and the installation of a new air conditioning system, at a cost said to exceed $20,000, will be made in the Robinson-Grand Theater, Clarksburg, W. Va., operated by Claude Robinson.

Hunt Quit N T S Post

Chicago—Lou Hunt has resigned as manager of the National Theater Supply Co.

Guercio-Barthel Moving

Chicago—Guercio & Barthel, theater equipment dealers, are moving in June to 1241 S. Wabash Ave.

VOIGHT REFINEMENTS
IN THEATER FOUNTAINS

Provision of cool, sanitary drinking water in film theaters is becoming efficiently and effectively solved by many houses in all parts of the U. S. through the acquisition of the new Combination Illuminated Mirror and Drinking Fountain, manufactured by the Voigt Co. of Philadelphia, an equipment survey discloses.

The fountain itself is stylish and designed to encourage the drinking of good clean water, to promote health by scientific protection, and to conform with the requirements of the Committee on Plumbing of the American Public Health Assn., and eliminates the drinking cup problem.

Angle-stream drinking jet and mouth guard are designed to comply with all sanitary conditions. By stream height control valve automatically regulates the height of the drinking stream. Exposed metal parts are all finished in rich, durable chromium. Wall fountain is finished in polished black porcelain. Other colors are available on special order.

The mirror is not only an adjunct decoratively, but is an aid to women patrons as an attractive oasis for drinking and make-up. Mounted on the mirror are two chromium plated metal, vertical wall brackets, each of which will accommodate a 12-inch lamp of the new lumline type. Colored, indirect lighting is regulated by adjustable metal shades. The lighting is designed and built right in.

Crocker in GE Post

Stuart M. Crocker has been named manager of GE’s air conditioning department. GE’s commercial refrigeration activities have been assigned to the air conditioning department.

Westinghouse Installation

Harriburg, Pa.—Latest Westinghouse air conditioning equipment is being installed in Loew’s Theater here at a cost of approximately $50,000.

Lustron Fronts for Three

Chicago—The Porcelain Products Co., reports Lustron modernized fronts sold to the Evergreen and Norwall theaters on the South Side and the State Theater at Sandwich.

Film Type Co. Moves

Detroit—Film Type Co., which specializes in type setting for commercial film studios, has moved to new studios at 3123 E. Jefferson Ave.

WORTH June just around the corner, and heralding the “dog days” of July and August, revenues of many hundreds of film houses are at stake,—houses which might readily save an inevitable wilting of both grosses and patrons through the installation of practical, efficient air conditioning units, it is declared by John Eberon, prominent film theater architect.

Despite the fact that air conditioning today is a year-around essential, according to the modern and sane standards of showmanship, nevertheless it is an annual paradox that, only with the approach of a Summer season, do many theater owners and operators become air conditioning conscious, it is pointed out by Eberon, and this accounts for the fact that a number of other classifications of business are outstripping the film exhibition field in percentage of air conditioning installations.

 Naturally, he cites, the air conditioning manufacturer has placed major stress upon the subject of patron comfort which units will afford, and, correspondingly, accent has been given to the closely related proposition of audience attendance at picnics during the warm days, which is another way of saying that patrons will attend movies if they can be comfortable, and also will accord patronage commensurate with the appeal of the films offered, as in any other season of the year.

But, Eberon continues, there are other advantages to air conditioning in Summer, and all the year, to which little thought is given by the theater owner contemplating an installation, but a promotional tack which has been utilized to a growing extent by manufacturers of air conditioning units for theater use. This tack is the cleanliness of the
THE FILM DAILY

MENT

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Conditioning

MORRIS

E FILM DAILY

Theater, and the maintenance of freshness for and by the public. Chiefly these angles have belonged to date more to the railroad than to the picture houses, but are applicable to both.

For example, there is scientific acceptance of the fact that air conditioning not only promotes, but sustains, theater cleanliness. This is true of the air. It is true of the house in which the air circulates. It is true of the patron, for one's clothing is maintained in a far fresher state in the properly air conditioned house than in that lacking the equipment.

To carry the exposition further, and to another practical conclusion, Eberson stated, it is of considerable importance to the business-like and thoughtful exhibitor whether his house attaches are, and appear, clean and tidy. In the correctly air conditioned theater, uniforms remain crisper and cleaner, and symbolize to the entering patron the comfort that a reality is.

THE meticulous exhibitor, too, is conscious of the advantage air conditioning affords at all times to employ comfort, efficiency and alertness. It follows that courtesy is not strained when the auditorium air is,—of its oppressive humidity, dust and impurities, declares Eberson.

He says that the good counsel given by theater architects to their film theater clients, which has aided in the volume sales of installations, has been reciprocated by benefits which air-conditioning has rather unwittingly passed along to the architect. It has made practical the use of many shades and tones of color for interior surfaces which would have been impractical in the pre-conditioning days.

VICTOR INTRODUCING NEW ANIMATPHONE

The new Victor Add-A-Unit Animatphone, just recently announced, makes possible for educational and business institutions of all kinds to acquire 16 mm. motion picture and sound equipment adaptable to all requirements. This new multiple-variation and multiple-use motion picture projector and sound system is manufactured by the Victor Animatograph Corp. of Davenport, la.

All units of the Victor Add-A-Unit Animatphone are interchangeable.

Besides the apparent practicability, this new all-purpose motion picture and sound system is economical, because units may be added as desired. Starting with the small, compact, basic sound projector, which is complete in itself, an outfit of any size can be secured by simply adding auxiliary units.

The Victor Animatophone basic projector provides silent or sound motion pictures, microphone facilities and phonograph record amplification for an average room, without addition of any Add-A-Unit equipment. Adding an amplifier and another larger size speaker furnishes ample sound motion picture or public address facilities for a large auditorium. Broadcasts, recordings and announcements may be relayed to as many rooms as desired, when the Central Radio P. A. Sound System unit is added.

According to Alexander F. Victor, president of the Victor Animatograph Corp., other units may be added to make possible the showing of sound pictures in one location, while public address or music amplification are being used in another.

$25,000 Cooling Plant

Manchester, N. H. — More than $25,000 is being spent at the State Theater here by the Shea interests for the installation of a year-round Westinghouse air-conditioning system.

The construction work is being done by the Davison Construction Co., the electrical work by A. L. Franks & Co., and the sheet metal work by A. W. Therrien Co.

Parquet Carpeting Orders

Detroit — Parquet Floor Co. has been awarded the contract for new carpeting for the two new houses being erected by Butterfield Circuit, the Gladmmer at Lansing and the new house at Flint. The company is also installing carpeting in the Kilbridge Circuit's Alhambra Theater in Detroit, Manager George Whitney reports.

New Popcorn Vender

Detroit — Joseph B. Mitchell, owner of the Rex Theater, is organizing the Mid-Net Pop National Distributing Co., which will manufacture a new type pop corn vending machine, designed especially for theater lobbies and other locations. Headquarters are in the Rex Building.

New Orleans Will Have Third Theater Supply Co.

New Orleans — A third theater supply company seems to be a certainty for Film Row here today as it became known papers of incorporation for the Gulf Theater Supply Corp., had been filed here.

The new company is to headquarters in a building until recently occupied by the Louisiana Motion Picture Supply Corp. The charter lists the following officers: Joy Houck, minor circuit head, president, six shares; John Elzy, vice-president, 4; Levere Montgomery, booker for Theaters Service Corp., buying outfit indirectly affiliated with major circuits here, secretary, 6; W. A. Prewitt, treasurer, 4.

DEVRY CONDUCTING TELE EXPERIMENTS

Chicago—DeVry Corp. is pressing a series of television scanning experiments looking to the development of films for telecasting, it is disclosed by President Herman A. DeVry.

DeVry told The Film Daily that, in his opinion, 95 per cent of U. S. radio stations will utilize television within the next few years. Theaters, to meet the new opposition, will have to improve their film programs, he asserted.

Architect's plans for an addition to the DeVry plant here are being examined with a view to expansion.

New Photo-Flash Lamp

Chicago—Westinghouse Electric & Manufacturing Co. is offering a new Mazda focal plane photo-flash lamp to the trade. Two models are wire filled and give an exceedingly long flash when synchronized with focal plane type shutters.

"THE STORY OF ALEXANDER GRAHAM BELL"

The story of Alexander Smith Carpet always has a happy ending, for this famous floor covering has a habit of paying dividends in increased box office receipts. Which is why you will find it in most of the country's successful theaters.

ALEXANDER SMITH CARPET
Pix Shows to Fill in While Fidler's Away

West Coast Bureau of THE FILM DAILY

Hollywood—Jimmie Fidler, film columnist and radio commentator, frequently in the past few days from exhibitors, because of his other obligations, will be replaced on the air during his vacation period. In the meantime, the radio-produced show, Fidler's Boy, will be aired. Bros. 20th Century-Fox and other producing firms will put on their biggest stars—and some of their newest ones—in a movie program on NBC. Sponsor: Drene, Procter & Gamble product. Fidler is heard from 7:15-7:30 p.m., EST, over WEAF and network on Fridays.

Ben Judell's Company Planning for 36 Features

(Continued from Page 1)

closed yesterday for the annual three-day eastern regional convention of Empire-Universal Films, Ltd., at the Royal York Hotel and devoted exclusively to Republic Pictures division, was the presence of James R. Grainger, president of Republic, who, addressing the convention said that in his nearly 25 years in the film industry he had never felt more optimistic than he was about the company's program for the year 1939-40.

W. A. Perry, general manager of Empire-Universal, presided. On the platform were John R. Hanson, president, of Empire-Universal, Paul Na-thanson, vice-president, and A. Lau-rice, assistant general manager.

A dinner was given at the Royal York Hotel for Grainger and was attended by all the sales force and many from Famous Players Can-dian Corp.

“Juarez’” Tops “Zola”

Worcester, Mass.—First popular price engagement of Warners “Juarez” started off with a bang Wednesday when the film opened at the Warner Theater to business top-ping that done by “The Life of Emilie Zola,” previous Muni high-grosser.

Pioneer Producer Dead

West Coast Bureau of THE FILM DAILY

Culver City—John F. Miller, 67, pioneer film producer and former newspaper man, is dead here. He produced films in New York starring Ruth Roland and Grace Cunard.

felt tele would not cut into receipts of its fight cards.

Sub-committee is expected to unanimously approve the Barbour measure.

Baird Tele Demonstrations Await Arrival of New Tube

Ian C. Javal, commercial director of Baird Television, Ltd., announced yesterday that the reason for the delay in demonstrating large screen television here was that he awaited advice from Iodore Ostrer on the performance of an improved tube in the London theaters which press, public and engineers describe as revolutionary, giving perfect definition on a larger screen, 20 by 15 feet. The demonstration here will await the arrival of this tube from abroad.

Raymond (Dick) Freil Dead

Yonkers—Raymond A. (Dick) Freil, 45, a pioneer in making animated film cartoons and former motion picture scenarist and director, has died. He was associated with Fox Film, Famous Players and Paramount, and who also did art and picture work in London, is dead there. In addition to writing sce-narios, he had played in Mack Sen-nett comedies and had directed the films of Dix and Johnny Hines in features.

Surviving are his widow, Mrs. Estelle Walker Freil, a son, Richard; his father, two brothers, and five sis-

GOV'T CITES 55 ACTS OF ALLEGED COERCION

(Continued from Page 1)

against the consolidated defendants, 43 are against Paramount, 15 against 20th-Fox; three against RKO; and three against Warners, and are made of M-G-M or Universal. UA and Columbia are not included among the consolidate defendants.

Mr. Bennett said that the Government is unable to furnish at the time a complete exposition of each instance in which coercive or di-
tress methods have been employed by producer-exhibitor defendants.

Among such instances cited were those following: (instance in the statement relate mostly to the 1930's, but go back as far as 1918, and as recently as 1938):

Joe and John Johnson, Jasper, Ala.; Colonial and New Jasper Theaters; forced to sell because of threats to operate opposition theaters (20th-Fox).

R. V. McGinnis, the New Theaters, Russellville, Ark.; forced to sell because of discriminatory film rentals and block-booking, (Paramount).

Compton Theater Corp.; Compton Calif.; The Compton Theater; forced to sell because of threat to build or operation theater (20th-Fox).

H. L. Gumbiner, Los Angeles Tower Theater; forced to lease because deprived of product (20th-Fox).

C. C. Dunsmoor, Marshalltown Iowa: Capitol Theater. Forced to lease because of operation of opposition theaters (RKO).

Century Circuit, Long Island Merrick Theater; Threatened with deprivation of product and giving product to Ailen Theater. (RKO).

C. A. Wiley, Wellington Spring, Md.; owner of Seco and Sil-

Robert E. Storck, St. Paul; former owner of the Minneapolis Times, defeated under the anti-competitive provisions of the Federal antitrust laws.


The Colorado—Defense motions to limit Government subpoenas to produce records in the pending contempt action instituted by the D of J against B & K and the majors were taken under advisement here yesterday by Special Master Eldredge.

Defense counsel told the Special Master that documents relating to any period prior to 1938 and to the period during which the Colorado the-

Chi. Contempt Case Defense Motions Under Advisement

Chicago—Defense motions to limit Government subpoenas to produce records in the pending contempt action instituted by the D of J against B & K and the majors were taken under advisement here yesterday by Special Master Eldredge.

Defense counsel told the Special Master that documents relating to any period prior to 1938 and to the period during which the Colorado theater were immaterial to the case and might lead the Court into compli-

June 22 is now set as the trial date.
Renewal of Hoyts-GUT Buying Pool in Australia Likely

ARBITRATION RULES “VERY ENCOURAGING”—MYERS

Committee Action on Neely Bill Promised by Wednesday

Distrib. Case
...fairly spoken
—By CHESTER B. BAIN—

THE distributor case for “peace in our time” in the film industry was never more impressively presented than by Metro's William F. Rodgers, again speaking for theNegotiating Committee at the closing session of the New York Allied convention.

Presenting an analysis of the proposed Trade Practice Code's reforms and outlining additionally, the arbitration machinery which is designed to complete the Code, Rodgers told his exhibitor audience that while no claims for perfection were made, “an honest effort has been made and the rules of arbitration are... the most practical we can now suggest.”

— We sincerely hope Allied will join,” Rodgers continued. “We are going forward with the conviction that in this plan we have a proposal that is sound and in which we believe it is the method by which harmony can be established in this business. We solicit you consideration for the adoption of the Code, believing as we do it will tend to cement and unify an industry, that we may all give such talents as we possess to the development of this business, rather than to the constant harassing and wrangling between the different branches of our industry.

“We are seeking the support of a program from which we, as distributors, cannot hope to raise any gain, to the contrary we can only give. —

— PERSUASIVELY and, more, fairly spoken.

There is a crying need for unity in this industry, many of its problems today, if not rooted in continuing dissension over a period of years, have been markedly aggravated by the wrangling and distrust engendered. Time and effort which should have been devoted to the building of the industry... certainly, in no other field of controversy and strife.

It is a condition that apparently has no parallel in any other major American industry; certainly, in no other field of commerce or business has there been such a disposition to tear down the trade by point...

(Continued on Page 2)

Neely Drops Motion to Withdraw Committee Action On His Measure

Washington Bureau of THE FILM DAILY

Washington — With a committee vote promised this week on the Neely Bill, Senator Neely has withdrawn his Senate motion to discharge the Senate Interstate Commerce Committee from further consideration of the measure.

After a lengthy and heated discussion on the floor Friday, Senator Wheeler, chairman of the committee, promised to call members together and act on the bill by Wednesday. (Continued on Page 7)

BIG EASTERN CIRCUIT NEXT D OF J TARGET?

The Department of Justice is reliably reported to be preparing a monopoly suit against a large Eastern circuit operating in several states and the major distributors. The action is said to be similar to the one (Continued on Page 4)

British Industry Hopeful of Slash in Import Duties

London (By Cable)—Film circles were cheerful on the week-end over certainty that a survey, now being conducted by the Chancellor of the Exchequer to determine justification for a slash in import duties, will (Continued on Page 4)

U. K. TO SEE “NAZI SPY”

British Censors Pass WB Pix Without a Cut

London (By Cable) — Warners' “Confessions of a Nazi Spy” has been passed by the British Board of Film Censors without a single cut.

Action of the British censors in okaying “Confessions of a Nazi Spy” for exhibition in the United Kingdom was deemed of far more than strictly industry importance at the week-end. The British Government in the past, it was pointed out here, has been careful to see that both stage and screen offerings were free from matter to which foreign friendly governments might object.

Thus, passage of “Nazi Spy” was (Continued on Page 4)

DUMONT SAID SETTING PATENT LICENSE DEALS

Further non-exclusive licensing deals, for tele receiver set manufacturers to utilize patents held by Allen B. DuMont Laboratories, are understood to be on the fire, although the company, affiliate of Paramount, preserved silence on the subject over the week-end, other than to declare (Continued on Page 4)

Col. Cole and Kuykendall Express Similar Opinions; Latters Asks Trial

Abram F. Myers finds the distributors' proposed rules of arbitration "very encouraging," the Allied general counsel informed THE FILM DAILY over the week-end. Col. H. A. Cole, president of Allied, expressed a similar view, while Ed Kuykendall, MPTOA president, believes it should be tried.

Myers explained that he could not express a final view on the rules because, he said, "I have not had time to study them in detail.” He added that "I am required to give my opinion to the Allied board and am (Continued on Page 8)

GOV'T CONTENDS COL. CHARGED INDIES MORE

D of J filed on Friday in Federal Court the bill of particulars asked by Columbia in connection with Government's equity action against the majors. The bill, 23 pages, in many respects duplicated that already furnished to the consolidated defendants, among whom Columbia is not (Continued on Page 5)

Kas.-Mo. Exhibitors Fail To Approve Pact Proposals

Kansas City—Annual convention of the Kansas-Missouri Theater Owners Association closed here Friday without approving the proposed Trade Practice Code. Definite objections to its provisions were raised by O. P. Sullivan of Wichita, Kan., (Continued on Page 7)

Oka. MPTO Directors to Convene June 5

Oklahoma City—Board of directors of the MPTO of Oklahoma will meet at the Biltmore Hotel here June 5 to assign subjects for the forthcoming annual convention and hear

(Continued on Page 7)

Hoyts-GUT Pool Renewal Might Lure Snider-Dean, Raise Theater Total to 200

Hoyts Planning Expansion Program, Munro Reports

“Hoyts Theaters in Australia is planning an early expansion program to consolidate its position,” Charles (Continued on Page 7)

By HOLLIS KENNAHAN

FILM DAILY Staff Writer

Renewal of the Hoyts-GUT pool buying pool in Australia may be effected in the near future, if reported by the week-end, with the added possibility that the Dan Car...
The Broadway Parade

Picture and Distributor

Theater

Wuthering Heights (United Artists-Goldwyn)—7th week.

Rivoli

Carnival, Mr. Chas. Hinkle—3rd week.

Met

Union Pacific (Paramount Pictures)—3rd week.

Paramount

Blind Alley (Columbia Pictures)—2nd week.

Globe

Bride of the Century (Metro-Goldwyn Mayer).

Capitol

Captain Fury (United Artists-Reach).

Music Hall

The Kid from Kokomo (Warner Bros. Pictures).

Criterion

The House of Fear (Universal Pictures).

Charlton

Under Two Flags (20th Century-Fox).

Palace

Dark Victory (Warner Bros. Pictures)—a.b.

Palace

Return of the Cisco Kid (20th Century-Fox)—a.b.

Palace

Crime in the Maginot Line (Touler Pictures)—4th week.

55th St. Playhouse

The Oppenheim Family (Amkino).

Cameo

Sells To It! Paris (French production)—a.b.

Le Million

World

With a Smile (French M. P. Co.)—a.b.

Cine Roma

My Wife Enjoys Hens and Chickens.

Cine Roma

FOREIGN LANGUAGE FEATURES

The Mikado (Universal-G. O. S. Prod.)—June 1.

Rivoli

Tell No Tales (Metro-Goldwyn-Mayer)—June 1.

Capitol

Underdoctor Doctor (Paramount Pictures)—June 1.

Criterion

Street of Missing Men (Republic Pictures)—June 1.

Rialto

Journey to Lipapeo (Federated Productions).

Sidell

Young Mr. Lincoln (20th Century-Fox)—June 2.

Rox

Redemption to Capone (Universal Pictures).

Crescent

Rose of Washington Square (20th Century-Fox)—June 1 (a-b).

Palace

Pandula Lady (RKO Radio Pictures)—June 1 (a-b).

Palace

Happy Cavaliers (Scandinavian Talking Pictures)—May 31.

48th St. Theater

Les Disparus de St. A (Rivoli—School) (Columbia Pictures)—June 5.

5th Ave. Playhouse

Three Wallowers (Vedim Films)—June 1 (a-b).

55th St. Playhouse

(a) Dual bill.

(b) Subsequent run.

Distrib. Case

. . . fairly spoken

(Continued from Page 1)

ing the finger in public. And yet where is there an industry which is so utterly dependent upon the public’s respect?

Consider this: If the film industry has been able to progress—as it has—in spite of the enormity of handicap of disunity, to what height of progress might it not aspire if there existed distributor-exhibitor peace and a trade spirit of co-operation?

Those who will decide whether the Code is to be accepted or rejected would do well to nut that over.

Extend to Jan. 1940, Time to Pay $50,000 RKO Debs.

In order issued on Friday, Federal Judge William Bondy permitted Irving Trust Co., RKO trustee, to enter into agreements with Bank of America National Trust and Savings Association, the Chemical Bank Trust Co., and RCA, to extend time to pay $50,000 of 6 per cent gold debentures from June 1, 1939, to Jan. 1, 1940.

ATO of N. J. Buying Pool To Increase Membership

Associated Theater Owners of New Jersey, booking and buying organization headed by Irving Delling-er, is preparing to increase its theater membership from 14 to 25. Meetings have been held in New York by prospective members and indications are that the expansion plans will be put into effect shortly.

Deals have been set with all the major companies with the exception of United Artists.

Aussie Signs for 76 Miro, Installments in 6 Months

London (By Cable)—George S. Applegate, WE’s Australian managing director, here for a few weeks, states that within the past six months contracts have been signed for the installation of 76 Mimro phones in three systems in Australia’s three principal cities, of the 153 WE equipment operating Australia more than half are of the Mimro type. Applegate states that WE has equipped 100 New Zealand theaters.

Applegate and his wife leave shortly, accompanied by his parents who are here from the U.S. on a visit.

Fleischer Studios Expand

Miami—Expansion of the Fleischer Studios has been announced by Harry Howard, director of public relations. Two additional building nearby have been rented to which have been transferred the studio and story departments, the library, lyric writers and research department. More than 400 persons are now employed at the studio, with a weekly payroll of about $18,000. A cafeteria to accommodate 200 opens this week.

B. Meredith Equity V.—P.

B. Meredith Equity was elected third vice-president of Equity Board when the organization held its 26th annual meeting on the date of original organization. Ten members of the Central and three replacements were also named. Meeting was held in the Astor Grand Ballroom, with about 400 attending.
It's a double K.O.!

The Kid from Kokomo

PAT O'BRIEN
JOAN BLONDELL
WAYNE MORRIS
May Robson
Jane Wyman
Stanley Fields

Maxie Rosenbloom-Sidney Tolm
Directed by Lewis Seiler
Screen Play by Jerry Wald and Raymond Massey
From an Original Story by Dalton Trumbo

Warners gave it the action of ‘Galahad’!
Warners gave it the laughs of ‘Brother Rat’!
Big Eastern Circuit Next D of J Target? (Continued from Page 1) recently instituted against the Griffith circuit in the Southwest and will be filed within 60 days.

According to reports, the suit, to be based on complaints from competing exhibitors and information obtained by a D of J representative who has been investigating the charges.

British Industry Hopeful of Slash in Import Duties (Continued from Page 1) show the absolute necessity of such a move if the motion picture industry in the U.K. is to be kept healthy and intact.

Members of the House of Commons are asked to preserve a watchful-waiting attitude until the survey is completed, so that any steps to release the duties will be on substantial grounds, and not subject to pitfalls of hasty or biased action.

Favorable action by the Government to correct the dilemma in which the newreels were placed by the throttling taxes imposed is held to have been taken when it was realized by officials that the British public might be deprived of seeing newsreel material dealing with the visit of King George and Queen Elizabeth to Canada and the U.S.

Britain to See "Nazi Spy"; Censor Passes It Uncut (Continued from Page 1) accepted as reflecting not only an about-face in censorship policy but a determined stiffening in attitude towards the totalitarian bloc. The British okay virtually assures all Dominions will fall into line, it is felt, and is expected further to influence the attitude of other European censors.

Rep. to Make Super-Western West Coast Bureau of THE FILM DAILY Hollywood—Rep will make a super-western with Gene Autry called "In Old Monterey," which starts June 17. Armando Schaefer will be executive producer, Harry Grey associate producer and Joe Kane will direct. Supporting cast so far includes Smiley Burnette, June Storey, George "Gabby" Hayes and the Hot Shots, national burlesque performers. Since Harry Grey will be tied up with "In Old Monterey," William Blake will produce the next Gene Autry, "Sunset Colorado," which George Sherman will direct.

No Issue Tomorrow Tomorrow being Decoration Day, there will be no issue of THE FILM DAILY.

Dumont Said Setting Patent License Deals (Continued from Page 1) that some developments may be looked-for in the near future.

A five-year agreement, the first licensing pact entered into by DuMont, has just been closed, and it was announced by Majestic Radio & Television Corp., by terms of which the latter will make its own receivers under all patents now or later controlled by DuMont, which heralded what is said to be a series of pacts the Paramount affiliate is considering.

That DuMont does not intend to cross-license with RCA is indicated by a clause in the Majestic agreement to effect that if latter company's control is sold to RCA, the DuMont-Majestic deal is vitiated.

Washington Bureau of THE FILM DAILY Washington—Apparently optimistic about the future of television, the NAB, represented by President Neville Miller, appeared before the Senate Interstate Commerce sub-committee late last week to urge approval of the Barbour bill to eliminate the Federal ban on transmission or transportation of "picture representation" of prize fights across state lines.

Miller's transcription of prize fights will cross state lines and thus would fall within the category of interstate commerce, the NAB expec- said. While no court as yet has been called upon to rule whether the act of 1912 would apply to a telecast of a prize fight, Miller said it was conceivable the question may be raised.

Lissuiik Brings 30,000 Feet Of Ukrainian Battle Scenes Kalenick Lissuiik, president of Dnipro Film Corp., and father of the late Peter Lissuiik, newspaper camer- man who was killed while taking movies of a battle at the Ukrainian frontier, has arrived in New York with 30,000 feet of film of actual battle scenes. Film will be distributed by Michael J. Gann, president of Musart Film Productions, Inc., which is associated with Dnipro.

Happy Birthday May 29

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

MAY 29
Hugh F. Hedder
Douglas Rothacker
Jean Zeller/Nab
Paul Kohner
Sylvia Lanrey Schlipstein

MAY 30
William R. Ferguson
Frank C. Walker

ALONG THE RIALTO

with Phil M. Daly

- - - At this Thursday's meeting of the AMPO the organi- zation will honor its only active charter member Vincent Trotta who also celebrates his twenty-fifth anniversary in the motion picture industry as Paramount's art director a special program has been arranged to celebrate this auspicious event Vince being one of the grandest guys in the film biz and one who has never ceased to work for the cause of the AMPO and its ideals and objectives make this a MUST date mark it on your calendar now.

- - - MEMORIAL Day service will be broadcast by Variety Post No. 589 of the American Legion over KDCA in Pittsburgh under auspices of Commander Harry Kalmine and Adjutant C. C. Kellenberg from 10 to 11:45 A.M. tomorrow Maurice Spitalny has written a special musical number for the occasion dedicated to the Variety Post it will be sung by Brian McDonald the Hon. Judge Ben Lenchner will be the principal speaker.

- - - TIMELY tie-up effectuated with the Wool Industry in the U.S. in connection with "Captain Fury," a story of Australia the Bureau of Style Trends in connection with 700 retail outlets in principal towns has worked out a complete plan based on "wool scenes" in the Hal Roach production window displays will be the major phase of the tie-up which will also be featured at the World's Fair, where the Australian Commission will display stilts and material in connection with its wool exhibit in the British Empire building.

- - - THROUGH co-operation of General Electric Manager S. S. Kestenbaum of the Garamcy Park Theater will install a television set in the lounge early in June.

- - - SOUNDOINGS appropriate name of a classy booklet issued by Ross Federal Research Corp. the soundings referring to research studies of the consumer market and that includes the motion picture market it would be worth your while to read the Ross Federal Plan for Scientific Marketing a strictly modern view of analyzing classifying and appraising through scientific research.

- - - FAME Comes to Seadler at the cocktail fashion show in honor of Elizabeth Hawes and by way of plugging her book, "Men Can Take It" published by Random House Si ran away with first honors for "best dressed" in the "monkey business" division being selected by a group of distinguished judges including Heywood Brown and Maud Hart for wearing a pair of tax trousers, flaming yellow shirt and black boat tie and no shoes or socks. Vicki Leater presented Si with a price of a pair of red, white and blue suspenders to wear with his costume. Life magazine covered the affair as the "party of the week."
“Blind Alley” with Chester Morris, Ralph Bellamy
Columbia 61 mins.

ABSORBING DRAMA OF ESCAPED CON- VICT AND A DOCTOR IN MENTAL DUEL BUILDS NOVEL THRILLS.

A really absorbing drama with a novel type of the:getty theme. Ralph Bellamy as a psychiatrist finds his home invaded by Chester Morris in the role of an escaped convict who with two palls and his moli aiget away the gettaway the doctor's home while they await the arrival of a boat on the fake nearby that will take them to safety. Within the house are several people, and they react in various ways to the strain of their dread capers who hold them as sort of hostages against the police. The physician as he talks to the criminal realizes he is a psychopathic case, and starts to probe for the real cause of his hatred and killing on the slightest provocation. In fact he kills a youth who unsuspectingly fails to see the danger when the young man steps out. Here is some really fine writing by the playwright who evolved the story originally for a stage production. Gradually the doctor learns the background of the childhood of the killer, and by clever questioning uncovers the cause of the inhumanity that reacts on his mental makeup and makes him a ruthless murderer. The result is highly tense situations developing from the mental attack of the scientific mind of the doctor, finally forcing the patient to realize what has been obsessing him all his life and destroying his power to kill. This is demonstrated at the climax as the police surround the house, and their wanted man cannot pull the trigger of his gun when he faces the officers. Splendid work by Ralph Bellamy as the doctor. Chester Morris is also convincing as the criminal. Ann Dvorak as his moll is excellent. Selling angle: a doctor takes a criminal's mind apart and destroys his power to kill.

CAST: Chester Morris, Ralph Bellamy, Ann Dvorak, Joan Perry, Melville Cooper, Race Stadler, John Eldred, Alice Durney, Marc Lawrence, Stanley Brown, Scotty Beckett, Milburn Stone, Marie Blake.

CREDITS: Director, Charles Vidor; Author, James Warner; Screenplay, Philip MacDonald, Michael Blankfort, Albert Duly; Cameraman, Lucien Ballard; Editor, Duke Merson.

DIRECTION: Very Good. PHOTOGRAPHY: Okay.

Move for More Equity Suit Particulars Up Thursday

Motion by majors for a further bill of particulars, in the Government's equity action, was referred on Friday by Federal Judge Vincent L. Leli from Federal Judge William L. Bailey. Latter will hear motion in Federal Court on Thursday at 2:30 p.m. involving parties scheduled for Friday, last, but the absence from New York of William J. Donavan, counsel for the consolidated defendants, brought about the adjournment.

BURNS SUES ESQUIRE

Chicago—Bob Burns filed suit for unemployment against the Esquire magazine, asking monies due him for syndicate articles.

“Fixer Dugan” with Lee Tracy, Virginia Weidler
RKO Radio 61 Mins.

SENTIMENTAL STORY OF CIRCUS LIFE WITH VIRGINIA WEIDLER AS THE AP- FEALING ORPHAN.

Fairly interesting story of the circus that carries good atmosphere. Lee Tracy plays the part of the circus fixer. The sentimental angle is developed through little Virginia Weidler, whose mother, an aerial performer, dies, and Tracy teams the youngster up with the lady lion tamer, played by Peggy Shannon. There is the usual romantic interest between Tracy and Miss Shannon, and the general excitement of the circus and its raucous ballyhoo methods make this traveling tent show offering a natural for the kids; and a reasonably entertaining play for the rest.


CREDITS: Producer, Cliff Rojig; Director, Lew Landers; Author, H.C. Potter; Screenplay, Bert Grant, Paul Yawitz.

DIRECTION, Fair. PHOTOGRAPHY, Good.

British Films Occupy 25% of U.K. Playing Time

London (By Cable)—For the year ending Sept. 30, 1938, British productions occupied 25.7 per cent of the total playing time of United Kingdom theaters, according to figures released by the Board of Trade. For the previous year British pix occupied 25.9 per cent of the playing time.

Aggregate length of all films shown in the U.K. (including re-issues and re-entries) was 41,995,000,000,000 feet as compared to 42,726,000,000 feet the previous year. Total length of British entries, for the same period, British films was 11,555,000,000 feet. Of the total footage, feature pictures accounted for 41,455,000,000 feet, British features supplying 10,949,000,000 feet of this total.

Plan Westerns in Color

West Coast Bureau OF THE FILM DAILY

Hollywood — John Allen, of the 20th-Fox Westerns, who is the ex-prexy of Arizona Western Pictures, Inc., is here to select a technical staff and cast for "The Arizona Rangers," first of a series of westerns in color against authentic locales.

Fidler Stays on Air

Chicago—Jimmie Fidler, Hollywood news gossip, heard over 30 NBC Red Network stations on Friday night, has been renewed by network for Drenge for 12 weeks, effective June 30. Fidler gets a three-week vacation in August.

“Chasing Danger” with Preston Foster, Lynn Bari
20th-Century-Fox 60 Mins.

ACTION AND THRILLS IN NEWSREEL CAMERAMAN MELLER OF ARABIAN DESERT ADVENTURES.

Lively yarn of a newsreel cameraman, played by Preston Foster, who gets tangled in an Arabian revolt, along with his stoge Wally Vernon. Lynn Bari is the charmer, and she’s an eyeful all the way through the picture. She is a spy, being the sweetie of aagent who is backing the revolt in the desert with a lot of dough that he has not come by honestly. This puts the French police on the girl’s trail, for through her they hope to contact the chief. There are all sorts of exciting adventures, among them a hazardous and dangerous trip of a boat and an airplane. The revolt is stopped and the rebels turned loose, after several narrow escapes, the newsreel daredevil and his assistant come out on top with the timely arrival of the Legionnaires. There are lots of comedy tinges intermingled with the thrills, but Lynn Bari steals the show with her charm and lightness and settings; newsreel camera adventures in the desert.


CREDITS: Director, Ricardo Cortez; Author, Leonard Berovicci; Screenplay, Robert John, Gene Schmitt, Cameraman, Virgil Miller; Editor, Norman Colbert.

DIRECTION, Fair. PHOTOGRAPHY, Good.

Segal Home Today; Opened 3 Col. Offices in Europe

Following a seven months’ business trip through England and the Continent, Jack Segal, manager of Columbia’s foreign exchange operations and assistant to J. A. McConville, company's foreign manager, arrives in New York today on the Normandie.

While abroad, Segal opened organization's new offices in Paris, Mar- seilles, and Brussels, and perfected plans for setting up offices in Lille, Strasbourg and Algiers. During jaunt overseas, he also briefly visited Col- umbia's offices in Egypt and India.

Another arrival at the home office today will be M. M. Bergner, Col- umbia’s manager for Japan, who, en route from Tokyo stopped over in Los Angeles to meet the company’s foreign sales meet there. Purpose of Bergh- ner’s trek to New York is to handle J. A. McConville and other exes. on company's position in Japan.

Score by Solita Palmer

Solita Palmer has been signed to write original music score for “The Ninth State,” two-reel featurette which Emerson Torke is producing for the State of New Hampshire. Pix is slated for major release after preliminary showing at the World’s Fair tent on New Hampshire Day, June 21.
MANOS CIRCUIT PLANS
$165,000 PIX HOUSE

Pittsburgh — The Manos Amusement Co., which operates a circuit of theaters throughout Western Pennsylvania and West Virginia, has completed arrangements for the construction of a 950-seat house in Jeannette, to cost approximately $165,000. Work will start immediately and the theater is expected to be finished by September 1. The architect is Victor Rigamont.

Building In Jewett City
Jewett City, Conn. — Closing of Finn’s by July 1 is contemplated. Meanwhile, Joseph Quinitter and Peter Perakos will start construction of a new 750-seat house to replace the theater destroyed by the last hurricane.

Bissell House for Whitehall
Whitehall, Mich.: Plans are under way for the erection of a new theater building here. It is to be built for Charles W. Bissell of Grand Rapids and will have a 950-seat capacity.

Griffith Builds In N. M.
Carlsbad, N. M.—Construction is well under way on the new Tower Theater. Tom Hoffin is the contractor. Work is expected to be completed by July 1, according to Frank Maxey, manager of the two existing Griffith Theaters, the Cactus and the Cavern. The Tower will seat 800.

Beaverton, Mich.—Beaverton which has been without a pit theater for years, will have one, built by J. H. Mentheiner, grocer.

Ohio Church Into Theater
Cincinnati — Mrs. E. D. Jenkins, Pomeroy, is remodeling an abandoned church into a new pit theater, which will open June 1.

West Toledo To Get Theater
Toledo, O. — The Toledo zoning board of appeals has approved construction plans for an 850-seat theater at 3015 Detroit Ave, on the site of the Odd Fellows Temple, in West Toledo, Iohn & Hayes, local architects, prepared plans for the structure for a company in which Jack O’Connell of the downtown Loop and other theaters, is the principal. The present building will be remodeled for a new theater, in which virtually amounts to a new construction job. The theater will be 300 feet in ground dimensions.

Replacing Burned Theater
Marysville, Wash.—A new $25,000 theater will be constructed here to replace the town’s lone theater, destroyed by fire.

To Replace Cincy Grand
Cincinnati—RKO Grand, Vine and Opera Places, is to be torn down and a new theater erected on the site.

New Fox West Coast Film Theater
Cost $1,000, Seat 1,000, Cost $200,000

Fresno, Calif.—Fox West Coast Theaters, Inc., has let contract for $100,000. Fixtures and equipment will cost an additional $100,000. The new theater will be located at Olive and Wishon Sts., and have seating capacity of 1000.

Evans Co. Builds In Atlanta
Atlanta, Ga.—Construction of a new 500-seat house by the Evans Amusement Co. starts soon. The house will be located in the Briarcliff Plaza Building at Highland and Ponce de Leon Ave. The Evans Company obtained a lease for 20 years with a total rental of $117,000.

Flat Rock Assured Films
Flat Rock, Mich.—Flat Rock, 25 miles southwest of Detroit and here the theaters are, will have the 500-seat Flatrock. Howard A. Connor has been named the theater manager for John Vlochos.

$300,000 Warren Project
Warren, O.—A new theater to cost $300,000 and seat 2,000 persons will be built here in the near future, Daniel Robins of the Robins Enterprises Co. has announced. The company now operates two theaters in the city, the Plain and the Star, here. Construction will be the first involving theaters here in several years.

New House for Miami
Miami, Fla.—Contract has been awarded for the construction of a motion picture house on N. W. Seyssel and N. W. 52nd St., the Miami Construction Co. has the contract at $65,000.

Velas House for Woodsdale
Pittsburgh—Plans have been completed and work is to start immediately on a new one-story, 400-seat theater to be constructed at Woodsdale, W. Va., which is situated between Wheeling and Elmh Grove, by Chris Velas, one of the oldtimers in the territory. The house is expected to be ready for opening early in September.

Third In Caro for Ashmun
Detroit.—A new 650-seat theater is being built at Caro, by R. J. and R. D. Ashmun, who operate the Strand and Temple there. New structure will cost $75,000.

Improve Allegan Theater
Allegan, Mich.—Work is progressing on the alteration and modernization of the Rapid Theater here and operated by the Carley Amusement Co., affiliated with Butterfield. The auditorium and balcony, remodeled will provide a 900-seat capacity.

Plans were drawn by Roger Allen, Grand Rapids architect. Contract for general construction was awarded the Osterink Construction Co., Grand Rapids; plumbing, heating and air-conditioning equipment will be installed by Pipe and Raap, Grand Rapids electric wiring and sound equipment will be installed by the Jackson Electric Co., Detroit; and the Rapid theaters will install the latest type of seating.

Second House for Custer
Custer, W. Va.—Gene Custer is breaking ground for a new house on the east side. Custer now operates a house on the west side.

Remodel Weiss Theater
Pittsburgh.—The Liberty Theater in Keckersport, Pa., owned and operated by Joseph Weiss and his son, Al, who also have the Capitol and Globe Theaters there, will close for 60 days for extensive alterations, installation of new equipment, etc., which will cost approximately $25,000. This is their first closing in the history of the capacity of which will also be increased by 500. The theater will re-open on Labor Day.

Transform Johnson House
Vivian, La.—W. J. Johnson, owner of the Tri-State bus lines, part of the Greyhound system, is buying $12,000 or more to turn the inside of his Ritz Theater around. Screen is to be moved from behind the box office to the other end and the floor is to be reslated.

2,300-Seater for Detroit
Detroit.—Construction of a new 2,300-seat second-run theater for Detroit is in prospect. Saul Sloan is the builder, with Giffels & Vallet, Inc., as architects. Location will be at the multi-cornered intersection of Whiter, Hayes, Houston, and Kelly Avenues.

Ownership of the new house is not disclosed. It will be named the Alpine, it was learned, and will open about Thanksgiving.

Skirball Massillon House
Massillon, O.—Construction of a $100,000 theater, to be built on the site of the Wise-Whitman block, destroyed by a fire a year ago, will be started within 15 days. The theater, to seat 1,000, will be erected by the Skirball Bros., Co. of Cleveland and will be ready by Nov. 1.

Lampert Plans Another
Windsor, Conn.—Nathan Lampert has acquired an option on a central site and announced he will build a new 500-seat house. Lampert already operates a smaller theater on the outskirts of the town.

Second Ellaness Bryan House
Bryan, O.—Plans for a new 800-seat theater have been completed by the Ellaness Corp., which was received by Al Yahraus, manager of the Temple, owned by the firm.

TRI-STATES TO ADD
ROCK ISLAND HOUSE

Des Moines, Ia.—The Tri-States Theater Corp., operators of the Fort and Spencer Theaters in Rock Island, Ill., have leased space for a 700-seat first-run theater in a new $102,000 building that is to be finished by Oct. 1.

New Theater for Garrett
Garrett, Ind.—A. C. Kalafat, Garrett, and George Kalafat, Cleveland, are partners in the building of a new $25,000 theater here to be known as the Kal, with opening set for Sept. 1. General contract has been awarded to William B. Small, Pittsfield, Ill.; heating, cooling, and air-conditioning to Lige Warming and Ventilating Co., Auburn; and plumbing and wiring to Rex Griffith, Garrett. Edwin G. Frederick, Chicago, is architect.

Alexas Plans 1,000-Seater
Pittsburgh.—A new 1,000-seat theater will be constructed in Ligonier, by construction costs of approximately $18,000. Horace A. Bailey of Johnstown, Pa., is the architect.

Portland Theater Acquired
Portland, Ore.—Clarence and Leo Palloy have purchased the old Princess Theater here. The new owners expect to remodeled to seat 200 and 15,000 and remodel the house into a first-class theater. Early Fall opening is announced.

Eisenman Building In Flint
Detroit.—Construction of a new house on S. Saginaw and St. Paul, named “Doc” Eisenman, who also owns the Michigan Theater there, is reported from the Milton Strauss offices. New house will have 1,000 seats.

FWC House for San Carlos
San Carlos, Calif.—A. M. Bowles, North Carolina, has option on a lot in the city for Fox West Coast Theaters, announces that the Fox organization will start the erection of an 800-seat theater in San Carlos.

Smith Builds 400-Seater
Chicago—Ernest Smith is building a 400-seat modernistic theater in Francisville, Ind. RCA sound equipment will be installed.

Wisper-Wetsman Get Site
Detroit — Wisper & Wetsman Circuit purchased a 210 by 380 site for a theater in Dearborn, west side suburb, seven blocks west of their present Calvin Theater. A 1,500 seat house, with stores, will be erected, plans for early Fall. Architect Charles N. Ague is preparing the plans.

Drebert House Remodeled
Cincinnati.—J. F. Drebert has completely remodeled and reequipped his two theaters, located at Boomer and Smithers, W. Va.
GOV'T CONTROLS COL. CHARGED INDIES MORE

(Continued from Page 1)

excluded, but particulars vary to ex-
clude that they mention specific in-
stances of alleged violations in the
distribution of pictures.

The bill, as reported, requires exhibi-
tors to pay four or five times as much, or, more, for exhibi-
tion privileges in any territory, be-
cause as was paid by the "major pro-
ducer-exhibitor" defendants, and
that during 1935-36, Henry Lazarus, operat-
ing the Coliseum Theater in
New Orleans was forced to pay more
than four times as much film rental
on 21 features as the Isis Theater
there, which was operated by a sub-
diary or affiliate of Paramount.

Government says it does not know
the price the exhibitors gave for the movies. There were six pictures at
20 each, six at $15, and 20 at $10; 13 of these 22 were pur-
based at a lower rental by the Para-
mount affiliate.

Bill names 15 exhibs. who were
compelled to maintain a minimum
commission price, and who were denied
the right to use Columbia product
in the Texas territory. They are:
N. Kirchheimer, North Side The-
er, Houston; O. B. Bridges, Mid-
town Theater, Houston; Robert
Amuth, Amuth Amusement Co., Isi and Rose
theaters, Fort Worth; Robert Wy-
man, Heights Theater, San
Antonio; Archibald, Holly Theater, Fort
Worth; Queen Amusement Co., New
Bertie and Ideal Theaters, Fort
Worth; L. L. Ricketts, Gaity Theater,
Fort Worth; H. C. Houston, Trinity
Theater, Dallas; B. J. Hightower,
San Theater, Fort Worth; Per-
ky, Avenue Theater, Fort Worth;
Paul Dixon, Haskell Theater, Dal-
las; O. C. Easter, Palace Theater,
L. L. Dunbar, Queen Theater,
Dallas; L. G. Basinger, Queen
Theater, Dallas; and Robert Z. Glass,
Palais, Fair and Knox St. The-
ers, Dallas.

D of J also asserts that Columbia
did a deal with Interstate Circuit,
which operates 15 houses in
Texas cities of Dallas, Fort
Worth, Houston and San An-
tonio, that provided that Columbia was
not to license certain of its pictures
billed in the Interstate Circuit
theaters, or of any of them, on a sub-
sequent run in the cities of Dallas,
Fort Worth, Houston and San An-
tonio, at a smaller adult evening
admission of 25c.

Columbia was also charged with
ring an agreement with certain
owners of other majors to give lat-
ch reductions to those Columbia
pictures were shown in conjunction
with other feature. These con-
tracts were purportedly with Na-
tional Theater Corp., Loew's, Inc.,
and Warners for certain of their
houses.

Bill also avers that Columbia had duplicat-
contracts with the follow-
ing stars: Gloria Blondell (also with
Loew's) and RKO; Lew Ayres
with M-G-M; Irene Dunne (Para-
mount, RKO, Universal); Cary
Grant (RKO), and Edward G. Rob-
inson (Warners).

STORKS!

Daniel Triester of Warner Bros.,
who is celebrating the birth of a
son, born to Mrs. Triester at
E. Earl Hospital on Thursday.

HOOTS PLANNING EXPANSION

(Continued from Page 5)

Kas-Mo. Exhibitors Fail
To Approve Pact Proposals

(Continued from Page 1)

and Louis Soaper of Mobley, Mo.
However, a resolution was passed
commending the distributors for their
work, "everybody being about a better
understanding.

Frank Casal of St. Joseph, Mo.,
was re-elected president of the or-
der under a section of the law. Members
were: Homer Strowig, Abilene, Kan.,
vice-president; Fred Meyn, Kansas
City, Kan., secretary-treasurer, and
Gus Diamond, R. R. Biechele, John
Staples, Tom Edwards, Tom Wilhoit
and George Hartmann, directors.

Burlingame, Ascot, and certain local
problems did not come before the
membership.

Civil Jury Trial Is Asked
For Release of "Ecasthy"

Albany—Judge Gilbert V. Schenck
reserved decision Friday on the
motion of Eureka Productions, Inc.,
United States distributors of "Ecasthy",
which seeks the right to exhibit the
film in New York State through a
review of the determination and
acts of the Board of Regents in
denying an appeal.

Judge Schenck, attorney for E-
ureka Productions, asked Judge
Schenck to set a trial by civil jury
against the producers, which is
similar to that made several months
ago by the American Committee on
Maternal Welfare, Inc., in the case
of "Birth of a Baby."

The elimination of objectionable
scenes was mentioned by Pearlman
in introducing the recent version
of "Ecasthy" which was turned down
in February by State Censor Es-
mond. Appeal by the Board of Re-
ral screening by Regents Brandeis,
Bell and Ryan and subse-
quent denial on April 21 by the 12
member board.

Eureka Productions purchased
rights to "Ecasthy" from Elekta
Film Corp., Czechoslovakia several
years ago and claim to have $25,000
owed in distribution and other
costs.

Bioff Calls Carpenter's
Att'y Liar at IATSE Trial

West Coast Bureau of THE FILM DAILY

Hollywood—When A. Brigham
Rose, attorney for Joe Carpenter
in the Carpenter-IATSE case, infor-
mated Superior Judge Willis that he (Rose)
was trying to prove that Joseph M.
Schenck, as the representative of the
motion picture producers, had given
William Bioff a $100,000 cashier
check, Bioff, former Coast repre-
sentative of IATSE who was on
the witness stand, called Rose a liar.

Judge Willis ordered that Inter-
national President George E. Browne
of IATSE, who is believed to be in
Arizona, be required to furnish a
deposition.
THE WEEK IN REVIEW
Arbitration Clauses Completed—Miniature French UA
By George H. Morris

DOMESTIC
N. Y. ALLIED: Eyes of the industry were focused on New York Allied three-day convention. Reports that the local unit and the national association were at variance over policies were scouted by Presi- dent Max A. Cohen of New York who pledged his group’s loyalty to the parent body. Conclave was climaxd on Thursday with addresses by Abram F. Myers and William F. Rodgers, latter revealing a new set-up for a proposed arbitration system. Under the plan, full text of which was exclusively published Friday in THE FILM DAILY, boards will be established in all exchange centers where permanent and special panels will endeavor to iron out trade difficulties. The arbitration rules were sent to all such organizations for their approval.

ADMINISTRATIVE: Although his contract does not expire until March 1, 1940, Pandro S. Berman, RKO Radio’s v-p, in charge of production, sought to relinquish his post, effective Oct. 1. He is reported planning a world tour, returning to Hollywood after the film is doubtless to RKO Radio again. It is thought that 100 per cent unit system will be used by President George DeMille of the Film Ass’n. Lee Marcus handling “B” product.

LITIGATION: D of J, in equity action vs. majors, filed in Federal Court its list under Item 8 of bill of particulars and set forth 85 alleged coerceive acts by majors. Paramount was charged with 48 of these; 20th-Fox, six; and Warners and RKO, each, five. Not listed among defendants of M-G-M or Universal, the other principal consolidated defendants. Columbia and UA are not named as latter.

ON OTHER FRONT: Anti-Block Booking bill swept through Illinois Statehouse on Wednesday by 85 to 8 vote... William Jordan of Films, Inc., said 16 mm. circuit operation in Mid-West to hit new peak with an estimated 300 itinerant exhibs, engaged... George W. Weeks, Monogram’s general sales manager, told New York film buyers in the Owner’s Association convention in Kansas City’s Hotel President that films will find television bigger boon than sound, which was vital shot-in-the-arm for the pix industry.

FOREIGN
UA FRENCH PLAN: Upon return to New York from Hollywood trek, Murray Silverstein, chairman of UA’s executive committee, discussed plans for expansion in various French-speaking areas. Highlighting proposed moves is decision to set up in France a “salon” for American producers participating. UA would distribute resulting product in all French-speaking lands. Silverstone also revealed the possibility of a circuit in England, South Africa and Pan-American countries.

ZEY BILL: Delay associated with proposed debate on Zey Bill in the French Chamber of Deputies gave the American censors a welcome opportunity to catch up with developments in their French field. Highlighting proposed moves is decision to set up in France a “salon” for American producers participating. UA would distribute resulting product in all French-speaking lands. Silverstone also revealed the possibility of a circuit in England, South Africa and Pan-American countries.

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Contracts for servicing the sound reproducing equipment in the 67 theaters of both the Saenger Amuse- ment and the United Theater groups, which are headquartered at New Or- leans, was announced by Edward C. Cahill, RCA Photophone division manager at the week-end.

British pictures as a retaliatory measure against the American dis- tricts were given the “Angels” Stars on Air
A radio version of Columbia’s “Only Angels Have Wings,” with the co-stars, Cary Grant and Luise Rainer, that might be used in their pix roles, will feature the Lux Radio Program, a WABC network tele- vision from 9 to 10 p.m.

HOYT’S—GUT BUYING POOL RENEWAL LOOMS

(Continued from Page 1)

roll and Snider-Dean interests may also be brought under a new law which brings the pool well above the 200- the-ater mark and would present the streamliners to the film industry over effectuated “down under.”

Such a move would bring tangible results for the circuits involved, meaning decreased operating costs, reduced overhead, elimination of costly competitive theater building and better distribution of films, with everybody having a sufficient quan- tity of product, it is pointed out.

More important than this, however, it would line up the dominant theater interests in a united front against any adverse legislation. Establishment of the New South Wales licensing law will restrict thea- ter building in that state, and close harmony among the theater interests would completely eliminate competi- tive theater building.

Although no confirmation was forthcoming from execs. of these chains now in New York,—who are busy winding up their residence in the city and hotel—a lively interest was indicat- ed.

Norman B. Rydge, GUT chief, arrived here a short time ago, os- tensibly for the purpose of product. Negotiations to bolster his lineup which has Red Parkway, Monogram and some Paramount and Metro second- runs at present. Admittedly a power in Australia through his diversified activities, he was left out in the cold when the GUT-Hoyts five pooling agreement came to an end in Decem- ber, 1937, and Hoyts could offer 20th-Fox, RKO, Columbia, Warners, Uni- versal and some other major product which GUT had formerly been able to show.

Leaders of all these circuits have individually stressed the need to keep the Government there out of the theater business, and satisfaction of the GUT product needs would ap- pear to Rydge in line with the wish to keep him from finding a field as a possible dissector and would also keep him from agitating in any way for restrictive legislation as he would then injure his own posi- tion.

Present cancellation clause in New South Wales was opposed by Rydge who was short of product, and it was favored by Munro, who had all the product he needed. The success of the New South Wales legislation to other states has been anticipated, but it would be difficult to see how the proposed pool could block it.

Another threat that might be elim- inated would be the agitation by certain interests to push a quota of

Co-operation of Republic, Mono, on Code Is Assured
While Republic and Monogram have been involved directly in the preparation of the Trade Practice Code and arbitration rules, both or- ganizations are ready to co-operate executives for both companies sat- over the week-end.

Speaking for Republic, James R. Grainger, president, stated that his company would “subscribe to an constructive move as a matter of forthwith the best interests of the industry.”

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Hearing of Kuhn’s Warner Suit Adjourned to June 2
Hearing on application of Fritz Kuhn, German Bund leader, who has entered suit against Warners for $5,- 000,000 in connection with contest of “Confessions of a Nazi Spy,” for a temporary injunction against show- ing of the feature was adjourned on Friday by Federal Judge Vincent L. Leibell to June 2. Adjournment was on request of Warners, it being con- ceded that sufficient time had not been allowed the company to compile material in connection with the cast.

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ABRITION RULES ENCOURAGING—MYERS

(Continued from Page 1)

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Scoring “Old Glory”
West Coast Bureau of THE FILM DAILY

Titular Humor
Montreal—Whatever may be said about the English sense of humor, there is no lack of the feeling of a rib-ticking situation among their Canadian cousins. And whether they are joking or joking over the marquee sign on one of the downtown theaters which lists large picture of the King and Queen were these words:

“Four Majesties!”

“Fugitives For A Night”

“Little Tough Guys In Society.”
Engineers Gearing Tele to Use 16mm. Films Exclusively

WARNERS REPORT 26 WEEKS PROFIT OF $1,665,888

51.2% Oppose, 31.8% Favor Gov't Supervision of Pix

17% Register "No Opinion" In Newest Survey by Fortune Magazine

Only 32.5% of the U.S. population favor Government supervision of motion picture material, according to the Fortune Survey: XXII, published in the June edition of Fortune. The surveys shows that 62.5% are emphatically against supervision while 12.5% had no opinion. Fortune explains that the undecided 12.5% were mostly Negroes. The lower income level supplied most of... (Continued on Page 4)

GET SET FOR THAT GALA GOLF EVENT

Gather round, Golfer! We here- start the ballyhoo for the 27th Annual Daily Golf Tournament, known as Motion Picture Golf—which is more of a publicity stunt to attract more business and generate interest in the film industry. You put ten iron men on the... (Continued on Page 4)

75 H. O. Execs. to Board Para. Special on Sunday

More than 75 Paramount home office executives, foreign and domestic sales representatives will leave here next Sunday, aboard a special Paramount Convention Train, leaving Grand Central Station at 4:50 P.M. (Continued on Page 4)

KUYKENDALL ASSAILS GOVT. INTERFERENCE

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HOYTS-GUT BUYING POOL RENEWAL LOOMS

(Continued from Page 1)

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THE WEEK IN REVIEW

Arbitration Clauses Completed—Miniature French UA

By GEORGE H. MORRIS

DOMESTIC

N. Y. ALLIED: Eyes of the industry were focused on New York Allied three-day convention. Reports that the local unit and the national association were at variance over policies were scouted by President Max A. Cohen of New York, who pledged his group's loyalty to the parent body. Conclave was climax ed Thursday with addresses by Abram F. Myers and William F. Rodgers, latter revealing a new set up for a proposed arbitration system. Under the plan, full text of which was exclusively published Friday in THE FILM DAILY, boards will be established in all exchange centers. Where permanent and special panels will endeavor to iron out trade difficulties. The arbitration rules were sent to all exhibitors, organizations for their approval.

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ON OTHER FRONT: Anti-Block Booking bill swept through Illinois

Saenger-United Circuits Sign RCA Service Pacts

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British pictures as a retaliatory measure against the American distri bution. A united front conceivably might force a reduction in terms by the American distributors. The British market would almost certainly favor American product at all times and end the possibility of continual legislative moves that might eventually cripple the Australian market.

Maurice Sloman, general manager of Hoyts, arrived here yesterday to join Munro.

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Scoring "Old Glory"

"West Coast Bureau of THE FILM DAILY"

Hollywood — Leon Schlesinger 1 scoring the music to the first patriotic cartoon short, "Old Glory." Music is by Karl Stalling arrangements by Milton Franklin and 50-piece Vitaphone Symphony orchestra. Narration by John Deering who did a similar chore on War ners' "Confession of a Nazi Spy."

Titular Humor

Montreal—What may be said about the English sense of humor, there is no telling from reading the newspapers. And we are still checking over the marquee sign on one of the downtown houses. Under large pictures of the King and Queen, were these words: "Their Majesties!"

"Spatchets For a Night" and "Little Tough Guys in Society."

Monday, May 29, 1939
Engineers Gearing Tele to Use 16mm. Films Exclusively

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Only 31.8 per cent of the U. S. public favor Government supervision of motion picture material, according to the Fortune Survey: XXII, published in the June edition of Fortune. The surveys show that 32.2 per cent are emphatically against supervision while 17 per cent had no opinion. Fortune explained that the undecided 17 per cent were mostly Negroes. The lower income level supplied most of the opposition.

GET SET FOR THAT GALA GOLF EVENT

Gather round, Golfers! We here- with start the battleyoo for the 27th Film Daily Golf Tournament, known to all and sundry as the greatest chance to get something for nothing that was ever launched in the film biz. You put ten iron men on the

Spanish language films are already in use in a number of limited theaters. The French, Italian, Spanish, and German language films have proved to be quite popular. The Spanish language films today constitute 50 per cent of the playing time in Peru, according to Bert Reisman, RKO manager in Lima, who is in New York to attend the

U. S., British Engineers Gearing Tele for Exclusive Use of 16mm. Films

Midwest District Captures First Place in Sears Drive

Midwest District of Warners' distributing organization won this year's Sears Drive, with the company's West Coast and Central District, winding up in second and third places, respectively, it was announced by Carl Leserman, co-

Revisions in Trade Practice Code Will Be Announced This Week—W. F. Rodgers

Revisions in the proposed trade practice code plan will be released this week, W. F. Rodgers announced Monday. Nature of the changes was not revealed. Rodgers said the new draft would be sent to exhibitor leaders as soon as it was given to the trade press for publication.

EXHIBS. FAVOR CODE "RELIEVING CLAUSES"

Here to discuss a renewal of his releasing deal with Paramount, Erich Pommer, head of Mayflower Pictures, stated yesterday that in all probability it would be a two year deal and would embrace five picture. He arrived Monday on the Normandie, bringing with him a print of "Jamaica Inn," third re lease on his current four picture deal with Para.

POMMER-PARA. TO SET 2-YEAR 5 PIX DEAL

Pommer disclosed that his next (Continued on Page 7)

Spanish language films cut into Peruvian time

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B & K Closing UA Theater In Chi.; Others to Follow

Chicago—B & K is closing the United Artists Theater in the Loop allegedly because of a product shortage. It will reopen when sufficient pictures are available, it was an-

"Lincoln" Sure-fire

Springfield, Ill.—Before a distinguished audience of state and city officials, Hollywood stars and over 100 newspaper writers from a score of key cities, 20th Century-Fox gave the world premiere of "Young Mr. Lincoln" at the Fox Lincoln Theater here last night.

Comparing With $2,824,618 for Corresponding Period Year Ago

Warners and subsidiary companies year-to-year figures for the 26 weeks ending Feb. 25 last a net operating profit of $1,665,888, after deducting all charges including amortization and depreciation and Federal income taxes. This compares with a net operating profit of $2,824,618.13 reported for the corresponding period the previous year.

Gross income, after eliminating intercompany transactions, for the

Kuykendall Assails Gov't Interference

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THE TWENTY-SEVENTH
FILM DAILY GOLF TOURNAMENT

Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee will be $12.00 if not paid before June 22.)

Name ________________________

Address _______________________

LAST THREE SCORES  __________  __________  __________

CLUB HANDICAP  __________

Para. to Seek Dismissal
Of Leeds Estate Action

Paramount today is expected to apply for the dismissal of a suit brought against the company and others by Blanche W., Laurence C. and Jules C. Leeds, executors of the estate of Abram L. Leeds. No details of the action were revealed Monday when filed in New York Supreme Court, but informative sources indicate that it may have to do with a dispute arising from the purchase by Paramount of 50 p.c. of the DuMont Television Co. It is believed that the Leeds claim the estate is entitled to a share of the purchase price, as Abram Leeds owned DuMont stock.

The suit was filed against Paramount, Henry A. Schapczik, Morgan Loew and Stanton Grifles.

20th-Fox South American
Sales Meet Opening at Rio

Twentieth-Fox South America sales convention, first large scale convention that this company has held in that territory opens tomorrow in Rio de Janeiro with President Sidney R. Kent and Walter J. Hutchinson, director of foreign distribution, in Rio for the meeting.

Hutchinson will preside at the three-day parley with J. Carlos Batista, Brazilian manager for 20th-Fox, acting as the official host. Kent and Hutchinson leave Rio about June 10 for Trinidad where a Caribbean territory convention will be held.

Cinema Institute Honors
Jack L. Warner Tomorrow

West Coast Bureau of THE FILM DAILY

Burbank—Jack L. Warner will be honored by the American Institute of Cinematography, Inc., tomorrow when he will receive one of the Institute's 1939 awards for achievement on the screen and an honorary membership in the group. Miss Robson, now under contract to Warners, will also receive an award for accomplishment.

ROGERS TO STAR LINDA WARE

West Coast Bureau of THE FILM DAILY

Rogers—Charles R. Rogers will start production in July on "A Star Is in Manhattan," starring Linda Ware, as the Theatre.

THE PLAYERS

George Abbott

"There have been a number of good girls and movie shews in town of late, but this is by all odds the most brilliant of the lot."—W. F. Waite, Har.-Times.

George Abbott—Rodden and Hays.
JUST PREVIEWED!

"The best Tarzan picture I have ever seen," says author Edgar Rice Burroughs! A fortune is coming to the box-offices of America and M-G-M's tip to you is Get Your Share!

THE FIRST TARZAN PICTURE IN 3 YEARS!
—and how they'll go for this one—starring the great JOHNNY WEISSMULLER


from the Friendly Company
51.2% OPPOSE GOV'T SUPERVISION OF PIX

(Continued from Page 1)

those in favor of Government control.

Censorship question was in three parts, with those questioning being asked whether they favored establishment of bureaus to supervise what should be produced in motion pictures, produced over the radio and printed in newspapers and magazines. Negative replies, ranging from the ratio of about five to three on films to five to one on the press, were the result.

Spanish Language Films Cut Into Peruvian Time

(Continued from Page 1)

company's annual sales convention. There has been a slightly decrease under last year's rate. Neither of the Spanish pictures getting playing time, Reisman said, but status of competition can be seen in the fact that a few years ago there was no native language product and the American companies were getting almost 100 per cent of the playing time.

Reisman pointed out, however, that the Spanish pictures do not get first-run engagements but find a market in the subsequent runs in Lima and in the smaller towns of the territory. The Peruvians, themselves, do not like native language pictures, preferring American, and some French and Italian features, the latter going over well in the first runs, Reisman said.

The Lima office is comparatively new, having been installed about a year ago. Reisman won fourth place in the recent world-wide sales drive and was rewarded with the present trip to New York. He formerly was manager in Cuba.

Conn. Exhibs. Escape Tax

Hartford, Conn.—Balancing of the budget for the next two years caused exhibitors to be relieved of considerable anxiety. An amusement tax had been threatened. Meanwhile, Bingo for organizations worries theatermen who have found it ruinous competition in the past.

ALONG THE RIALTO WITH PHIL M. DALY

• • • CARRYING the greatest gathering of newspaper writers ever taken on an out-of-town premiere— the "Young Mr. Lincoln" special train left the Grand Central station in New York early Monday afternoon...with guests from newspapers and magazines of most of the key cities of the East......others came aboard at Chicago, and another contingent from the midwest went direct to Springfield, Ill......where the premiere of the 20th Century-Fox production was shown to a gala audience last night as a Memorial Day celebration at the Fox-Lincoln Theater......

• • • ARRIVING Tuesday moron at 10:30, the special train contingent were there in time to greet the arrival of the Holly-wood stars who came in an hour later on the Chicago & Alton streamliner "Ann Rutledge"......

• • • LUNCHEON was held at the Leland Hotel......given by the Mid-Day Luncheon Club of Springfield......headquarters were established at both the Abraham Lincoln and Leland Hotel where the guests could meet and have refreshments all the time they were in Springfield.......this staff of Charles McCarthy certainly handled everything with a great big hospitable gesture......

• • • TOURS were made on Tuesday afternoon to points of historical interest......one trip was to New Salem, where Lincoln spent his early days.......this town is thirty-five miles from Springfield, and has been preserved by the State as a park ......a second tour was to Lincoln's home in Springfield, and to Lincoln's tomb......

• • • THE PREMIERE of the picture was held at 7:45 to allow for national broadcast from the stage of the Fox Lincoln......Marian Anderson, noted American contralto, sang "America" as the opening number.......Lowell Thomas was master of ceremonies......the screening of "Young Mr. Lincoln" followed, before a most distinguished audience.......the State was represented by Lt. Governor John Stelle, and a committee of seven state senators and seven representatives.......the facilities of the entire city of Springfield were turned over to 20th Century-Fox by Mayor John W. Kapp for the premiere......

• • • FACILITIES for the newspaper writers to file their stories were perfect......the Illinois State Journal turned over its editorial rooms......there were special rooms available at the Abraham Lincoln and Leland hotels for the feature writers and reviewers.......a special wire photo service for transmission of pictures to key cities, with cameramen able to develop their pictures of notables and events in specially prepared dark rooms marked a very modern note in out-of-town premieres......

• • • EASILY one of the most distinguished and classy premieres ever given in the history of the industry......with the newspaper correspondents and critics leaving Springfield today all agreeing that 20th Century-Fox has been a perfect host......

GET SET FOR THAT GALA GOLF EVENT

(Continued from Page 1)

line for a great outdoor gala gala, including a luncheon, a supper, and tourney play, and you walk away with a prize or a trophy that may be worth far more than the entrance fee. That's because the Committee will work so hard lining up the gifts, or because the companies and individuals are so generous in kickin' in, that there is a plethora of prizes, and even the duffers can cop one if they turn in a reasonably good score.

Tournament will be held at the Rye Country Club at Rye, N. Y., on June 22. We don't want to be pessimistic, but this golf glorification has become so popular that the Committee has been forced to put a limit on the number of entries. So get your application in early, along with your check, and then you know that you are all set for the grandest day of outdoor sport to be had anywhere.

Momand Action Dismissal

Move to be Heard June 16

Oklahoma City — Efforts by the Griffith Amusement Co. and major film producers and distributors to dismiss a suit for alleged damages brought against them by A. B. Momand, Shawnee theater operator, were delayed again as Judge A. B. Murrah of Federal Court continued the case to June 16, on petition of Momand's attorneys.

Judge Murrah heard preliminary arguments on the defendants' motion to dismiss a week ago, and had set Friday for a further hearing.

A suit for injunction against Griffith and major film distributors by the Government, pending before Judge Edgar S. Vaughn, is set for a hearing July 27.

Reserve Allowance Decisions

Federal Judge William Bondy Monday reserved decision on the request of the Chemical Bank and Trust Co. for an allowance of $4,375 in the RKO proceedings. Decisions were also reserved on the request of the Bank's lawyers, Wright, Gordon, Zachry and Parlin for $22,500 and the request of Special Master George W. Alger for a reasonable allowance for his services.

New Otterson "U" Pact

West Coast Branch of THE FILM DAILY Hollywood—Jack Otterson for past three years art director for Universal, has signed a new year's contract with the company.

One Duals Solution

Detroit—Film Row reports credits a certain small local house with uninten- tionally going to a single bill policy, when nearly every house in town is on duals. Reason—the warm weather dump depleted working capital to the house couldn't scrape up the cash for film rental on the second feature.
LINCOLN' AT SPRINGFIELD IS MEMORABLE INDUSTRY EVENT

(Special to FILM DAILY)

Springfield, Ill.—Probably the greatest demonstration of audience enthusiasm in motion picture history greeted “Young Mr. Lincoln” at its world premiere tonight.

The audience, including 100 key representatives of the nation’s press, wept, laughed, thrilled and without restraint greeted the conclusion of the picture with sustained salvos of applause.

The reception proves Darryl F. Zanuck’s “Young Mr. Lincoln” one of the mightiest class and mass attractions the industry has yet produced.

And millions the country over were listening in to the World Premiere broadcast over 72 stations!
Gearing Tele to Use 16mm. Pix EXCLUSIVELY

(Continued from Page 1)

use, but no confirmation could be obtained, although it is known that Scopony, British tele interests, already interested in the invasion of the American field, has expressed belief, through an official, that 16mm. will serve television much better than the wider gauge film.

With 16mm., it is pointed out, economies could be achieved, fire hazards lessened, and mechanical design simplified. Further, that with new and improved 16mm. cameras, films could be made essentially for television, whereas for larger 35mm. cameras are not as well adapted. Use of 16mm. from the television industry's viewpoint will not only tend to bring about a standard which is not likely to be outmodeed, as appears to be the destiny of 16mm., according to 16mm. advocates, but will also enable the tele field to make use of large reservoirs of narrow gauge footage. This, in turn, would reduce the "famine" facing television as a result of the refusal on the part of some motion picture producers and distributors.

A survey, it is said, is currently underway by a group of motion picture industry associations to determine feasibility of setting up a large organization for the production of films exclusively for television use.

Experimentation, carried on by Courtland Smith, over a period of many months with relation to the 16mm. field, is said by in-the-know sources to have taken particular cognizance of the narrow gauge realm with respect to television, and that Dr. Goldsmith, one of television's pioneers, has devoted a good deal of his attention in this direction since the provision of ultimate television production settings.

Finds "Pal Night" Good

B.O. Business Stimulant

Merle Bucknum, Emmett, Idaho exhibitor, here to visit the World's Fair, reports that "Pal Night" has proved a big business booster for his two theaters. It is a two-for-one scheme, with a slight difference.

On Tuesday and Wednesday nights he admits two "pals"—a man and wife or any two pals—for the price of a single admission, 30 cents, or 10 cents for children. If a child accompanies any two pals, it is admitted for five cents.

Bucknum, a visitor at KKO Radio's exhibitors' lounge for Fair visitors, states that his summer business is bigger than ever due to the influx of workers in that fruit-growing and lumbering section of Idaho.

Foreign Pix House Closes

Cleveland — The City Theater, home of foreign films during the Winter season, has closed for the Summer.

REVIEWS OF NEW FILMS

Popular Science

Paramount 11 mins.

NICE VARIETY OF SUBJECTS, STARTING WITH A TRIP THROUGH THE FLEISCHER STUDIO IN MIAMI, SHOWING THE INTERESTING MECHANICS IN BACK OF THE PRODUCTION OF "POPEYE." THEN THERE IS A RADIO-CONTROLLED PLANE, A BRITISH INVENTION. ANOTHER INTERESTING SUBJECT COVERS A NOVEL SCHOOL FOR ADULTS. MODERN GADGETS FOR A WORKSHOP ARE VERY INTERESTING. DONE IN CICUCOLOR.

Paramount Pictorial

Paramount 11 mins.

DIVERSITY

The novel business of renting out escorts to lonely females in New York is shown in operation in the establishment of Ted Peddick, with location by Alvin Havill. The subject treats of Oriental art as practiced today in the making of cloisonne vases, prints, and dolls, all hand work by real craftsmen. The final subject is a plug for the song, "Thanks for the Memory," and its composers, Leo Robin and Ralph Raimer.

Stirn's Extension Plea

Before Court on June 5

Presiding Circuit Judge Learned Hand Monday set June 5 as the date for an application on the part of John S. Stover, attorney for the Stirn interests for further extension of the injunction against invasion of cloisonne vases, prints, and dolls, all hand work by real craftsmen. The final subject is a plug for the song, "Thanks for the Memory," and its composers, Leo Robin and Ralph Raimer.

Mark's Extension Plea

Before Court on June 5

Presiding Circuit Judge Learned Hand Monday set June 5 as the date for an application on the part of John S. Stover, attorney for the Stirn interests for further extension of the injunction against invasion of cloisonne vases, prints, and dolls, all hand work by real craftsmen. The final subject is a plug for the song, "Thanks for the Memory," and its composers, Leo Robin and Ralph Raimer.

T.M.A.T. Calls Strike at 7

Of Five Boro Circuit Houses

Strike affecting seven houses of the Five Boro Circuit was called at six o'clock Monday night by the Theatrical Managers, Agents and Treasurers union following a rejection by the circuit of their demand to recognize the union as a collective bargaining agency for its members.

Houses where managers and assistants were called out, with a total of 13 union members affected, were: the Fenway, Granada, Towers, Delux, Lido, Freeman and Zenith.

KUYENDALL ASSAILS GOV'T INTERFERENCE

The MPTOA proxy devoted most of his talk Monday to pointing out the evils of the Neely bill and stated that it was the first big step leading to governmental regulation and control. Yesterday, he dealt with an analysis and general discussion of both bills.

M. C. Moore, president, presided, and the theater owners were welcomed by Mayor George C. Blume. Richard Kennedy, of the Willy-Kinsky Corp, discussed the success his company had experienced in making its own trailers and Roy E. Martin, of a humorous vein, spoke on the subject of buying and selling pictures.

Oscar Morgan, Eastern Sales Manager for Paramount, in the absence of Dave Palfreyman, of the MPPDA, spoke briefly on the relations of producers and theaters.

A shore dinner was enjoyed at Jacksonvile Beach Monday night. Convention golf tournament was staged at the Ponte Vedra course.

Chi, Panorama to Close

Chicago — The Panorama Theater will be closed for the Summer.

(Continued from Page 1)

360 registrations were reported Monday.

There is an appalling lack of understanding regarding the problems of business and, as a result, present laws as well as proposed legislative measures are, in the opinion of the business men, of no value.
to attend the company's annual sales
conference which gets under way at
the Ambassador Hotel in Los
Angeles on June 8 with Nell F. Agnew
presiding and 274 conventionees in attendance.

The New York contingent will
consist of the following executives: Barney
Balaban, Stanton Gibbs, Adolph Zukor, Austin Keough, I.
Cohen, John W. Hicks, George Wellel-
ton, Lou Diamond, Russell Holman,
K. Klaefeld A. L. Pratchett, F. C. Herry,
Rolin, Nell F. Agnew, E. Granger
Unger, Charles Ragan, Oscar
Morgan, G. B. J. Flavely, H. L. Lorber,
V. Dunne, M. J. Kallis, J. F. Mc-
lorov, J. Roper, I. Flynn, Alee Moss,
Al Wilkie, Don Velde, Sam Palmer,
A. O. Dillerbeck, Don Gibs, M.
R., W. T. Wallouw, E. Coghlan,
J. P. Touhy, M. R. Volck, M. Gluck,
T. Aber, M. Mendel, E. H. Bell,
H. S. Kastman, A. Gehburt, J. C. Por-
ley, E. W. Swiegent, U. F. Smith,
H. Rubin, George T. Beattie, J. D.
Holman, R. Garman, W. W. Sharpe,
C. E. Fontaine, H. G. Thompson,
J. Bryan, W. V. Dougherty, H. David-
son, R. M. Grace, R. Doyle, A. M.
Lane, J. Moore, C. Bubinks, T.
Danne, E. Bradley, W. L. Hughes,
P. Broderick, J. Brown, H. Ger-
maine, R. Carroll and T. P. Thorn-
son.

Trade paper representatives, mak-
ing the trip as guests of Paramount,
will also be aboard the Convention
Special. Slated to go are: Terry
Ramsay, Pete Harrison, "Chick"
Lavis, "Red" Kann, W. R. Wilkin-
son, George H. Morris and Sherwin
Kane.

For route to Hollywood the Convention
Special will pick up the following sales repre-
sentatives of Alwyn, S. Roach, M. O'Shaug-
snessy, W. Waters, G. Scheller Brestle and
C. Windle; while aboard the special are
M. Simon, P. H. Myers, W. Rowson and E.
Valerio who will board the Special at Chicago.

Arriving in Chicago June 6 the Paramount
Convention Special will be boarded by 85
sales representatives from various exchanges
in that district. The group consists of the
following men: H. H. Goldstein, M. R. Clark,
M. Greenwald, T. L. Irwin, J. Gardner,
H. Roth, M. Gross, D. Kimeloff, E. M. Grun,
E. Stone, G. F. Rinske, R. P. Peterson
C. Mengus, B. R. Clark, J. T. O'Conor,
G. Cammone, V. O'Reilly, J. A. O'Conor,
C. W. Powers, H. Ellborts, J. Harris, E. Red,
D. Sullivan, J. L. Hunter, J. W. O'Neill,
H. Pfiff, R. Murphy, H. Q. Burns, M. A.
Brown, T. Davies, F. H. Ashkin, A. As-
dic, H. R. Humbard, E. L. Goldberg, H.
Wertwein, R. P. Elrod, W. H. Hamm,
L. Aurelio, J. Scott, J. T. Howard, J. H. Rel-
ner, J. R. Young, E. Stockey, E. Thompson,
J. Embick, J. W. Brown, F. Clark,
R. Scheinbaum, R. J. Werenthal, R. W.

Crockery Competition
Chicago—A little crockery competition
begun by the B & K & C, the entertain-
circuit is being developed in the Northwest
district. Will Royce and the Balboa The-
ater of the B & K circuit will offer free
cups and three saucers, while the Eas-
nan Embiny and the Treasureland offered
ceramic bowls in a competition.
Coast Exhibitors Opposed to 6-Day Theater Week

West Coast Bureau of THE FILM DAILY

Hollywood—There will be considerable opposition to any attempt to establish a six-day film theater week in this territory according to independent exhibitors. They point out that such a plan would work a real hardship on exhibitors operating limited capacity theaters where pictures or local product open. Friday is the present difference between loss and gain.

These leaders also contend that a six-day week would mean less employment and would work in opposition to President Roosevelt’s plans to increase employment. They also contend that many of the exhibitors give their employees one day off each week and that greatest number of exhibitors in the territory are operating limited capacity houses.

Supporters of the plan point out that attendance is generally low on Monday and 120 of the theaters on each side the six-day week would reduce it. Theatrical operators in the territory are operating during their weekly house with the expectation that the public will go to the movies during the week.

B & K Closing UA Theater In Chi.; Others to Follow

(Continued from Page 1)

announced. The personal will be shifted to other houses. Several independent theaters here are closing for the Summer and it is reported that exhibitors are asking operators for a lower, warm weather scale. If request is not met, it is likely that more closings will result.

"Tumbleweeds" Held

In its initial engagement as a re-issue, "Tumbleweeds" scored heavily in Washington, it was announced by Astor Pictures Corp., distributors of the William S. Hart series. The Strand on a split week booking, the picture was held over for an entire week. Fans greeted Hart and the screening with enthusiasm. It was reported.

Carole Lombard in S-I Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Carole Lombard will be starred in "Flashing Stream" by Selznick-International.

Rep. Nine Takes Hawks

Republic’s baseball team defeated the Warner team, 4 to 3, in a game played at the week-end.

Midwest District Captures First Place in Sears Drive

(Continued from Page 1)

ordinator of the sales drive which was named in honor of Gladwell L. Sears, general sales manager. Sharing in the $25,000 in awards were:

1. First prize, Bud Lorenz as head of the Midwest District; branches in this district receiving cash prizes are: Chicago, Tom Gillian, Mgr.; Minneapolis, Clarence Olson, Mgr.; Milwaukee, R. T. Smith, Mgr.; St. Louis, Hall Walsh, Mgr.; Des Moines, W. A. Anderson, Mgr.; and Omaha, Sid Rose, Mgr.

2. Second Prize, W. E. Callaway, West Coast Mgr.; and the following exchanges: Salt Lake City, Wm. F. Gordon, Mgr.; San Francisco, Al Shmitken, Mgr.; Portland, V. Stewart, Mgr.; Denver, E. A. Bell, Mgr.; and Los Angeles, M. M. Brower, Mgr.

3. Third Prize: Robert Smeltzer, Central District Manager; and the following branches: Pittsburgh, Harry Seed, Mgr.; Detroit, F. E. North, Mgr.; Philadelphia, W. C. Mansell, Mgr.; Cincinnati, Ralph Kimler, Mgr.; and Cleveland, H. J. Ochs, Mgr.

Leverman revealed that this year’s drive, topped last year’s by 25 per cent. Ben Kalmenson, Western and Southern sales manager, won a personal wager of $1,000 from Roy Haines, Eastern and Canadian sales head, on the results of the Sears District; Norma O’Hara, general sales manager of the terri-

ory won two out of the three prizes offered.

Dallas V. C. Boys’ Farm

Dana—The Variety Club will provide 250 Dallas boys with vacations this Summer at a farm owned by E. E. Griffith, theater man, near Belton, it is announced by Bob O’Donnell. The boys will be taken to the farm in relays, beginning tomorrow and continuing for three months.

To Remake “Royal Box”

West Coast Bureau of THE FILM DAILY

Hollywood—Boris Morros will re-

make "The Royal Box" which was originally produced in Germany. Nat Horak, who was recently made a partner in Boris Morros Productions, will be associate producer.

Dividend Declared

Montreal—Directors of Marcus Lowe’s Theater Ltd. have declared a dividend of 3½ per cent on the preferred, payable June 30 to stockholders of record on June 17.

WARNERS ALLOCATING $3,500,000 FOR NEXT SEASON’S SHORTS UNDER SUPERVISION OF FOY

West Coast Bureau of THE FILM DAILY

Burrough—Warner has allocated $3,500,000 for shorts production for 1939-40, according to Jack L. Warner. This is an increase of $1,650,000 over the 1938-39 quota and marks the biggest boost in the history of the studio.

A group of shorts, including "The Man in the Camera," "The Man on the Moon," "Doughnut Days," and "The Train," are to be developed for the screen in the near future.

In addition, the studio has acquired a number of properties which will be developed into pictures under the supervision of Ben Connors, assistant director of pictures, and in cooperation with studio heads.

"U" PRODUCTION WILL REACH PEAK IN JULY

West Coast Bureau of THE FILM DAILY

Hollywood—Universal will set an all-time production record in July when nine top-bracketed pix will be shot, it was announced yesterday by Louis B. Mayer with the studio here from New York of Prexy Nace J. Blumberg for an indefinite stay.

To accommodate the increased production schedule, Universal is rushing completion of two giant new sound stages; extra crews went to work yesterday to assure they will be ready July 1.

Blumberg is here to check production and expansion and huddles with Cliff Work, Matty Fox and Milton Feld, among others.

"U" has more than 30 writers at work. Every office on the lot is occupied, and old structures are being remodeled, widened and replaced by new ones, to accommodate the influx of talent on the lot. The old Universal hospital is being converted into a writers’ building. A new hospital has been erected on the back lot. The former David L. Winstead quarter has been refurbished for Albert Ray.

All projection rooms on the lot have been remodeled, the sound department has been overhauled, and approximately $45,000 has already been expended for new camera equipment, replacing in some instances, 15-year-old material.

Three miles of new roads, opening up new areas for exterior sets, have been laid out on the studio tract of 520 acres. This will enable the company to shoot many of its outdoor scenes on the lot, meaning an ultimate saving of thousands of dollars in location casts.

Broder Acquiring Another

Detroit—Jack Broder, owner of the Rainbow Theater, will take over the Roxy on the East Side, from L. D. Golden tomorrow, renaming it the Time Theater. House will be remodeled, with new marquee and cooling system installed, and enlarged by 100 seats. Atlas Contracting Co. will do the work. Joseph Olchefske, theatrical broker, arranged the deal.

WEDDING BLOGS

Janesville, Wis.—James C. Lord, technician with 20th Century-Fox, was married here to Miss Roberta Currier. The couple will reside at 2053 Rodney Drive, Hollywood.

Cleveland—Miss Helen Slater, secretary to Bob Bial of Art Guild Studios, has announced her engagement to Jack Willers of this city but not of the film industry.

Chicago—Miss Pearl Fireman of the Warner exchange here will be married on Aug. 6 to Ted Levy, Warner Circuit Book for the city of Chicago.
$12,000,000 Budget for Shorts Production in 1939-40

SENATE COM. FAVORS NEELY BILL 15 TO 3

Hoyts-GUT Circuits Effect 20-Year Amalgamation Deal

SHORTS - - The Exhib. — Speaks Out —

1 Several major companies plan to make some four-reel shorts for 1939-40. Do you favor this increased length for important short subjects?

By a slight majority, exhibitors are leery of the four-reel short subject; 50 per cent of those voting saying no.

In many cases, there seems to be a fear that the longer subjects might be padded two-reelers and not worth the extra cost or running time. Another argument against them is that exhibitors must play some of the shorts they buy and a four-reeler would take too much screen time. Deluxe houses do not favor the longer subjects because of the time factor, making for fewer turnovers.

Many of those who are in favor of the four-reelers qualified their approval by warning that the material in the subject must

Scully Names Leo Abrams “U” Shorts Sales Manager

Universal plans to concentrate more extensively on its short subjects sales and has created the post of short subjects sales manager which will be filled by Leo Abrams

New Tax Levy Will Close Theaters in Quebec City

Quebec—All Quebec city theaters will close this week-end in protest against the additional 10 per cent taxation on admissions imposed by the municipality, which raises to

Record Short Subject Budgets Set as Code Provisions Ban Forced Selling

III. Intermission Measure Expected to Pass This Week

Springfield, Ill. — The Sandquist Bill, which would require theaters to have a 15-minute intermission after each two-hour show, has passed a third reading and passage is expected

Accepting the challenge implied in the Trade Practice Code provision against the forced selling of shorts, producers of the sub-feature reels will pour in excess of $12,000,000 into their making during the 1939-40 season, a Film Daily survey establishes.

With exhibitors permitted to purchase

Bill Now Goes on Senate Calendar for Action This Session

Washington Bureau of Film Daily Washington—By a vote of 15 to 3, the Neely Bill was reported favorably late yesterday by the Senate Interstate Commerce Committee at a closed executive session of the body. The overwhelming majority came as a surprise even to some of the backers of the measure.

Earlier in the day, the Interstate Commerce sub-committee voted on the bill, with two Senators opposing it and two favoring it.

The committee, following the

“NO CHISELING” HELD CODE’S SUCCESS KEY

Jacksonville, Fla. — No matter what has been written into the Trade Practice Code, a lot will depend upon the exchange managers and salesmen for its success, Ex. Kuykendall, MPtoa president, here for the SETOA convention believes.

The spirit of the code must be followed without chiseling or it will be kicked about, Kuykendall declares.

W. Va. Unit Will Act Monday on Affiliation with Allied
Benny's Home Town Gets "Man About Town" Debut

Jack Benny's "Man About Town" will have its world premiere in the comedian's home town, Waukegan, Ill., June 25, the home office disclosed yesterday. Benny and his radio troupe as well as members of the pix's cast will be present, and Benny's last Coast-to-Coast radio program of the season will be broadcast from the Genesee Theater, Waukegan, in connection with the premiere.

Fox, Detroit, Cuts Scale; General Reduction Fears

Detroit—Possibility of a general cut in admission prices looks here, as the Fox Theater drops prices a dime tomorrow, with probability that similar change will take place at the Michigan Theater.

Product Shortage Seen in St. Louis by F & M

St. Louis—Citing an anticipated shortage of product, F & M is considering closing one of its four first-runs until Fall. As a preliminary move, staffs of all four have been given two weeks' notice.

Ampa to Honor Trotta Today

Over 150 representatives of the film and art fields will assemble at the Ampa luncheon today at the Hotel Astor to pay tribute to Vincent Trotta, head of Paramount Pictures Art Department. The occasion is the twenty-fifth anniversary of Trotta's association with Paramount. This will be the last of the two annual meetings of Ampa for the Spring season.

John Barrymore Ill

Chicago—John Barrymore suffered a heart attack here and was ordered under an oxygen tank because of a deficiency of oxygen in the blood stream. He is expected to resume his role in "My Dear Children" Monday night.

Postpone UTO Meeting

Springfield, III.—Meeting of United Theater Owners of Illinois, new exhibitor organization, scheduled to be held here yesterday, has been postponed one week.

Duals at Loop Garrick

Chicago—P & K is experimenting with double features again at the Garrick in the Loop.

ROMAN REBUSCH, 1560 Broadway
Announces Immediate Production of "Miracle Efro" by Jacob Gordin. A Jewish Talking Picture.

NLRB Meets Again Today On WB Bookkeepers' Strike

Further meeting will be held today at the National Labor Relations Board office between the American Federation of Bookkeepers' Stenographers and Accountants union and Warners to discuss the strike called by the union at a Warner warehouse over dismissal of employees who are members of the union. Picketing is being continued by the union at the Warner offices and at all theaters where Warner pictures are playing.

COMING AND GOING

C. C. DICKSON, Paramount's general sales manager in the United Kingdom, and T. C. REDDIN, advertising head in the U.K., are here on route to the Coast for the Paramount convention.

M. A. LEVY, 20th-Fox Prudential district manager, and J. P. O'LOGHLIN, Canadian district manager, arrive here this morning for conference with William C. Gehring, Central district manager.

HENRI KLASFELD, Paramount's Paris manager, is here on route to Hollywood to attend the Paris convention.

FRED WEHRNBERG, St. Louis circuit operator and vice-president of the MPTDA, is in New York.

R. R. WINSHIP, Kansas exhibitor, registered at the RKO World's Fair lounge yesterday.

ROY L. KALVER, Indiana exhibitor, is here for a visit.

PHILLYS FRASER, RKO player, is here for a vacation.

GEORGE S. APPLEGATE, managing director of the Western Electric Company (Australia) Pty. Ltd., is here on an inspection tour of exhibitors this week from England for a vacation.

TED TURRELL, manager of Warners' Beverly Theater, Chicago, here on the honeymoon of his princess, VIOLET MATHISON, also of the Western Electric Company (Australia) Pty. Ltd., is here.

DANIEL J. TOBIN, A F of L vice-president and Teamsters' union proxy, called yesterday for talks on the Manhattan with MRS. TOWIN.

IRISNE RICH is at the Waldorf-Astoria.

MOE SIEGEL, Republic production head, returned to the Coast last night, following a West Indies cruise.

JACK FENO, associated with Joris Ivens' production of "The 400,000,000," arrives from Amsterdam June 10 on the S. S. Champlain.

Reopening of Col. Office in Spain Still Uncertain

Jack Segal, Columbia's manager of foreign exchange operation, just back from a trip abroad, states that reopening of Columbia's office in Spain depends upon the findings of a Spanish government commission now studying the situation.

Future plans for French production for Columbia are not as yet stated, adding that a new deal with Irving Asher to produce four pix for Columbia in England was under discussion.

THE THEATRE

George Abbott Productions

"There have been a number of good girl and movie shows in town of late, but this is by far the brightest of the lot."

"Watts, Her Trib.

George Abbott—Rodgers and Hart

The Boys from Syracuse

"SAY MARRY ALBERT HART
ALVIN, W. 52d St. Mon. Wed. Sat. &
Columbia 5-1114

"Roars of Pleasure"—Dickson, Times.

WHAT A LIFE

with EDDIE STONE as Harry Aldrich

Columbia 4-0640

"What a Life"—C. S. Gower.
NEW LEVY TO CLOSE
QUEBEC CITY HOUSES

(Continued from Page 1)

otal imposts to approximately 40
percent.
A conference today will decide
whether the closure will be in ef
fect tomorrow or Saturday.
There are in Quebec city 11 pix
theaters of which seven are inde
pendents; one is owned by Famous
Players Canadian and three by
France Films.
Montreal theaters are not af
fected, nor are those in other parts
of the province.

Para. Sales Convention
as Plug for “Beau Geste”

West Coast Bureau of THE FILM DAILY
Hollywood—Para. will give its
forthcoming sales convention here
a “Beau Geste” flavor as a plug for
its pix of that title. Delegates will
get French Legionnaire caps and
band in Legion uniform will greet
the train which leaves New York
Sunday on arrival at San Bernar
dino.

Frank Weadon Dead

Frank Preston Weadon, 80, thea
trical manager of some years ago,
died yesterday. He was, at one
time, general manager for Henry W.
Savage and with Fred Whitney pro
duced “The Chocolate Soldier.” Sur
viving are a son, E. B. Weadon and
a daughter, Mrs. Joseph Reisbeck.
Funeral will be tomorrow noon from
the Walter B. Cooke Funeral Home,
117 W. 72d St., under auspices of
the Actors’ Fund.

Unhurt as Car Hits Deer

Detroit—Frank Wetsman, circuit
owner, and Hal Burris, representat
ive of Coulter Premiers, escaped
injury when Wetsman’s car was de
stroyed, near Dearborn Branch, in
a collision with a buck deer.

Projectionists for Schools

Chicago — Chicago Operators
Union has arranged to supply union
operators for the showing of films
in the Chicago Public Schools, ac
counting to John Smith, business
agent of the Union.

ALONG THE
REAL LIFE
WITH PHIL M. DALY

• • • GOOD Shorts...plenty of ‘em....starting off with
M-G-M....long a leader in the shorts division....so important
are their featurettes that they publish a regular magazine for exhibitors
about them...they are all Class....those Benchley laugh-classics
Our Gang Comedies....FitzPatrick TravelTalks in gorgeous
Technicolor....a new cartoon series in color....those clever
musicals of modern business....the Crime Does Not Pay series....
and the Pete Smith favorites....leaders in a lineup that make Shorts
long on box-office value.

• • • PATRIOTISM is emphasized by Warners with the
new schedule of five two-reel Technicolor subjects. “The Mon
troe Doctrine”....“Nathan Hale”....“The Father of His Coun
try”....“Old Hickory”....“Teddy, the Rough Rider”....these
are being made at the Coast under supervision of Gordon
Hollingerhead working under Bryan Foy....Warners are sinking
heavy dough in these classy shorts....each planned for one hun
dred grand less distribution costs....all being made with fea
tured casts, writers and directors....on the same magnificent
scale as those patriotic shorts that have preceded them.

• • • WITH RKO Radio the Disney subjects top the list....each
subject timed for seasonal appeal with tie-ups weeks ahead of release
date....March of Time features subject matter that hooks in with front
page news....the Pathé Sportscope are planned to tie in with sea
sonal sports.

• • • UNUSUAL angle in Paramount shorts was the intro
duction of original musical scores used in some of the Headlin
er subjects....as evidenced in “A Song Is Born”....this short
got so much advance publicity that many exhibitors were under
the impression that the song was being introduced in a Paramount
feature instead of a short.

• • • ON those Universal cartoons turned out by Walter Lantz,
plenty of time and money are being spent....that new character “Andy
Panda,” for instance, has cost $35,000 to date....including the services
of 50 animators for one month, 40 inkers and painters for a month, 6
background men, a cameraman, director, writers, materials and drawing
expense....six months research to study the antics of Mei-Mei in the
Chi Zoo....that’s how 25 grand is spent for 8 minutes or less of cartoon
on the screen....then Universal is specializing on serials....“The
Green Hornet” from the pop radio feature....Bela Lugosi in “The Phan
tom Creeps’”....and Johnny Mack Brown in the current “Oregon
Trail” which is an action smash.

• • • OVER at 20th Century-Fox they are specializing on
those nitfi Movietones and special sports and novelty numbers,
and a swell line of Terry Toons....United Artists has Countess
Keller and her husband on a 20,000 mile motor tour across India
for just one “World Window” subject....Columbia is starting a
new series known as Music Hall Vanities that bring a fresh note
into the short subject field, as well as the Washington Parade
series that reveal the nation’s capital in an most impressive
way....altogether, the Shorts are more than holding their own.
and it looks as if they are ready to move back into the place of
importance they held before the double feature shunted them
slightly out of the industry picture.

“NO CHISELING” HELD
CODE’S SUCCESS KEY

(Continued from Page 1)
clared. He warned that the code
was not perfect, and that it will
take some time to work out the
“bugs” so that it will be satisfac
tory alike to the producers, distrib
utors and exhibitors.
The cancellation clause, Kuykendall
asserted, would be worth mil
lions of dollars to the small in
dependent theater film buyer as the
value of pictures varies in different
communities.

In discussing the Code, he touched
on the score charge, non-forcing
of shorts, newveeds, serials or trail
ers, allocation of playing dates, non
theatrical competition and the rules
for exhibitions, which, he said, un
questionably will be a big factor in
the smooth operation of the Code.

Milton C. Moore, manager of the
Riverdale Theater in Jacksonville,
was re-elected for his fourth term
as president of the SETOA at the
final convention session. Others
named were T. E. Greg, of Albery
ville, Ala., treasurer; and Tom
Brandon of Titusville, Fl., secre
tary. Oscar C. Lam was selected as
representative of the group on the
MPTOA.

Vice-presidents, one from each of
the four states in the SETOA were
elected as follows: Bill Griffin, Ala
bama; J. H. Thompson, Georgia;
Harlow Merryday, Florida and
High Manning, Tennessee.

“Sun Never Sets” Debut
Tied In With Royal Visit

“The Sun Never Sets,” Universal
studios’ caricade of the British Em
pire will have its world premiere at
the Radio City Music Hall co
incidental with the royal visit of
King George and Queen Elizabeth.

Frisco Likes “Happiness”

San Francisco — Para.’s “Invita
tion to Happiness” co-starring Fred
MacMurray and Irene Dunne, opened
to best-week-day business at the
Paramount Theater here in two
years. Opposition tough, consisting
of exceptional weather and record
attendance at local World’s Fair.

M. A. for Orchard

Thomas Orchard, associate producer
of The March of Time, was awarded an
honorary Master of Arts degree by Ho
bart College, Geneva, from which he
was graduated in 1931. Orchard, who
has been with The March of Time since
its beginning nearly five years ago, was
cited “for his valuable services in the de
velopment” of the film, which “has added
at the birth of a significant departure
in the Fine Arts, affecting profoundly
and constructively intelligent public
opinion on world affairs.”
LEO, JR., TO IDENTIFY FUTURE METRO SHORTS

Indicating the growth in importance of short subjects, at least in the eyes of the producers of Metro-Goldwyn-Mayer, has now decided to give its one- and two-reelers a trade mark identity all their own. Hereafter, the celebrated “Leo” will designate the work to features and a junior lion will introduce all M-G-M shorts.

The purpose primarily is to establish a separate advertising identity for shorts. The junior lion, in addition to his screen appearances, will be used in various phases of Metro's promotional campaign to awaken interest in shorts as a possible substitute for double features.

Aidirh M-G-M in its hunt for a suitable cub are 3,500, clubs of the Lion's International whose 125,000 old members will stage a gigantic lion hunt in public parks and private menageries throughout North America.

American-born African lions, under eight months old, sent in by the various clubs will participate in a lion's beauty parade at the Lions International Convention in Pittsburgh, July 18-21. The winning lion will be brought immediately to the New York World's Fair where, on Reno Day, July 22, he will be officially crowned “Leo Junior” and dispatched directly to Hollywood.

Seven Jay Emanuel Pub. Shorts Awards to Vita.


Twentieth-Fox took one-reel travel honors with the Magic Carpet of Movietone reel, "The Viking Trail" and also received a special award for Vyvarian Donner's "Fashion Forecasts."

Paramount's firsts were "Moments of Charm," one-reel color musical, and Hal Kemp and Orchestra, one-reel musical. RKO Radio scored with "Terror of the White Bull," one-reel color cartoon, and "The March of Time, No. 5" ("The Refugee Today and Tomorrow"). Serial honors went to Republic with "The Lone Ranger Rides Again."

 Metro Contest Winner Off for Hollywood

HALF OF VITA SHORTS TO BE MADE IN COLOR

By NORMAN H. MORAY
Vitaphone Short Subject Sales Manager

The Vitaphone short subjects, line-up for the 1939-40 season...will feature color in over 50 per cent of its releases.

The decision to increase the use of color subjects was reached after a series of personal discussions with exhibitors from Coast-to-Coast, whose reactions are based on direct contact with the movie-goers, themselves.

Before conferring with Jack L. Warner and Sam Sax on the Vitaphone shorts to be produced by them in the West and East, respectively, we made a tour of our color laboratories during which I visited not only with branch personnel but with local exhibitors. In this way, we were better able to prepare our new season's schedules to conform with the film tastes of the buying public.

Just as Warners features are to be "bench-made," so are the Vitaphone shorts to be individually planned and produced. The two-reel Technicolor films to be made in Burbank under the supervision of Jack L. Warner and Hal B. Wallis are designed to be the finest shorts of their type ever produced. These will include our universally popular patriotic subjects, as well as several musical specials. The finest-color, top-notch, writers, directors and technicians available on our huge Burbank lot will be available for these films.

The "Melody Master" band films, which have proven one of Vitaphone's most popular one-reel series, will include foremost orchestras such as Artie Shaw, Saturday Night Swing Club, Rubinfon, Clyde McCoy, Eddie De Lange, Vincent Lopez, the Coquetté, Larry Clinton and Dave Armstrong.

Included in the one-reel Vitaphone Variety Series will be the Grouch Club comedies featuring Arthur Bryan, in addition to several feature presentations of the radio, stage and night clubs.

With a greatly augmented staff of writers, artists, animators and musicians, Leonard Schlesinger will again produce 26 "Merrie Melody" cartoons in Technicolor and 16 black and white "Coney Island" cartoons.

The "Color Parade" will include the "Mechanix Illustrated" series. In addition we will produce 10 black and white-reel productions using the top "names."

SHORTS - THE EXHIB. SPEAKS OUT

(Continued from Page 1)

be worthy of the length. Others indicated that the subjects would have greater worth if names or other exploitation values are included.

That the subjects would be a step toward cutting down duals was conceded in many answers, but, some single feature house operators thought that the longer subjects would, in effect, make them dual operators.

Are your audiences in favor of or opposed to double features?

That patrons are opposed to duals is shown in 71 per cent of the questionnaires.

However, several of the exhibitors noted that while patron polls showed a dislike of double features, box-office receipts show that in their cases, they draw better than singles. Thus indicating that a minority block of patrons is the difference between good and off business and swings the pendulum to force duals.

Other operators find that first class pictures can be shown as single features but lesser pictures must be dually to draw business.

Does the present audience reaction to duals represent a change from the situation a year ago?

No change in the situation is shown in 75 per cent of the returns.

Of the 25 per cent which indicated a change in trend, slightly more than 2 per cent could see a swing in favor of single

(Continued on Page 9)
SHORTS!

by Leo, Jr.
Virtue is its own reward!
M-G-M has fought the battle of Shorts!
The early 1939-'40 selling is convincing proof!
Exhibitors are generously rewarding us today
For a long established and unchanging policy of quality.
We believed sincerely in the importance of Shorts—
We know theatre operation from experience
And we know that good Shorts help the entire show!
We know they definitely help sell tickets too!
And when other companies economized in quality—
M-G-M refused to compromise its established policy!
"If it's worth making, it's worth making right."
We have continually introduced new personalities, new ideas—
With the most consistent short promotion in the industry.
The result is that M-G-M is famous for its Shorts
That's why M-G-M today can say sincerely:
"Let Short Subjects stand on their own merit!"
ARE YOU GETTING THIS MAGAZINE REGULARLY?

The importance of M-G-M Shorts is reflected in the big monthly magazine (the only one of its kind) which goes to 11,000 exhibitors and to thousands of magazines and newspapers.

1939-40

M-G-M SHORTS

73 ONE REEL SUBJECTS
6 TWO REEL SUBJECTS
104 ISSUES NEWS OF THE DAY

THE BEST!

CRIME DOES NOT PAY (6) (Two Reels Each)
Racket exposes, cramming dramatic thunderbolts of entertainment into two thrill-packed reels. Greatest publicity "naturals" in short subject history.

PETE SMITH SPECIALTIES (13)
A name that goes up on the marquees and into the ads everywhere. Personality plus sure-fire showmanship. Promotion angles that capture reams of newspaper space. Audiences love them!

THE PASSING PARADE (8)
In his first short year John Nesbitt's tributes to history's great have become tops in screen tidbits. Watch him build even greater next season!

ROBERT BENCHLEY (4)
A nationally known literary, screen and radio name that sells tickets. The demi tasse to perfect screen fare are Benchley's inimitable characterizations of the average man wrestling with everyday problems.

THE BEST!

M-G-M MINIATURES (9)
Featuring the astounding Carey Wilson investigations into fascinating, unexplored fields. This series won the Academy Award for last year's "That Mothers Might Live."

OUR GANG COMEDIES (8)
18 years old and Our Gang's still going strong. A national institution for which the public (old and young) is still happily receptive. Introducing new ideas for the new series.

FITZPATRICK TECHNICOLOR TRAVELTALKS (12)
An established and popular series eagerly received by audiences everywhere. Their Technicolor beauty and intelligent presentation set them apart among travel subjects.

M-G-M TECHNICOLOR CARTOONS (18)
Hugh Harman and Rudolph Ising who are rated at the very top in the cartoon field are developing fresh viewpoints, delightful story ideas and newly discovered technical improvements for their de luxe Technicolor series. Watch!

NEWS OF THE DAY (104)
A progressive, alert newsmag with unmatchable world-wide coverage presented by crisp authoritative specialists. Featuring the nationally known radio commentator John B. Kennedy, the sports authority of the airwaves Bill Stern and the famed feminine stylist Adelaide Hawley.

METROSCOPIX (1)
By popular demand a new Metroscopix! This greatest of all novelties among short subjects, which has convulsed shrieking audiences by its third-dimensional tricks, will be presented in brand new and even more exciting form.

AND TO THE POINT!
THE LINE-UP FOR 1939-40!
—Leo, Jr. Your Friendly Short Subject
**SHORTS - The Exhib. — Speaks Out —**

(Continued from Page 4)

bill programs, especially when strong pictures were the attractions.

4 **What is the most popular type of short today with your audiences?**

That cartoon shorts are far ahead in audience popularity was shown in the answer to this question; 70 per cent indicated this choice.

Following cartoons, were, in order: newsreels and magazine reels, comedies, musicals, travelogues, historical dramas, novelties, orchestras, dramas and sport rels.

Most repeated notation on the returns was a plea for more slapstick two-reel comedies with comedy star names. Many exhibs. qualified their votes for cartoons by stating they referred to the better subjects.

5 **What type of short do you consider the least valuable at the box office?**

Travelogues top the list of unpopular shorts types on 32 per cent of the returns, followed by comedies on 20 per cent.

Then in order, were: musicals, outdate-newsreels and magazine subjects, cartoons, vaudeville, sports, novelties, bands, dramas, symphonies, song reels, and revues.

In many instances the reference obviously was to the second grade subjects in each classification.

6 **What suggestion for the better merchandising of shorts would you make?**

Many exhibitors (38 per cent) believe that if fewer and better subjects were made, merchandising would be much easier.

More direct suggestions included: requests for more material, national ad campaigns, “name” series, increased newspaper advertising, one-sheets for individual subjects, advance information from distributors, press books and miniature trailers.

7 **What shorts, now in black and white, would you like to see made in color?**

Types of subjects which the exhibitors would like to see in color are: more cartoons (31 per cent), travelogues (16 per cent), sport reels (16 per cent), musicals and bands (15 per cent), followed by comedies, newsreels or newsreel clips, and fashion subjects.

A number of those polled were against any more color, some on the grounds that box-office receipts do not increase to justify the higher rentals.

8 **Do you regard television as an enemy or an ally? (This question only indirectly affects shorts at present, but you never can tell, you know.)**

About half of the exhibitors polled begged off on this question because of too little information as yet. Of those who answered 79 per cent fear television as a potential enemy.

Most repeated argument on the “enemy” side was that anything able to keep patrons at home was unfavorable to the theater operator. Others feared that stars established by motion pictures were to be used as tele attractions.

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**M-G-M SHORTS WIN WIDE PRESS PRAISE**

By FRED C. QUIMBY

Manager M-G-M Short Dept.

The volumes of praise in newspapers and national magazines during the past year for shorts in general—and M-G-M shorts in particular—have proved to us at the studio that our efforts to combat the double feature policy and return the short to its former important status have not been in vain. For last year more space was devoted to shorts in these mediums than in the previous 10 put together.

We have literally been swamped with plaudits from critics throughout the nation. From every corner of the country we have received the spur of encouragement from those reviewers who no longer leave the theater with the fadeout of the feature picture but look forward with keen interest and anticipation to the style of little picture M-G-M is now producing.

“I... saw a Carey Wilson short, a Pete Smith thriller, a Crime Doesn’t Pay short and a John Neibitt, and I want to tell you that any one of these shorts is better than a double feature. Let’s do away with double features. Let’s start showing and billing some of the shorts.” Wrote syndicated columnist Sidney Skolsky.

Hubert Roussel in the Houston Post stated that “Robert Benchley is very likely the funniest man in the world at the moment, and the only one I have found in the movies in ten years who supplies any real new reason for laughing.”

---

**PRUDENCE COOKS UP A BOOK.** After her tremendous success in Pete Smith’s three cookery subjects, Prudence Penny has written her first book, the first copy of which she is inscribing for Producer Pete, above.
Vitaphone

"BEST SHOP"

7

The Next Nearest Company Gets 3!

Exhibitors voted it! Jay Emanuel's Exhibitor Publications conducted it! Unbiased, undeniable evidence that Vitaphone has the quality shorts nobody else can approach!

Vitaphone
one WINS "AWARDS!"

"Best" because Warner Bros. Make Them!

More Academy Awards than any other company (for the past two years)! More top money attractions than any other company! And of course—more Short Awards than any other company!

The quality you get now is your guarantee of the quality to bank on in the WORLD'S SERIES FAVORITES for 1939-40

8 TECHNICOLOR PRODUCTIONS (2-Reel)
4 Cavalcades of America • 4 Star Name Productions

10 BLACK AND WHITE PRODUCTIONS (2- Reel)
6 Musical Revues • 4 All-Star Comedies

26 MERRIE MELODIES IN TECHNICOLOR
10 MELODY MASTER BANDS
6 VITAPHONE VARIETIES • 16 LOONEY TUNES
10 COLOR PARADES

'Small Town Idol'
BEST 2-REEL COMEDY

'Declaration of Independence'
BEST 2-REEL COLOR DRAMA

'Swingtime in the Movies'
BEST 2-REEL COLOR MUSICAL

'Toyland Casino'
BEST 2-REEL MUSICAL

'Lone Stranger and Porky'
BEST 1-REEL CARTOON

'The Great Library Misery'
BEST 1-REEL NOVELTY

'Table Manners'
BEST 1-REEL SPORT
ALL-AMERICAN WOMEN HONOR HARRY WARNER

West Coast Bureau of THE FILM DAILY

Hollywood—Latest in the long list of honors paid to H. M. Warner, president of Warner Bros. Pictures, for his production of the patriotic short subjects came recently when he was presented with a bronze plaque by the All-American Women's Organization at a meeting attended by more than 4,000 members.

Warner told the assemblage: “I accept the award you have so kindly offered, in the names of many men and women who, in our company, have worked, long and willingly, to make these patriotic features something that we can all be proud to call ‘ours.’ We have dedicated ourselves to the production of these pictures and every other effort that will safeguard forever the heritage of our country.”

Color Shorts Present Rich Exploitation Field

By A. L. MCCORMICK
President, Cinecolor, Inc.

TODAY, more than ever before, there is plenty of gold in color shorts. Not only because of their acknowledged entertainment value but because they offer the distributor and exhibitor a new and rich field in exploitation material.

Yet, despite their quality, shorts are treated by their distributors as stepchildren. Only in a comparatively few cases are they sent out armed with exploitation and publicity copy. A recent experiment made by Cinecolor proved conclusively that both exchanges and exhibitors are starved for this kind of selling aid, and will accept it gladly.

In close co-operation with a company producing two outstanding series of Cinecolor shorts for a major release, our publicity department sent out two, specially prepared press books to the 45 or more exchanges. Ten books each were mailed and within a month practically every exchange manager enthusiastically replied, and what’s more, asked for additional copies.

Commonwealth of opinion was that this special material would not only make the distributors’ task much easier, but also greatly aid the exhibitor in selling the short, the companion features, and the house, itself.

Squawks

Mr. Average Exhibitor, Has Illy Say on Short Subjects

Pertinent and pithy, here are representative extracts from letters penned by American exhibitors and theater owners who participated in THE FILM DAILY’s nation-wide symposium on patriotic subjects.

Answering the query, “What is your pet short subject peeve?” the most persistent shownen squawks were directed against forced buying, over-production and poor quality subjects, with scattered thrusts against weekly payments.

Mr. Average Exhibitor speaking—

That I have to buy them whether I want to or not, and have to buy eight newsreels which duplicate most important shots and I only need four—F & M ST. LOUIS THEATERS.

Weekly payments. Forcing full supply on you. Holding out on product if you do not take whole. Putting such ugly looking animals in cartoons to frighten children when not necessary. —THOMPSON THEATERS, Clearfield, Pa.

The poor cartoon gets in my hair. And brother there are plenty of ‘em. No idea or story back of them. The good short tells something that we didn’t know in an interesting way. That may be harder to do than it sounds.—G. E. LANCASTER, Huntingdon, Md.

Companies making too many shorts—PIRTELE CIRCUIT, Jerseyville, Ill.

A two-reel comedy, with not a laugh in it; and another one or two-reel subject that is boring—KENTON THEATER, Atlanta, Ga.

We do feel that there is a definite place on our programs for more good two-reel shorts—THOMAS E. ORR, Albertville, Ala.

Let’s have more two-reel comedies and less musicals.—BLATT BROS. CIRCUIT, Patton, Pa.

The fact that some producers expect too big a price for their top-notch shorts. This increases film rental which is already too high on some pictures—for several companies.—MART COLE, JR., Rosenberg, Tex.

The forcing by the distributors of the poor shorts with the good ones, thus reducing the public’s taste for shorts in general.—R. M. REBER, St. George, U.

There are not enough good musical shorts produced.—SIDNEY MEYER, Miami, Fla.

A continual rehash of the old honky-tonk junk in better clothes. In the language of Mischa Auer, “they stink.”—JOHNNIE GRIFFIN, Chinook, Mont.

Have been required to buy more than possible to use.—N. H. WATERS, Birmingham, Ala.

Those “lousy” band acts. Also those dopey “funny” dialogue comics. Why n’er don’t they make more musical reels like “Trees”? Paramount should keep this reel around for permanent use.—FRANK LYNCH, Sloan’s Theaters.

Six-minute subjects when paying for ten minutes.—PAUL V. MCKAY, Montgomery, W. Va.

Not enough musical shorts and too many subject narrated.—RALPH KIEFFER, Glenoak, Dickinson Theaters, Kansas City.

Alleged comedies.—D. F. LAWLER, Fox-Midwest Theaters, Kansas City.

So-called vaudeville shorts made with talent that does not register effectively on the screen.—J. J. WEISS, G. C. S. Circuit, Chicago.

Band acts, with male singers, meaning love-sick ditties! Also pseudo-comic narrators who in many instances have completely ruined anything otherwise interesting subject with their insignificant puns.—W. JOHN WENDELL, Decatur, Ill.

Lack of good comedies to balance with heavy dramas.—C. V. MARTINA, Albion, N. Y.

Most of the companies make too many that are just fillers and are positively boring to many people.—ALBERT BORISKY, Independent Theaters, Inc., Chattanooga, Tenn.

Two-reel comedies being forced down your throat to try to sell them with feature releases.—A. S. KOLSTAD, Hood River, Ore.

Subjects that do not appeal to entire audience such as bridge and golf lessons and certain fashion reels.—TERRY McDaniel, Pasadena, Calif.

Too little attention and value placed upon them by exhibitors and to a great extent shared by distributors. They are to me “The Sauce of the Pudding” or “The Flavour of the Meat” and I think the industry misses another opportunity when they do not treat them as such.—RAY MOWROR, Malvern, Ark.

Any short that is made tedious through repetition. In other words, long series of shorts that are more or less factory made, particularly.

(Continued on Page 16)

SIX "MECHANIX" PIX GET FAWCETT BACKING

Backed by the combined circulation of the Fawcett Publications, Vitaphone has planned a group of six “Mechanix Illustrated” films for its 1939-40 season. These shorts will consist of several sequences of a “behind the scenes” of sci-fi laboratory, films, in nature, space, etc. They will be produced with the co-operation of the contacts and affiliations of the Fawcett chain.

The entire series will be produced in new natural color, under the supervision and direction of Ira Genet.

The magazine, “Mechanix Illustrated” will carry ads each month announcing the shorts, and through a special arrangement will circulate the release with a tie in with local engagements of the shorts for added exploitation and publicity.

Announcements of the series will be made to the other publications of the Fawcett chain, reaching a circulation of many millions of readers.

Yorke Completes Series of Governmental Shorts

Production has been completed on the series of informative governmental one and two reelers which Emerson Yorke produced in association with Loucks and Norling Studios, New York, for the U. S. Golden Gate International Exposition Commission under the supervision of H. E. Stutsman, Assistant to the U. S. Commissioner and with Nathan D. Golden acting in the capacity of liaison officer between the various bureaus and the producers.

Series which Yorke also scripted and directed includes: “Washington—Capital of the Nation,” “The Business Pulse of the Nation,” “Social Security for the Nation,” “Labor of the Nation,” and “Couriers of the Nation.”

Music for the series was recorded by Yorke on location in Washington, by the U. S. Marine Band Symphony Orchestra under the direction of Henry Santelmann, Assistant Conductor. Camera work was in charge of Edward Herton, Frank Pollock, and Barney Haugh and narrators were Alols Havlisha, Basil Ruysdale and others.

For its presentation, the film was submitted to the Exposition Commission for consideration on the series which is being screened initially in the Federal Exhibit at the Golden Gate Exposition prior to national release.

Eighth Vita Books’ Driver Runs from June 3 to Aug. 26

The Eighth Annual Vitaphone Bookers’ Drive will get under way with $650,000 to run to June 30 under the sponsorship of Major Albert Warner, announces Norman Moray, Vitaphone sales manager.
is proud to present its first series of shorts since
the Disneys...a new motion picture thrill

full of the glamour and romance of far-away places
...taking your patrons around the world in

each a perfect gem of pictorial and dramatic
interest and photographed in the most perfect

that ever flashed across the screen! Arrange to have these
subjects screened for you: "THE ETERNAL FIRE" • "FOX HUNTING" • "PETRA"
"ROME SYMPHONY" • "JERUSALEM" • "WANDERERS OF THE DESERT" • "RIVER THAMES"
"ARABIAN BAZAAR" • "RUINS OF PALMYRA AND BAALBEK" • "LEBANON COAST"
'38-39 Short Subject Production at a Glance
A Classified Summary of Short Subject Schedules, with Completed Reels Keyed as "C"; Those Still to Come Indexed as "TC"

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**TOTALS**: 570 (Columbia announced 176 subjects. 9 Release dates not set.)

**SET JUNE 30 RELEASE FOR NEW DIONNE PIX**

RKO Pathé cameras and microphones in Callander, Ont., are recording the autobiographies of the five famous Dionne girls. The occasion is their fifth birthday and their proposed retirement to private life. The finished film which will be released June 30, has been given the title "Five Times Five." Alexander Woollcott, whom the quintuplets have learned to call "Uncle Alex" is in Callander reciting and writing the fantastic story of their eventful lives.

Frank Donovan is directing the picture. With him is a complete crew of film technicians who are working in co-operation with Dr. Dafoe and the three nurses who guard the health and happiness of the girls.

RKO Pathé shorts this Summer are timely. A one-reel film has just been completed and is ready for release under the title of "Television."

"Swinglet," with 30 Arthur Murray swing addicts, is planned for June release. Sportscapes available for immediate booking include "Big Leaguers," a baseball real featuring Larry French, Bill Lee, Dizzy Dean, Gus Mancuso and Gabby Hartnett.

**Schaindlin Opens Offices**

Jack Schaindlin, formerly associated with Milton Schwarswald, has opened offices at the Eastern Service studios in Long Island City where he will continue to compose and record music for pix. For the past five years, Schaindlin has written scores for pictures released by Universal, RKO and Columbia. He also is the composer of most of the background music now used by the Universal newsmural.

**Significant Slants on Shorts**

TO the short subject conscious at Film Daily, producers of these shorts owe a debt of gratitude. Observing the results of this publication's efforts in behalf of our producers it is heartening to note the improved consideration given shorts by exhibitors. With a greatly augmented schedule for this season, which added three new series of pictures to our release schedule, we have seen exhibitor after exhibitor take the time to advertise and exploit the short subjects on their programs.

First-run theaters all over the country have given prominent display space in their newspaper advertisements to our Vyvan Donner Fashion Forecasts in Technicolor, to the Ed Thorgersen Sports Reviews and the Lowell Thomas Magic Carpets. Marquee and lobby displays for these releases were also greatly increased.—Truman Talley, Producer of Movietone News and 20th Century-Fox Shorts.

WHILE naturally Walt Disney is leaving nothing undone to make each of his short subjects more enter- taining than the one before (and this applies to the regular Disneys as well as to the "specials"), he will continue to "time" the release of every one of his pictures to permit exhibitors to reap the fullest possible advantage of their seasonal appeal and the tremendous exploitation benefits inherent in all Disney extra-film activities.

Every exhibitor who has played the current 1938-39 series of Walt Disney short subjects will immediately grasp the importance of this policy.—Hal Horse, Vice President, Walt Disney Productions, Inc.

**THE RKO Radio program of shorts has been dedicated not only to its present high quality of entertainment but to the box-office as well and we approach the new year with greater confidence than ever before.**

In the days when the single bill was the rule, marketing of short subjects was more or less automatic. Theaters had to have 40 to 45 minutes of short subject running time with which to complete a program. But with the double feature so generally in vogue, short subjects have had to earn in their own right the time given them. Today they will support profitably features with which they appear where reasonable sales promotion effort is put forth to properly back them. —Heery Michalson, Short Subjects Sales Manager, RKO Radio Pictures.

COLUMBIA is preparing for a boom in short subjects this coming season with several new ideas in one and two-reel features designed to play an important part in the company's program.

In planning for the new season, Columbia is taking into consideration the fact that greater length in feature films will, of necessity, compel exhibitors to give careful thought to short subjects as the supplementary part of their entertainment programs.—M. J. Weinfeld, Columbia Shorts Subjects Sales Supervisor.

**THE next year will witness a revolutionary change in the cartoon field. The motion picture cartoon, which in the past has been solely comedy, will lean towards fantasy and the expression of classical sym-phonies accompanied by their music. Poetic classics also will be interpreted in moving cartoons.**

For the coming season, in which we will produce eighteen Technicolor shorts, my partner, Hugh Harman, and myself have planned, in addition to "The Little Goldfish," several fantasies and classical scores. "The Art Gallery," our second cartoon for Metro-Goldwyn-Mayer, will be a fantasy in which great artistic works come to life. We also are planning a novelty presentation of the "Blue Danube Waltz," and later in the season we might even bring the immortal "Gray's Elegy" to the screen. —Rudolph Ising, M-G-M Cartoon Producer.

**I FIRMLY believe that cartoons are the motion picture industry's greatest argument against double features.**

Currently increased argument for single bills is prevalent everywhere. Many remedies have been offered for the situation, but personally, perhaps because I am a motion picture cartoonist, I prescribe cartoons as the answer.

In the past year, entire motion picture programs have been made up of cartoons.—Hugh Harman, M-G-M Cartoon Producer.
**Television Will Help Film Industry, Says Lou Diamond, Para. Shorts Head**

**By LOU DIAMOND**

Head of Paramount's Short Subject Department

WITH the rapid strides television is making throughout the world, many exhibitors are of the opinion that this new medium of entertainment will prove a detriment to theater box-office, I, for one, am of the opinion that television when commercially perfected will prove a decided asset. Experience has demonstrated that any new entry into the amusement world has always advanced the progress of film entertainment and I look forward to television filling a similar role.

When radio outgrew its infancy, showmen moved more and more to regard it as serious competition. Today, with its competitive qualities and its definite proven value, those same showmen look upon radio as a valuable merchandising and ising link to many of their feature attractions.

There is no doubt that radio has developed and given to this industry many of its topnotch stars, who still through the miracle of radio further enhance their box-office qualities to the distinct advantage of exhibitors and their box-offices.

Today there is hardly a musical picture released which does not receive from five to six weeks advance radio plugging of its popular hit songs. Many of the picture stars, now doubling in radio, offer similar appropriate plugs, for their forthcoming releases which tend to build up an advance campaign for every exhibitor and his box-office.

Let there be no fear of television. This new development will come and like radio will deliver to the screen much needed new talent. It's exploitation possibilities will out-distance those now offered by radio. The wise showmen should look upon television as a valuable adjunct to the merchandising of motion pictures of the future.

**Leon Schlesinger Completes Patriotic Cartoon in Color**

Leon Schlesinger, producer of "Merrie Melody" cartoons in Technicolor and "Looney Tunes" cartoons for Vitaphone, has completed work on "Old Glory," considered the first patriotic cartoon ever to be released in the industry.

Filmed in Technicolor, the cartoon features Porky Pig, who is making his color debut, and tells the story of Porky's search to find the true meaning of pledging allegiance to the flag. Porky meets up with a cartoon character of Uncle Sam who explains the history of the United States to him by means of flashbacks. A cavalcade of American historical characters appear before Porky's eyes. The film will be released on July 1 for Independence Day bookings.

**Distinctive Travel Shorts Planned by Major Devlin**

Maj. Peter Paul Devlin has in preparation a new series of travel shorts known as "The World Travels." Two of which have already been completed. The first series will consist of 12 subjects and future series will include from 15 to 18. Devlin's shorts will differ from the usual run of travel subjects, with very little script being used except for brief explanatory remarks.

**Nellsel's Father Dead**

Marion, Ind.—M. Nellsel, father of Fred D. Nellsel, manager of the State Theater, is dead.

**EMERSON YORKE**

**SHORT SUBJECT PRODUCER**

—Script to Screen—

- INFORMATIVE
- EDUCATIONAL
- INDUSTRIAL
- THEATRICAL

EMERSON YORKE

**245 WEST 55th ST. NEW YORK CITY**

Phone: Columbus 5-6974

**LITTLE FROM LOTS**

By RALPH WILK

ANDY CLYDE, who stars in Columbia shorts, and his wife, Ellie Tarron, former Columbia player, are topnotch golfers and are active members of the Lakeside Country Club.

Gordon Douglas, who recently directed "Zenobia," a Hal Roach feature, directed several of the "Our Gang" comedies.

Kenneth Webb, former feature director, who also directed a series of historical shorts several years ago, is now active in the radio field.

Leon Schlesinger, producer of "Looney Tunes" and "Merrie Melodies," has studied box-office returns on theatrical attractions, as well as pictures. He was at one time treasurer of one of Chicago's leading "legit" theaters.

Harry Bucquet, who was a director of shorts at M-G-M, will direct "On Borrowed Time," one of M-G-M's important forthcoming productions.

Frank Marsales, musical director for Walter Lantz, at Universal, is one of the most enthusiastic wrestling fans on the Coast.

Pete Smith was a veteran advertising and publicity man before entering production. He was head of the M-G-M publicity department for many years and at one time conducted his own publicity office.
chase all shorts separately under the provision made in the section this issue has been rewritten, and the provision allowing the films to be used in company seasons, producers of shorts are stepping up with new budgets to assure improvement in quality.

Major company shorts expenditures for 1939-40. THE FILM DAILY was informed, will range up to $3,500,000. Five producers will invest $1,000,000 or more, the survey disclosed.

In some instances, the budget increase over that in effect for 1938-39 will touch 20 percent, it is understood. Several companies indicated that a further allocation of funds for shorts is in prospect, decision being dependent to some extent by the exhibitor buying reaction.

In some circles, it is felt that the intensified competition in shorts resulting from the non-forcing provision necessarily must raise the quality of the sub-feature reels, and that is predicated the hope that the day of the double feature will end.

Para. Organizes Licensee Dept. for Cartoon Feature

Lou Diamond, Paramount shorts subject department head, has announced the formation of a licensee department under the supervision of Harry Royster, to negotiate with leading manufacturers for merchandising rights to cartoons in "Gulliver's Travels," Technicolor cartoon feature now being produced by Max Fleischer.

A comprehensive advertising and exploitation campaign is being lined up by Paramount and the picture will be exploited with numerous novelties, toys and clothing - all geared to offer direct tie-ups to key cities when the picture is made available.

400 Employees at Work in Fleischer Studios

Miami, Fla.—More than 400 persons are now employed at the Fleischer Studios, Inc., here, with the payroll approaching $18,000 weekly, according to Max Fleischer. Further expansion plans are under consideration to meet growing demands for cartoon productions, Fleischer stated.

First Fort Wayne Drive-In

Fort Wayne, Ind.—First drive-in theatre in this city was opened on U. S. Road 30 at the intersection of the California Road. Roy Gordon, managing director of Allen Theaters, promoted the new venture. He also plans to open a theater on Lafayette St. for the exclusive patronage of colored persons.

Withholding U. S. Shorts

London (By Cable) — About 10,000 feet of American newreel footage and a number of shorts being held in bond here to avoid payment of the new import taxes, with little chance of their ever being shown in London. Newsreel shorts are now outdate
**Thursday, June 1, 1939**

### SHORT SUBJECT REVIEWS

<table>
<thead>
<tr>
<th>Title</th>
<th>Director/Producer</th>
<th>Duration</th>
<th>Details</th>
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<tr>
<td>&quot;Dark Magic&quot;</td>
<td>Robert Benchley</td>
<td>9 mins.</td>
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<td>&quot;Clown Princess&quot;</td>
<td>(Our Gang Comedy)</td>
<td>10 mins.</td>
<td>Circus Stuff</td>
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<td>&quot;Gals and Gallons&quot;</td>
<td>(Mentone Brevity)</td>
<td>17 mins.</td>
<td>Novelty Vaude</td>
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<td>Universal</td>
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<td>Vaude acts in nice diversity. Starting with East &amp; Dunke, known as Sistahs of the Skillet, doing their well known radio act. Rita Rio, the all-girl ork leader, Jan Peerce, the famous tenor. Deneen &amp; Due, boy and girl dancers, and the girl is very lovely. Panzy the Horse, the famous act belonging to the Mayo family. These acts are all introduced through the gag of a filling station run by the Skillet boys, and they are the entertainers to attract the customers.</td>
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<td>Java Journeys</td>
<td>(FitzPatrick TravelTalk)</td>
<td>9 mins.</td>
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<td>&quot;The March of Freedom&quot;</td>
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<td>21 mins.</td>
<td>Patriotic Fervor</td>
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<td>&quot;Bola Mola Land&quot;</td>
<td>(Lantz Cartoon)</td>
<td>7 mins.</td>
<td>Tourist Fun</td>
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<td>&quot;With Best Dishes&quot;</td>
<td>(Mentone Vaunites)</td>
<td>17 mins.</td>
<td>Universal</td>
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<td>&quot;Montmarte Madness&quot;</td>
<td>(Music Hall Vanities)</td>
<td>10 mins.</td>
<td>Spectacular</td>
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<td>&quot;It's the McCoy&quot;</td>
<td>(Melody Master)</td>
<td>10 mins.</td>
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<td>&quot;Diamond Dust&quot;</td>
<td>(Spotlight)</td>
<td>10 mins.</td>
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<td>&quot;Paramount Presents&quot;</td>
<td>Hoagy Carmichael</td>
<td>10 mins.</td>
<td>Universal</td>
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**Unusual Occupations (1-8-5)**

- Paramount: Entertaining
  - Two girls psychoanalyze through a peep show "window" of their subjects, who include Ben Bernie, Lanny Ross and Jessica Dragonette. The peep show of a man who assembles magical odds and ends for the mediocrity and surgeons. The town crier, the lady of functions in Provincetown. Two Martians who looks like a hand sculptress, and he is seen working on Guy Lombardo's mitts. Jean Parker is dressed as a playgirl designer in her spare moments.

- Columbia: Spectacular
  - Some clever and novel atmosphere in Montmarte, as an American visitor see it. They put on a great set for him that is so realistic that he goes out believing that he has seen a regular Apache battle and almost a murder. The girl and boy who do their stuff certainly take an awful beating from each other. Also one smart dance by a Fanchon & Marco chorus, and good song numbers including "Candle Light" and "See Paree." Those Les Maizonneaux are the best. The production is directed by Arthur Dreifuss. Photographed by George Webber.

- Paramount: Baseball Lore
  - Timely reel on baseball, starting off with the Brooklyn Dodgers in training. The importance of wrist motion is shown by pitchers for the Red and Tigers. Bill Dickey of the Yanks shows some tricks of catching. Other experts who do their specialties include Joe Cronin, Roger Kramer, Joe Vosmik and Jimmy Fox. Then some fancy base running by Dizzy Dean and Ted Rickwood. Joe McCarthy, manager of the Yanks, makes a brief talk, and the reel finishes with a highlight in a game at the Yankee Stadium, narrated by Ted Husing. Produced by Jack Eaton.

- Universal: Universal
  - "With Best Dishes" (Mentone Vaunites) 17 mins.
  - "Montmarte Madness" (Music Hall Vanities) 10 mins.

**Record TerryToon Budget for 1939-10**

TerryToon, Inc., production budget for 1939-10 will hit an all-time high, it is announced by Mr. M. Terry, a division of the United Artists. Ten of the forthcoming 24 TerryToons will be made in Technicolor, says Terry. Featured characters will be the Two-Headed Giant, Gandy Gander and Captain McDonough. "More stress will be put on the ability of the exhibitor to exploit each individual TerryToon in planning our future productions," adds Terry.
Italay Drops Venice Film Exposition Due to Lack of Foreign Pictures

Venice (R. Cabey) — Faced with the fact that there would be no representation by American, English and French producers, plans for a fourth annual Venice Film Exposition have been abandoned, it is disclosed.

American participation is being replaced by the withdrawal of U. S. distrbs. as a result of the Italian distribution monopoly decreed last year. English and French producers were especially disheartened with the decision.

In view of the fact that the totalitarian states' close ideological relationship is now inclusive of films, sponsors of the local Exposition determined it was useless to risk British and French rebuff this year.

III. Intermission Measure Expected to Pass This Week

(Continued from Page 1)

 Expect Decision on Fox's Bankruptcy Case This Week

(Continued from Page 1)

in cash, $100,000 over a three-year period and $150,000 subject to litigation. Severe opposition to the offer was reported.

Quaker Oats Putting Kid Shows in Essaness Houses

Chicago — Quaker Oats Co. has started a series of Saturday morning programs for the kids, using the Essaness theaters in the tiefu. The Sheridan Theater will be used next Saturday.

Three "Chips" Openings

"Goodbye, Mr. Chips" will start engagements at Loew's State, Cleveland, and Loew's Ohio, Columbus the night of June 8, M-G-M announced yesterday. The film has its third American opening tonight in Dayton, at Loew's, with a popular price reserved-seat premiere.

Dell Reviving New Movie

The Dell Publishing Co. is in the process of reissuing New Movie, Albert DeLucco will become editor of New Movie, in addition to continuing his work in a similar capacity on Screen Romances, Dell's magazine in the film fiction field.

To Attend Allied Conclave

Chicago — Chicago delegation to the Minneapolis Allied convention has been headed by Jack Kisch, Allied proxy here. "Tip" Harrison, Ludwig Sussman, Van Nomikos, Ben Lasker and John Mednikow are others going.

Straight Pix After 80 Wks.

Wheeling, W. Va. — After 80 successive weeks of week-end units and vaudeville, Capitol here has reverted to a straight first-run film policy.

Phil Fox to Buffalo

Buffalo — Phil Fox has been appointed Columbia branch manager here. Fox, former Boston salesman, is now Albany manager.

Wheeling House to Shut

Wheeling, W. Va. — The Virginia Theater will shutter June 4 for the Summer.

Gregory Drive to Aug. 12

Chicago — The Gregory circuit's fourth annual Managers' Drive now on, will close Aug. 12.

"U" Moves in Black for Quart. and Hall

(Continued from Page 1)

loss for the 13 weeks ended April 30, 1938, of $199,487.

For the six months ended April 29, he reported for the company, net profit, before Federal and state taxes, of $729,578 as compared with net loss of $588,295 for the six months ended April 30, 1938.

Dickinson Reports Better Biz in English Theater

(Continued from Page 1)


Dickinson said that during this crisis, and for a period after, there was a business drop of 15 to 20 per cent, but since then, traffic has been more or less back to normal, at least for the time being, a definite uptrend in grosses has been noticeable.

Dickinson and Reddin will accompany the United Artists company's delegation to Hollywood on Sunday. Arriving on the Normandie on Monday, wasHenri Klarfeld, manager of Paris, who also is here to attend the convention.

702-Consolidated Huddle

Meeting will be held this afternoon between Local 702, the workers union, and Consolidated. A talk between the two concerned, the negotiations are expected to be concluded more rapidly than in other cases as the union has established a basis for the success of its at the convention.

Univ. Suit Settled

Suit brought by Louis Marx against Universal was dismissed in New York Supreme Court, following a reported settlement. Marx, who represented Universal in the fracas over sales rights, sought $15,000, which he claimed was due him because of the cause of the dollar during the term of his contract.

"Moon Over Miami"

Miami, Fla. — Dan Cupid has been doing a land office business at the Florida Cartoon Studio since their removal from New York, according to Mildred Conroy, studio receptionist and John Wadhurst. artist, the first couple. Since then no less than eleven marriages has been taken in place in which either the bride, the groom or both were employees of the studio. And there are several more scheduled for the coming bride's month of June. And all this in less than six months. "Moon Over Miami" must be responsible.
STUDYING U. S. PIX
STATUS IN MANCHUKU

Resumption of activities in Manchukuo by the American majors depends upon the findings of a four-man commission from the majors' Japanese offices, now in the territory, investigating conditions and contacts with government officials there. M. M. Bergher, Japanese manager for Columbia, said yesterday that Bergher said that the new Japanese films law now being discussed could probably be acted on early in fall. Principal features of the law as it now stands call for a large amount of Japanese-produced films being shown on all bills with foreign pictures. A restriction of six weeks, barring children under 13 from theaters unless the films have been approved by a board, is included, it was learned. He described theater business in Japan as being good. Imports are allowed by trade balances, it was said. About 120 American films have been brought to Japan this year. Manchukuo commission is comprised of Jules Ehrman, Metro, Joseph Goltz, United Artists, William Piper, Paramount, and Richard Spierman, RKO, it was named.

In the event that the Manchukuo monopoly refuses to allow the American majors to operate there independently, there is small chance they will resume distribution there, it is believed. Strong pull of American pictures may make this move possible, was said.

Duelling "U. P." and "Rose"

St. Louis—The Missouri Theater's week made history by dueling Union Pacific and "Rose of Washington Square." "Union Pacific," in its first-run here at the Fox, is now in its third week in St. Louis while "Rose of Washington Square" had its first-run at the Ambassador last week.

STORKS!

West Coast Bureau of THE FILM DAILY

Hollywood—There are three new openings in the film colony. Happy parents are Mr. and Mrs. Bob Burns, whose arrival, Robin, Jr., weighed eight pounds, six ounces; Maureen Sullivan and John Farrar, director-writer husband, who will christen their eighth pound, one ounce son Michael Damine and Micheline Fossier, wife and writer, who have a sixth pound, six ounce girl. 

Detroit — Robert Buermere, of Universal exchange, is the father of a eight-pound daughter, Judith Anne, making Carl Buermere, general manager of Co-operative Theaters, a grandfather.

Cincinnati — Sam Hunter, Fox theaters, Huntington and Milton Ave., is father of a baby girl.

FILM DAILY Golf Entry Rush Starts

With yesterday's announcement that entries are being received for the 27th FILM DAILY Golf Tournament, interested persons started their annual rush to get in under the deadline fixed by the committee. The big day is set for June 22 at Rye Country Club, Rye, N. Y. Entrance fee is $10.00 if you pay before June 22 and $12.00 if you wait until the play-day.

The Memory Lingers On

Second Subject Completed

Second in the series of shorts, "The Memory Lingers On" has been completed by Bert Levis in association with Progress Films, Inc., and will be released June 15. It presents a number of reminiscent subjects, including Theodore Roosevelt, Pickford, Fairbanks, Griffith and Chaplin when they formed United Artists, the first round of the Dempsey-Firpo fight, Amelia Earhart's solo flight, Fairbanks, Pickford and Chaplin in sequences from their early successes and an unusual subject showing the final sinking of the battleship Maine with the attendant ceremony, in 1912.

First of the series had its premiere at Radio City Music Hall last August.

Producing Portuguese Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Max Nosseck, who is now in New England making exteriors for a Portuguese picture which he is producing and directing, is expected here in August to make a second feature in Portuguese. His present picture, which is designed for theaters, is sponsored by Portuguese Government.

Forbidden Territory" to WB

Deal has been closed by J. H. Hoffberg with Warners upset New York circuit for "Forbidden Territory." A number of other deals were also set in this territory by Oliver Unger, general sales manager of Hoffberg, who returned Monday from a sales trip.

Fitzpatrick Rites Held

Albany — Funeral services were held yesterday for James E. Fitzpatrick, vice-president and Albany branch manager of Fitch Advertising Agency, who died Sunday. Survivors include his widow and three children and three brothers and a sister in New York.

Hold Millar Rites Today

The Rev. Dr. William Bell Millar, secretary of the Motion Picture Foundation, died Tuesday at Neurological Institute. Dr. Millar, who was 73, had been secretary of the Foundation since 1934 and previously had been general secretary of the 15th New York Federation of Churches. Funeral services, today, will be private.

Atas Corp. Exec. Dead

Alexander Gumberg, 50, an executive of the Atas Corp., died Tuesday at Norwalk, Conn. He is survived by his widow.
SHAKE HANDS WITH THE WINNERS!

"MOMENTS OF CHARM" (Paramount)
ONE-REEL COLOR MUSICAL—Headliner featuring Phil Spitalny and his Hour of Charm All-Girl Orchestra, with Rochel and Lola, Evelyn, Maxine.

HAL KEMP and ORCHESTRA (Paramount)
ONE-REEL MUSICAL—Headliner, produced with Hal Kemp and his Orchestra, and Bob Allen, Saxie Dowell, Judy Starr and Daughter Patsy.

- Paramount Headliners proved themselves Headliners again this year by grabbing the only two Jay Emanuel Awards for Musical Short Subjects. Phil Spitalny and his All-Girl Orchestra received the award for the best color short, "Moments of Charm" and Hal Kemp and his Orchestra took the medal for the best black and white musical short.

Congratulations, Phil...Congratulations, Hal...and, if you boys don't mind, we'll take a little bow ourselves for turning out the best musical shorts in the business.

[Watch for the Shorts Subject Lineup in the Paramount Product Book ...to be published June 8. Paramount has the winners for 1939-1940]
Six-State Buying Combine to be Formed in Southwest

WARNERS WILL SELL AWAY FROM FWC, SAYS SEARS

Absorption of Empire Union by Local 306 Said Near

Real "Poison" ... at the box-office

By CHESTER B. BAHN

ADDRESSING the Toronto sales convention of Empire Universal Films, Ltd., the other day, Republic's proxy, James R. Grainger, in substance if not in so many words, observed that it was about time that those engaged in film business called a halt to their bickering and fault-finding and substituted instead enthusiasm for the industry.

By coincidence, the same day in this city, William F. Rodgers, Metro's sales chief, spoke much in kind before New York Allied's first convention. Deploring "insidious attacks launched by those who seek only to obstruct progress and harmony," Rodgers pleaded for unity, "that we may all give such talents as we possess to the development of this business."

That responsible trade leaders and spokesmen should find it necessary to stress the need for both harmony and enthusiasm in this industry is singular, to put it mildly. Each branch of the industry depends upon the others; the success of one is the success of the others—and that goes for failures, too. Trite? Undeniably—and most truths are.

It should be remarked here that there is a definite line of demarcation between honest, constructive criticism within the industry and insidious destructive criticism without. The former can be and generally is beneficial; the latter inevitably must produce schisms and make for loss of public respect and good will.

The further development of this business is contingent upon the preservation of those two qualities plus a genuine sense of industry loyalty. A sense of industry loyalty, if you please, which generates enthusiasm and an appreciation of the lucrative returns.

Over a period of several decades, this industry has invested millions of dollars in the building of prestige. In the last analysis, that merely means that it has skillfully "sold" the public on the motion picture with the result that—to quote one company president—"nobody's starving in this business." He could have added that

(Continued on Page 2)

Consolidation Would Make Local 306 Sole Union in This Area

Absorption of the Empire State Motion Picture Operators union by Local 306, projectionists’ union affiliate of the IATSE in New York City, is imminent, it was learned yesterday, with preliminary discussions having been held during the past two weeks at the State Media tion Board offices.

Principal among those to current negotiations lies in the unwillingness of

(Continued on Page 4)

N. E. CIRCUIT NAMED IN VT. TRUST ACTION

Boston—Interstate Theater Corp., an independent circuit operating more than 30 New England theaters, is defendant in a $100,000 monopoly suit brought by Tegu's Palace Theater, Inc., of Vermont federal court.

George E. Ryan, already handling

(Continued on Page 8)

FILM DAILY Golf Tourney Set for June 22 at Rye

Looking forward to the 27th Film Daily Golf Tournament, to be held at the Rye Country Club at Rye, N. Y. The location carries its own significant connotation to those who love the outdoor sport because of its sentimental associations with the

(Continued on Page 7)

SEE DELAY IN HOUSE ON BLOCK-BOOKING

By PRESCOTT DENNIT

Washington Bureau of THE FILM DAILY

Washington—Chairman Lem of the House Interstate and Foreign Com-

(Continued on Page 6)

Oklahoma City Meeting on Tuesday to Launch Six-State Buying Combine

Que. and Exhibs. at Impasse; Theaters to Close Tomorrow

Montreal—Unless some unexpected concession is made by the city of

(Continued on Page 7)

HAYS DEFINES "FIRST DUTY"

MPPDA Proxy Urges Revival of "American Spirit"

"We hope for just and fair and righteous governments in other lands, but here at home our government is in our hands and the duty of its maintenance is ours. This is our first duty—and we will keep first things first," Will Hays, MPPDA prexy, declared at the New York World's Fair yesterday, speaking at the Indiana Day pro-

(Continued on Page 8)

MAJORS ASKS GOV'T FOR EQUITY DETAILS

The Government is going to depend on circumstantial evidence in the trial of its equity suit against the majors, Special Assistant Attorney General Paul Williams said yesterday at a hearing on a motion requiring the Government to fur-

(Continued on Page 7)

Cohn Organizing Industry Vets as Picture Pioneers

Picture Pioneers, with membership restricted to industry vets, of 25 or more years, is being launched

(Continued on Page 6)

Murphy Forecasts Crackdown on Fix Execs. Evading Tax

Washington Bureau of THE FILM DAILY

Washington—A big motion pictures industry income tax violation crackdown was foreshadowed yest
Real "Poison" ... at the box-office

(Continued From Page 1)

the profits that will result from the sale of the natural gas in the South.

YET the public may be far easier "unsold" when sold, at any experienced show-

man knows. Reiteration within the public's hearing that the industry's mechanics are

imperfect by design and that its leaders are open to question, together with general

mud-slinging, can only bring the whole industry into disrepute.

That means not only the loss of the mill-

ions already invested in prestige but the loss of untold others through a drop in

patronage which may be the b.a. slump of '31 seem insignificant.

For real "poison" at the box-office, there's nothing equal to bickering and "knocking"

while the public listens.

District 3 IATSE Meet

in Boston on Sunday

Summer meeting of representa-

tives of IATSE Locals in district three, embracing all the New Eng-

land states, will be held Sunday at the

Bradford Hotel, Boston. Rich-

ard Walsh and James Brennan, IA

vice-presidents, will attend from the

New York office. Summer meeting of
district eight is also being held

Sunday in Texas.

D of J to See Records Only

1935 in Contempt Action

Chicago-Special Master Eldredge

ruled yesterday that the D of J may

not scrutinize box office figures and film

rentals only as far back as 1935. Government, in pressing the con-
tempt case against B & R and the

majors, had contended to see records as

far back as 1926.

Majors Foreign Managers

Weigh Problems Abroad

Meeting of foreign managers of the

majors was held yesterday at the

Hays office to discuss several problems current in foreign coun-

dies.

20th-Fox Cincy Exchange

Will Be Ready By Nov. 1

Cincinnati—J. J. Grady, returned

from business conference in New

York City, announces 20th-Fox's has

Cincinnati exchange will be ready for

occupation Nov. 1.

Confer on WB Strike

Conference was held yesterday at the National Labor Relations Board

office with representatives of the

American Federation of Brookkeepers, Stenographers and Accountants union to present their

arguments concerning the current strike. The question of representa-

tion and designation of the union as a bargaining agent was discussed. Further meetings are scheduled.

Anti-Nazi Film Committee

Would Bar German Pix

Non-Sectarian Anti-Nazi League has organized a film committee to determine if the distribution of Nazi pix in the U. S., it was dis-
closed yesterday, following a meeting of foreign film distributors at the Hotel Astor.

League's legal committee has ad-

vised distributors, to incorpore the

following clause in their contracts:

"The producer of this film repre-

sents and warrants that the film

sold or licensed pursuant to this

agreement is made in (here set forth

the country of origin) and that no part

of the purchase price and/or any

royalty thereon shall inure to the

benefit of any German regime, an

citizen of the said regime domiciled

within its borders, any German cor-

poration, or any citizen wherever

domiciled professed allegiance to

the said regime, either directly or

indirectly.

The committee defined Nazi films under the following four classifications:

(a) any films made in Germany

after the Nazi regime gained

control; (b) any films bought in

Germany after the Nazi regime

gained control; (c) any prints bought in

Germany after the Nazi regime

gained control; (d) any picture for

which Germany, today, receives any

income whatever. By Germany shall

be meant the country, for the pur-

poses of this said State or any other

domiciled within its borders or

professed allegiance to the said

State.

Members of the Committee in-

clude: Norman Barzel, head of the

Research Department of the Non-

Sectarian Anti-Nazi League; A.

Townsend Kaplan, representing the

Legal Department of the NSANL;

Andre Heymen, French Cinema

Center, Thooneon, Century-Fox

Films Distributors, Inc.; Irvin

Shapiro, World Pictures; Max Goldberg,

Galilei Film Corp.; Martin Schwartz,

Filmarte Theater; and M. Lopert,

Pax Films Inc.

20th-Fox S. A. Conclave

to Hear S. R. Kent Today

With the 20th-Fox South American

convention in Rio de Janeiro

scheduled to wind up tomorrow night

with a dinner at the Jockey Club, President Sidney R. Kent will be the

principal speaker at today's session.

An outline of the coming season's

product was given yesterday by

Walter J. Hutchinson, director of

foreign distribution. Kent and Hut-

chinson leave Rio the latter part of

next week on their return to the

United States.

Anyone knowing the present where-

abouts of Mr. Arthur Robert Bowdler

pleased communicate with

Box 5000

THE FILM DAILY

1501 Broadway

New York City

HERBERT J. YATES returns to New York this

week-end.

DEL GOODMAN, far Eastern manager for

20th-Fox, arrives in the Coast later this week

from the Orient, en route to the home office.

JOHN YAVONE, New Haven branch manager

for Warners, was in New York yesterday for

an interview with Key Hames, Eastern and Canadian

manager.

TRUMAN TALLEY, Fox Movietone News chief

flier, arrives here June 12 from Europe.

M. J. SIEGEL, Republic production head 

returns to the Coast this week-end from New

York after completing a vacation cruise.

MEL SHAUER is due from the Coast today.

OSCAR SELWIN has left for Hollywood.

EMMET LAVERTY, playwright, arrives here

Monday on the Normandie.

GRAD SEARS, Warners' general manager of

distribution, arrives today.

MAXWELL ANDERSON has returned to Hol-

lywood.

MAE WEST is scheduled to leave for the

Coast today.

Mining Town Theaters

Are Reopening Slowly

Cincinnati—Theaters in the min-

ing towns of Kentucky and West

Virginia are reopening very slowly

following the settlement of the pre-

sent strike. It is expected business

will wholly resume after June 15 when it is the first pay day. Houses

to reopen to date include Hardburly Ky., and Putney, Ethel, Bradshaw and

Trumpher, W. Va.

20th-Fox Sets Dividends

Board of Directors of 20th Cen-

tury-Fox at its meeting yesterday

declared a cash dividend of 37 1/4

cents per share for the second quarter of 1938 on the outstanding preferred

stock of the corporation, payable June 30, to stockholders of record as of the close of business June 15. The

Board also declared a cash dividend of 50 cents per share on the outstanding common stock similarly payable.
HE'S GIVING 'EM ACTION

...at Radio City Music Hall

...at the California, San Diego
Breaks all time attendance and money record. Moved over to Orpheum for continuous first run.

...at Loew's State, New Orleans
Hits 137 per cent of average as first four days equal normal weekly gross for theatre.

...at the Orpheum, Montreal
Joe Lightstone, owner of the Orpheum, reports second biggest opening of year. Held over second week of indefinite long run.

HAL ROACH presents
CAPTAIN FURY
Starring BRIAN AHERNE • VICTOR McLAGLEN

with JUNE LANG • JOHN CARRADINE • PAUL LUKAS • DONALD DUMBRILLE
GEORGE ZUCCO • VIRGINIA FIELD • and a TREMENDOUS SUPPORTING CAST
Directed by HAL ROACH Screenplay by Greer Jones, Jack Jeane and William Dahlke
RELEASED THRU UNITED ARTISTS
Friday, June 2, 1939

**SAFETY FIRST**

Local 306, the sole projectionists union in this area, with its jurisdiction given complete recognition by the state labor authorities. What disposition would be made of the contracts with Empire held by the Century and Cocalis circuits is another problem that remains to be worked out.

**Standards Board Rejects Madison Ave. Theater Plea**

Board of Standards and Appeals has denied the application of the City Bank-Farmers Trust Co. to build a theater on Madison Ave. between 59th and 60th Sts. Application for a variation in the restricted retail use classification was opposed by the Film Ave. Association which feared a precedent would be established and that other property owners in the zone could demand exceptions.

"Mikado" Opens Big at Rivoli

"The Mikado," Technicolor production of the famous Gilbert & Sullivan operetta, opened last night at the Rivoli to a delighted, capacity audience that frequently burst into spontaneous applause.

**Schwab Plans Features**

Ben Schwab, who resigned as head of Columbia's shorts department recently, has taken new offices in the RKO Bldg. Schwab is planning to go into feature production shortly.

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

- June 2
  - Harry C. Arthur, Jr.
  - Benjamin Goetz
  - Nelda Hopper
  - Frank McFerrd
  - John J. Weismuller
  - Loretta Scottland

- June 3
  - J. H. Dietz
  - Sylvia Sanders
  - Charles O. Goetz
  - E. M. Crowitz

- June 4
  - Leo Chandler
  - Richard Tucker
  - Marvin Kirsch
  - Jack Arnold

**SIX-STATE BUYING COMBINE FOR S. W.**

(Continued from Page 1) corporation papers for the organization are scheduled to be filed today in Oklahoma City.

Invitations to attend the meeting next week have been sent to all independent exhibitors in the six states in which the combine will operate. They are in addition to Oklahoma, Arkansas, Texas, Kansas, Missouri, and New Mexico.

The plan under which the combine will operate has been copyrighted; it is understood, by George W. Sumner and two others. Sumner has been designated the combine's general manager and will also serve as vice-president of the corporation. Other officers will be elected Tuesday.

While it is anticipated that the combine's membership in all probability will be members of Allied units, it is said that there will be no connection between the pool organization and either Allied States or the newly formed Allied Theater Owners of Oklahoma.

Latter directly resulted from the pool agitation which swept over Oklahoma for several months. A movement which was to have seen a state-wide buying pool launched Col. H. A. Cole, national Allied proxy frowned upon the combine plan and the assembled leaders organized an Allied States unit.

**Liquidate Okla. Buying Combine if D of J Requests**

Oklahoma City—"If the Oklahoma buying pool organization is now in its formative stage, "George W. Sumner, corresponding secretary and Allied Theater Owners of Oklahoma told FILM DAILY yesterday. "The plan has been devised with equanimity as its fundamental object and its legality has been a primary consideration.

This is the first definite statement with regard to the buying pool to come from any official of the ATOO. "If the sponsors of the Oklahoma buying pool organization intend that it shall be serviceable to its own members, and to its distributors alike, "it is believed therefore that they will be no objection on the part of the Government. However, the sponsors are unanimous in their agreement that after the Department of Justice suits have been adjudicated whatever action the Government may take will be taken.

"The buying organization will be voluntarily liquidated should the Department of Justice so request.

**WEDDING BELLS**

Marshfield, Wis. — Orville E Scheibe, Adler Theater Co. employe here, was married May 27 in Dubuque, la., to Miss Erna Neumann.
**ARCHITECTS**

John Eberson
Architect
1560 Broadway
New York City

**DISTRIBUTORS**

729 Seventh Ave., New York
MEdallion 3-3943

AMKINO Presents—

**ALEXANDER NEVSKY**

★★★ Daily News
SPECTACLE FILM
Directed by Sergei Eisenstein
English Titles
AMKINO CORPORATION
Telephone Bryant 9-7680
723 Seventh Ave. New York

A picture for Every Purpose—

John H. Hoffberg Co., Inc.
Telephone MEdallion 3-3813
729 Seventh Ave. New York

ARTHUR and JOSEPH
MAYER and BURSTYN
1881 Broadway, New York City
Distributing
The Season's Box Office Smash
"BALLERINA"

**ITALIAN PICTURES**

ESPERIA FILM CO.
Now Releasing—
Record Breaking Hits
★★★—"Tevatno Sette Sorelle"  
"We Were Seven Sisters"  
★★★—"Lotta Nell 'Ombrà"  
"Battles in the Shade"
★★★—"Sotto La Croce del Sud"  
"Under the Southern Cross"
★★★—"Per Uomini Soli"  
"For Men Only"
1650 Broadway, New York City

**BANNERS**

MANUFACTURERS OF THE FINEST IN
FLAGS • BANNERS
• DECORATIONS
ART FLAG, INC.
247 W. 42nd St., New York City
Bryant 9-7274

**NEW STAR FILMS**

New Release...
"GREEN FIELDS"
Parnitz Hersheibn's Immortal Classic
Also
"JACOB THE BLACKSMITH"
Based on the World Famous Novel
by DAVID PINSKI
1650 Broadway, New York City

**JEWISH PICTURES**

**ENGRAVERS**

CENTURY PHOTO
ENGRAVING CO., INC.
340 W. 39th Street, New York City
Line and halftone plates
Benday and color plates
Day and Night Service
MEdallion 3-2441-2-3
Members of I.P.E.U.—Local No. 1
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1650 Broadway, New York City

**BOOKS**

The Recognized Standard
Reference Book of the Motion Picture Industry
THE FILM YEAR BOOK
Published by
THE FILM DAILY
1501 Broadway
New York City

**FINCH & MARSH**

Now Available—

The Strauss Musical Romance
"THREE WALTZES" •
VEDIS FILMS, INC.
RKO Building
New York City

**LIGHTING**

LIGHTING DISTRIBUTORS, Inc.
490 W. 14th St. Watkins 9-1655
Servicing theaters for many years

**JEWISH PICTURES**

**ENGRAVERS**

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**MOMENTO**

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The Strauss Musical Romance
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VEDIS FILMS, INC.
RKO Building
New York City

**GAMES—PREMIUMS**

JUMBO
16 WAYS TO WIN
CIRCUS JUMBO GAMES, INC.
351 W. 44th St.
N.Y. City 6-8600

**SEATING**

BARGAINS IN USED CHAIRS
Now Available—at a fraction of actual value, thousands of slightly used upholstered chairs in good condition. Write for illustrated catalog.

**THEATRE CHAIRS**

FOR NEW CHAIRS, write for latest catalogue.
FOR REPOSSESSED CHAIRS, parts, etc., write our used chair department.
ALLEGED SEATING CO., INC.
36 W. 13th St.
New York City

**SEATING MATERIALS**

Do Your Seats Need New Upholstery?

**AIR CONDITIONING**

It's Smart
TO BUY COOLING EQUIPMENT
WITH A 15 YEAR RECORD FOR
DELIVERING COMFORT COOLING
AT THE LOWEST DOLLAR COST

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SEE DELAY IN HOUSE ON BLOCK-BUOING

(Continued from Page 1)

merce Committee yesterday gave inquirers to understand that the com- merce committee action in favorably reporting the Neely block-booking bill to the Senate "is not in any way way or in- fluence" the House committee in considering block-booking legislation at this session.

Inside observers expect the House committee to be occupied about a month more in handling the most transportation legislation bearing the name of the chairman. Attitude of Lea and his close advisers is that block-booking legislation will have to get new legislation or permit continued consideration of currently "more important legislation."

Such a contingency, in event of Senate passage of Neely bill, would mean a repetition of legisla- tive situation at last session when the Neely bill passed the Senate only to find block-booking legislation bot- tled up in the House Interstate and Foreign Commerce Committee. How- ever, this time proponents would be enabled to hammer single-handedly at the House next session since this session's only legislative first half of the current Congress and all legislation left pending at this ses- sion's close will automatically go over to next year.

At the office of Congressmen Ed- miston, West Virginia Democrat, sponsor of the House companion measure to the Neely bill, it was re- ported he was returning from West Virginia to press for House action.

Meanwhile Senator Neely released to Senate officials his report on his own measure.

Four-Star Sales Drive Winners Are Announced

Winners in Paramount's Four-Star Sales Drive were announced yester- dary by Neil F. Agnew, vice-president and general sales manager of Para- mount.

Leaders in the five separate divi- sions of the 13-week drive period were as follows: for district man- agers, George A. Smith was first with Ralph C. Littell second.

In the branch managers' division first place was won by Albert Mend- enhall, of Omaha; second John T. Howard, of Detroit; third by Chester J. Bell, of Denver.

Salesmen division was led by L. G. White, of Los Angeles, second E. Rubin, of New York; third to J. Wilcox, of Salt Lake.

First place in the bookers' division was won by Omaha, second Detroit and third to Minneapolis. In the Ad Sales Managers' division, first was won by Wendall Overdorf, of Oumol, second to Michael Care, of Minneapolis and third by James Nicoll, of New Orleans.

REVIEWS OF NEW FILMS

"Young Mr. Lincoln" with Henry Fonda, Alice Brady, Marjorie Weaver

20th Century-Fox 100 Mins.

NOTEWORTHY DRAMA OF LINCOLN'S EARLY LIFE WITH FONGA SCORING BRILLIANTLY.

A highly entertaining presentation of the life of the young Lincoln just before he became a great world figure when he came from the little town of New Salem in Illinois to take up law practice in Springfield. The story has never been presented on stage or screen a por- trayal of a great historical personage that carried more warmth and understanding than this human study of the young Lincoln. Credit must be divided between the author of the screenplay, Lamar Trotti; Director John Ford; and the actors who played him and the many other roles. Henry Fonda is excellent in刻画ing the young Lincoln, a youth lacking the fine polish of his rich voice. Stephen Douglas but already showing flashes of that homy wit and brilliant qualities of mind and character that started him on his great career. Director Ford wisely chose to put the emphasis on the human quali- ties, combining them with the story of his first murder trial which forms the backbone of the picture and furnishes the suspense and electric drama. No court trial has been more brilliantly presented. It catches the uncouth atmosphere of court room trials of that period in a frontier country, and com- bines the incidents in such a way as to form a truly an episodic narrative endeavoring to touch the highlights of Lincoln's early days. Director Ford has continued to give the dis- tinguished episodically wittily drawn and ac- tion that is remarkable. It opens with the country store in New Salem, the brief romance with Ann Rutledge; the untimely death, Lincoln's decision to go to Springfield and the law, and then a rich tapestry of colorful incidents round the character of the man in this remarkably brilliant portrayal by Fonda. His- tory thus comes to life on the screen shorn of any mustiness or stodginess—a living, vital story that no mere fictional work could achieve. Here is no patriotic hoohoo or propagandist taint to mar a superb produc- tion that shines in every department. The camera work is outstanding. The painstaking research to insure historical exactitude is everywhere apparent. The direction is something over which to grow really en- thusiastic. Henry Fonda's superb perform- ance places him in line as a serious con- tender for the Academy Award. Alice Brady is splendid in the role of Abigail Clay, the goods man, who was born to two boys face- ing the death penalty. A long list of minor characters forms a background to round out the central character, all playing minor notes, but that as should be in a dramatization of such a figure as that of Lincoln. Selling angles: Lincoln as a human being in a dramatic highlight of his career, and a great performance by Henry Fonda.


CREDITS: Producer, Kenneth Macgowan; Director, John Ford; Original Script, Lamar Trotti; Adaptation, W. R. Straiton; Editor, Albert Taylor, Photograph- er, Charles L. Lang, Jr., Music Director, Walter S. Gaze, DIRECTION, Excellent. PHOTOGRAPHY, Marjorie Weaver.

"S.O.S. Tidal Wave" with Ralph Byrd, George Barbier, Kay Sutton, Republic 60 Mins.

(HOLLYWOOD PREVIEW)

TELEVISION, RACKETEERING AND POLITICS MIXED TO PROVIDE A THRILLING DRAMA.

A tidal wave sweeping over New York City, accompanied by an earthquake, is the spectacular highlight of this offering. The story of the supposed catastrophe are used to throw voters of a city outside New York into a panic in an attempt to win an election. The pictures are televised at the instigation of Marcia Lawrence, a racketeer, who is behind the candidacy of Ferris Taylor for mayor. Ralph Byrd, ace television broadcaster, is expected to expose the Lawrence-Taylor crowd, but refrains from any action fearing harm to his wife, Kay Sutton, and their child, Mickey Kahn. However, when the racketeers cause the death of Byrd's best friend, George Barbier, who has collected evidence against Taylor, only injuries to Kay Sutton and Mickey, Byrd swings into action. He forces Taylor to admit the television pictures are faked. Only Lawrence is killed by a truck while trying to escape from Byrd. John H. Auer has done an effective job of directing, and Kay and Schaefer are cast as ac- curate pair. Maxwell Shawn's screenplay, Kahn wrote a gripping screenplay, based on an original story by James Webb. Jack Andrew wrote the fine score.

CAST: Ralph Byrd, George Barbier, Kay Sutton, Frank Jenks, Marcia Lawrence, Dor-othy Lee, George Barbier; Of Marcia Lawrence, Ferris Taylor, Donald Barry, Raymond Bailey. CREDITS: Associate Producer, Armand Schaefer; Director, John H. Auer; Author, James Webb; Screenplay, Maxwell Shane; Gordon Kahn; Camerman, Jack Marga; Editor, Ernest Nims; Art Director, John H. Auer; Backs and Producer, Musical Director, Cy Fewer DIRECTION, Effective. PHOTOGRAPHY, First-Rate.

Dividends Declared by Two Canadian Theater Companies

Montreal—Earnings of the Strand Hamilton Theater, Ltd., increased in 1938, with net profit equivalent to 67 cents on the common shares, compared with 30 cents in the previous year. Dividends of $8 a share were paid on the 8 per cent preferred stock in both years. Back dividends are now paid up to Jan. 31, 1931.

A decline in earnings of Para- mount Oshawa Theaters, Ltd., is shown by the financial statement for the year ended Dec. 31, 1938. Net profit was equivalent to $1.29 on the common shares, as against $1.57 in the preceding year. Dividends of $1 were paid on the common stock in 1938, as compared with $1.50 in the previous year.

Cliff Clark, Robert Lowery, Charles Tan- nhauser, John Hodiak.

CREDITS: Producer, Kenneth Macgowan; Director, John Ford; Original Script, Lamar Trotti; Adaptation, W. R. Straiton; Editor, Albert Taylor, Photograph- er, Charles L. Lang, Jr., Music Director, Walter S. Gaze, DIRECTION, Excellent. PHOTOGRAPHY, Marjorie Weaver.

INDUSTRY VETS UNITE AS PICTURE PIONEERS

(Continued from Page 1)

by Jack Cohn, Columbia vice-pres. Letters sent to 100 industry vets already have drawn acceptance from the following, Cohn said yes- terday.


New organization, which will charge no dues, will be primarily for the purpose of meeting over luncheon or dinner table two or three times a year, swapping remin- iscences and promoting good fellow feeling. The phrase "old-timer's conference" has come to be a word in motion picture circles, Col- plans that the get-togethers known as "Conferences," rather the meetings.

Club will be started up on its very soon, according to Columbia vice-president, with a "Basfeteck 2"

Murphy Forecasts Crackdown on Piex Execs. Evading Ta

(Continued from Page 1)

By Attorney-General Frank Murphy who revealed at his pre- conference that the Justice Depart- ment has been acting on the Treasury Department information indicating violation and tax evasion income tax filings reported by ce- tain high ranking motion picture industry officials.

Murphy specified the number tax violations uncovered as "six seven high ranking picture officials.

He made clear that the allegation violations which his department w. prosecute are confined to picture officials and not stars. He cited no names.

It is understood that Murphy per- sonally conducted a preliminary investagation during his West Con- tour.

WB Sets Five for July

WARNER BROS. TO SELL PIX AWAY FROM FWC

(Continued from Page 1)

line-up to "aggressive independent exhibitors."

Warner decision has far-reaching implications inasmuch as it's the pending industry Trade Practice Code, a line of product
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self-evidently cannot be taken away
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There was quick indie exhib.反应, especially to the Sears announcement.

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confer with local Warner ex-
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ating Fox West Coast has the territory now that product will be available.

Sears' statement follows:

"In our opinion, a policy which makes the possible the presentation of 'A' attractions such as 'Dodger
ty' and 'Alexander Graham Bell'; gathering Height's 'Three-
art Girls'; 'Okilama Kid' and
Affee Affair'; and 'Navy Blue and Red' and 'Submarine D' is de-
structive, both as far as the public and producers are concerned.

"The double-feature policy as set by Fox West Coast re-
tes the possibility of film rentals
erving pictures, freeing the
ility of returns to such an ex-
nt that to support this practice it is impossible to produce fine-
udget production for fair re-
s. Certainly, this policy stifles the drive on the part of the produc-
er who are just as anxious to make
x-office attractions as ex-
itors are to play them.

"A careful examination of income and performance of Fox West Coast over a period of years
have reached the conclusion that the system is as destructive to the industry as the circuit does not contribute to our progress and that its policy of dou-
illing and filling rental engage-
ts offer no opportunity for ex-
ded income regardless of pro-
merit.

"It is our opinion that Warner
ories merit the greatest possible penitence of showmanship and remuneration to match their im-
ance. As Fox West Coast has had to give our product this kind of treatment and to produce the re-
s which our pictures deserve, we will seek new outlets and build
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MAJORS ASKS GOV'T FOR EQUITY DETAILS

(Continued from Page 1)

ish more detailed particulars. Wil-
ans said the alleged monopoly in the industry was the result of a gradual evolution and that the Gov-
ment could not be pinned as to dates.

Col. William Donovan and Judge
Thomas Thacker represented the
majors at yesterday's hearings.

Donovan stated that the majors' de-
mands on Judge Bondy's order were met on four different particulars; namely, (1) the Government failed to state the duration of the viola-
tions; (2) it failed to state the answer of the majors adequately. (3) the Government participated in the conspiracy to re-
strain trade; (4) it failed to set forth the agreements to restrain trade, and (4) the Government was too vague in defining its terms.

Judge Thacker referred to part of their showing, with which the 55 instances of coercion and said that the Government was not privi-
leged to reserve the right to add other instances when they saw fit, asserting that in doing so the Government had not complied with Judge Bondy's order.

At about 1:30, Williams was forced to concede that Judge Thacker was correct but stated that the bill contained all the instances upon which the Government would rely, except those exempted by decision and those unknown at the present time.

Williams said he was willing to give everything that the Government knew, adding that the trial would take a long time and that the majors would have the oppor-
tunity of looking into things as they were produced, and he assured the court that he knew what they were being charged with, admitting that the suit "challenges the very structure of the industry."

In requesting further particulars, the defendants' counsel asked:

First: for an order directing the government to comply with the court's decision of March 7 by furnishing "a further and more
definite and adequate statement and bill of particulars." Defendants claimed the government had not met the conditions of the questions the court had ordered to be answered.

Second: for an order, in the al-
terative, "striking the petition for failure to comply with said de-
cision."

Third: for an order for additional particulars which already had been granted to Columbia and United Ar-
tists.

Fourth: for an order extending the time of the defendants to answer until 60 days after service of a further
bill of particulars. Defense counsel argued this was necessary because of the extremely long per-
d (from 1918 to the present) cov-
ed in the Government's original bill of particulars.
Exchanges to Quit Wisconsin if Footage Levy Passes

Senator Committee Warned
Enactment Means Loss
in Payroll, Taxes

Milwaukee, Wis. — Revenues of $5,000,000 annually, amounting for the State by proponents of the bill pending in the State Senate to assess a $2 per 1,000 feet tax on movie films, would be offset by a $750,000 loss in payroll and taxes, by virtue of exchanges moving out of Wisconsin, members of the legislative committee of the Milwaukee Association of Commerce argued in indicating their disapproval of the bill. A hearing on the measure was held yesterday before the committee on corporations and taxation.

Wastage Rebate on Film
Allowed to British Studios

London (By Cable) — The British film industry will receive a rebate on the new taxes on films allowing a rebate on film wastage in British studios of 4½ pence per square foot of film so wasted, whether made in this country or imported. The Cinematograph Act of 1938 specifically excluded mention that film wastage in making newsreels is not covered.

Color films needing several negatives for combination into one picture will be allowed to enter as though the component films were duplicates of each other. Manufacture of film in Britain will in the future be permitted only by producers having a license for which they will pay a fee.

British films made outside of the country will be imported at a rate of duty similar to that charged for unexposed film.

Gallagher Joins STR

Joe Gallagher becomes motion picture advertising manager of Showman's Trade Review on Monday. His appointment was announced yesterday. Gallagher for many years was advertising manager of Box Office and prior to that was director of public relations for Columbia Pictures.

Joe Miller In Albany

Albany — Joe Miller, Columbia branch manager at Buffalo, succeeds Philip Fox here.

Fight Pix Bun Repair?

Washington, D.C. — The FILM DAILY.

Washington — The Senate had before it yesterday its Interstate Commerce Committee a recommendation for passage of the Barbour bill legalizing interstate shipments of film. The committee formally registered its approval of the legislation which would remove a 27-year-old ban on prize fight film shipments in interstate commerce.

Wis. Exhib. "Doubles Features" Wrestling

Milwaukee, Wis. — The double feature idea has been reasserted by Robert Guitierrez in connection with wrestling matches at the Capitol Theater here on alternates Tuesdays under the sponsorship of the local American Legion post. Most recent event was in the form of a double-windup bout.

Expect Fam. Players-Canadian
Show Net Profit Advance

Montreal — Famous Players Canada should show a further moderate increase in net earnings for 1939, financial circles here indicated yesterday.

Gross revenues for first quarter of this year were down slightly from like 1938 period, but second quarter comparisons are more favorable and outlook is encouraging for at least as good a showing for the full year 1939 as in 1938.

Net earnings should, relatively better, due chiefly to lower fixed charges this year. Of the $6,700,000 bonds outstanding at the end of 1938, $3,000,000 of the serials mature on June 1. Due to company's strong working capital position, it is possible, if not probable, that company will retire a substantial block of the outstanding bonds over and above the normal sinking fund and maturity retirements.

The serial "A" issue, bearing interest of 3 per cent to 4½ per cent is callable in whole or in part on April 15, 1939, at 101 and the 4½s at 103. The series B 15-year 4½s, due in 1951 and outstanding to amount of $300,000 on December 31 last, are callable in whole or in part, on 45 days notice at 105.

As of end of 1938 company showed current assets of $2,938,268 and current liabilities of only $562,302. Included in current assets were $1,669,652 in cash, call loans and government bonds.

Directors of Famous Players Canada have declared a quarterly dividend of 25 cents a share payable June 30 to shareholders of record June 15. Similar payment was made March 31.

Contempt Order Pending
in Carpenter-IATSE Suit

West Coast Bureau of THE FILM DAILY

Hollywood — Superior Judge Wilson has issued an order to show cause why J. W. Buxxell, deputy general counsel of the Central Labor Council, George E. Brown, international president of the IATSE, Harold V. Smith, representative of the Western representative, and John F. Gatelee and Frank Sticking, international representatives, should not be cited for contempt.

Petition prepared by Attorney A. Brigham Rose representing Joe Carpen, denounced respondent, Court 37 who is suing the IATSE, alleges that respondents violated a preliminary injunction issued by Judge William on May 5 enjoining the International Association of Theatrical Stage Employees from removing, concealing, altering, tampering with or changing records of personal property of Local 37.

N. E. CIRCUIT NAMED
IN VT. TRUST ACTION

(Continued from Page 1)

similar cases for A. B. Morse & Rothenberg, and E. A. Miller, is the attorney for the plaintiff, operating concern with which Andrew Tegu, long a prominent Vermont theatre owner, is identified.

Other exhibitor defendants in the latest local film litigation are the Rockingham Operating Co., and Graves Theaters, Inc., Owls, Vt., and Paramount, United Artists Universal and Columbia are the distributors that have been served.

It is alleged that Interstate exhibitors "have coerced, induced or persuaded the operators of theaters all said localities, with the exception of Plymouth and Brockton, Mass., and St. Johnsbury, Vt., cease operating their theaters or to lease and convey them to one of the defendant exhibitors or to other operating companies managed by the defendant Interstate.

St. Johnsbury, the present situation at law, has become a point of negotiation in the closing of film contracts. It is alleged, Interstate is refusing "or threatening to refuse to deal with any distributor in any localities in which they operate theaters or the said distributors would contract with the for licenses to exhibit films in St. Johnsbury."

Theaters of the defendant exhibitors and the other members of the Interstate circuit combination have privileges which preferences that none of the would have been able to secure them. Consequently, the plaintiffs declare, adding that they have placed a direct and undue restraint upon interstate commerce.

In a subsidiary count, the plaintiffs ask for $250,000 damages because of alleged interstate interference with the Gem theater which it began to operate in Lyndonville Vt., about April 1, 1930.

Blatts Adds Two More

Pittsburgh — Blatt Bros., who started in the theater business about 12 years ago with only one house and now operate a chain of 19 theaters in the Western Pennsylvania and West Virginia territory, have just taken over the Palace Theater, Mt. Jewett and Star Theater, Smethport.

Television Price Fight

The News-Bee fight last night was televised by ECA-NBC. About 30 fans in the lounge of the Paramount Theater watched the bout as flashed by a DuMont receiver. Over the NBC blue network, the blow-by-blow description was provided by Clem McCarthy, images were clear.
Steffes Predicts "Knock-down, Drag-out" Open Forum

Canadian Conciliation Board Demand Served on Majors

Anti-Protection League Wants "Fair and Binding Rules, Schedules"

Amid much secrecy, the Committee in charge of the 27th Film Daily golf tournament, held their first conference over the weekend. There was a report that they also held it over a barrel of beer out at the 19th hole on some Westchester golf course. This rumor is entirely unfounded, for two of the committee members never drank anything stronger than a sarsaparilla in their lives. They did do some constructive (Continued on Page 4)

Capitol's "Letty Lynton" Profits Awarded Dramatists

Award of $16,470 was granted Tuesday by Kenneth W. Walzer, special master, to Edward Sheldon and Margaret Ayer Barnes, in their action against Miral Realty Corp., operator of the Capitol, for profits in the showing of "Letty Lynton" from April 29 to May 12, 1932. Federal Judge V. L. Leibell, last December ruled that the picture was plagiarism of "Carnival of Love" (Continued on Page 14)

Propose Preferential List As Empire-306 Solution

Plan has been worked out by representatives of Local 306, projectionists union, the Empire State Motion Picture Operators' union and (Continued on Page 14)

III. Senate Will Act This Week on Bill To Ban Blud-Selling and Block-Booking

Springfield, Ill.—Senate action on the Lund bill prohibiting blind-selling and block-booking in Illinois is expected this week. Measure will be reported out by the Judiciary Committee, it is understood. It passed the House, 84-8.

WARNER NT SELLING POLICY UNDETERMINED

Western Bureau of THE FILM DAILY

Hollywood—Warner policy on selling to other divisions of National Theaters has not as yet been considered, it was learned at the weekend.

FOLLEY TRUST ACTION ASKS $750,000 BALT

Suit seeking $750,000 damages under the Sherman Anti-Trust Act was filed Friday in the Federal District Court, Southern district of New York State, by the Folley Amusement Holding Corp. against the majors, Randforce Amusement Corp., Samuel Kinzler and Louis Frisch, (Continued on Page 11)

GREAT PROGRESS BEING MADE IN GOLF TOURNEY

Indies Now Without Power Of Selection, Charge
Made to Senate

By PRESCOTT DENNETT

Washington (D.C.)—Enactment of the pending Neely bill banning compulsory blind-selling and block-booking will give the nation's independents the same buying status as that enjoyed by circuits with major affiliations.

That is the crus of the Interstate Commerce Committee report to the (Continued on Page 11)

NO NEELY BILL DEBATE AT ALLIED CONVENTION

Minneapolis—The Neely Bill will not be a subject for discussion at the Allied national convention here June 13-15, Al Steffes, convention chairman, declared in a bulletin issued Friday. Because Allied has gone on record many times as being in favor of the measure, Steffes said he could see no reason "why any time should be wasted on the Neely Bill. We are for first, last and all the time."

Steffes said he hoped that an an- (Continued on Page 4)

Two Receive Prison Terms In Pathe-Cinema Action

Paris (By Cable)—Bernard Tsun- tazi, who under the name of Bernard Nathan was at one time "exar" of the French film industry, was sentenced to four years imprisonment in connection with the dissipation of the assets of Pathe-Cinema. Simon-Jean Cerf was sentenced to three years and Alexandre George (Continued on Page 11)

Allied Convention Chairman Critical of Leaders' Non-attendance "Alibis"

Hear Cadman to Recommend Full Tele Control by BBC

London (By Cable)—Report of Sir John Cadman's Television Committee, now being drafted for presentation to the Postmaster-General, is expected to recommend that full control of the television, including fees to be paid by theaters for telecasts (Continued on Page 11)

MINNEAPOLIS—Predicting that the open forum sessions at the national Allied convention probably will be a "knock-down, drag-out affair before it is over," and asserting that "as Allied goes, so goes the nation," Al Steffes, convention chairman, in an open letter to all exhibitors, severely criticized several leaders who offered "alibis" for not planning to attend (Continued on Page 11)

Trade Practice Revisions To Be Ready by Wednesday

Revisions in the trade practice proposals will be ready by Wednesday, W. F. Rodgers stated over the week. Rodgers said the changes were of minor importance.
Walker Silent on Phone
Probe Report Revision

Washington Bureau of THE FILM DAILY

Washington — Paul A. Walker, PCC Commissioner who directed the PFT & De Beque, said he wouldn’t care to comment on anything the commission has under consideration when quizzed at the week-end on reports the FCC will modify or revoice proposed Walker report to Congress on the telephone industry.

Pix industry’s interest lies in possible revision of sections covering film patents.

Congress ordered the report in 1918, when it authorized the FCC to conduct an extensive probe which continued two years, costing $1,500.

While the House Commerce Committee deliberates final FCC report may not get to Congress this session, Walker told THE FILM DAILY the commission “has been planning to get a report to the Hill this session.”

Sterne Confirms Deal on
For Gregory Bros. Chain

Chicago — Herbert Stern of Stern Wampler Co. confirms that negotiations are under way for purchase of the Gregory chain.

Stern expects the deal will be closed shortly.

Gregory Brothers will remain as active managers in the venture.

Thirty-first link in the Gregory chain is shortly to be erected in Logansport, Ind.

Stern’s confirmation followed earlier denials by Gregory interests that a deal implied.

AAA Board Meets Today

Meeting of the AAAA international board is scheduled to be held today with a possibility that the body will report on the television juridiction question.

Kuykendall Talk Lauches
Meet of California’s Exhbits

Myrtle Beach, S.C.—Application of the proposed trade practice code to film deals will be subject of address by Ed Kuykendall, MPTOA proxy, before the opening session this morning of the three-day semi-annual convention of the Theater Owners of North and South Carolina at the local Ocean Forest Hotel.

Some 300 are expected to participate in the conclave which is held to be one of most important in organization’s history.

Afternoon session today will be a closed meeting one and attended by exhibitors only.

THEATRE

George Abbott Productions

"There have been a number of good girl and music shows in town of late, but this is by all odds the most brilliant of the lot."—Watts, Her-Trib.

George Abbott—Redheads and Hare

The Boys from Syracuse

with Jimmy Wynn
Eddie Clyde
Pauline Lord
ALBERT HART
ALVYN, W. 52d St. Mat. Wed. & Sat.
Columbus 5-4414

"Boars of Pleasure"—Babylon, Times.

WHAT A LIFE

with EZRA STONE as Henry Aldrich

MANSFIELD, W. 47th St. Mat. Wed. & Sat.
Columbus 6-0640
NEELY NEW TIME BILL ON SENATE TOBOGGAN

Washington National daylight time bill, sponsored in the Senate by Senator Matthew Neely, Democrat, W. Va., is slated for the ashcan, was indicated at the weekend.

Neely said that he was becoming thoroughly convinced that a majority are not in favor of daylight saving legislation, and intimated that a measure would have achieved its purpose if it aroused citizens to oppose "new time" and brought a version to standard time.

Neely stated he personally was opposed to daylight saving.

Judge to View "Nazi Spy" Before Injunction Ruling

Decision was reserved Friday by Federal Judge Vincent L. Leibell on an application by Fritz Kuhn asking for a temporary injunction to retain exhibition of Warners' "Conussions of a Nazi Spy." Judge Leibell will see the picture in court on June 9.


Warners showed in their affidavits that the film cost $700,000 to produce and that 9,735 playdates had been set, with 9,000 of this number all to be run. The estimated gross of the picture was given as $1,875,000 and it was argued that if an injunction is granted, exhibitors stand to lose between $500,000 and $750,000 revenue.

Lecker-Jablow Para. Action is Put Over to Friday

Federal Judge Vincent L. Leibell the week-end put over to Friday an application by Paramount to dismiss the stockholders' suit filed by Dr. Acker and Frank Jablow because the plaintiffs have amended their complaint. The amended complaint includes charges of mismanagement by Paramount in transactions and deals with the Hobbitzelle and H. Blank circuits.

Along the Rails with Phil M. Daly

• • • WRITING as the short subject editor of 20th Century-Fox, Lew Lehr comments on some correspondence between Truman Talley, the producer, and Sidney Meyer, the showman of Florida concerning an exploitation plan to get full attendance benefits from the latest Ed Thorgeresen Sports Review, "Shooting for Par". 

• • • IN answer to a query from this exhibit, Talley wrote: "It's heartening to see somebody interested in getting box-office results by fighting with pictures instead of with Bingo and groceries".

• • • THAT was enough to start Mister Meyer going after something... he wrote back to Talley......"Your inspiring phrase 'fighting with pictures' should re-echo through the industry.......It should prove a coat of armour against the lazy, insidious practice of making theaters gambling institutions and produce markets......I'm starting with your picture, 'Shocking for Par' to do just as you suggest......I'm going to fight with pictures......Instead of a Bingo or a Bank Night, I'm having a 'Gold Night' and I'm using your exploitable Thorgeresen short as my draw'......and that thought of a real showman can be extended to scores of shorts that carry ideas on other sports, and on fashions......we have often wondered why exhibs. do not build programs around these racy fashion shorts such as Vvrayan Donner turns out......here is a natural for the femmies that will bring 'em to the turnstile without a struggle......a fashion show right in the theater, and it's a cinch that every style shop in town will jump in and help to put it over big......with local beauties doing the modeling.......right now a B. O. Builder with summer sports wear the attraction......there should be more femmies running theaters......or more exhibs. who take their women folks into their confidence......they might learn something about what femmies really like in the way of entertainment......what makes cloaks-and-suiters successful business men?......they go home and talk cloaks-and-suits with the missus, and she tells 'em what women want......simple.

• • • CONGRATNS to Chick Lewis and his editorial staff on their sixth Annivenerary Number......we can recall the times when Chick and your kolumnist discussed his plan for a showman paper......it sounded like a good idea......it was......Chick had his idea, and has stuck to it consistently......there is always room in this show biz for a good idea, and a guy who can stick with it to put it over......

• • • PLANS are under way to form a committee......for the purpose of staging a benefit for the widows, mothers and families of those who died on the submarine Squalus......all the amusement fields will participate......talent will be drawn from all the divisions......and the columnists of course will get in back of it strong, along with all the other newspaper boys and girls......Alan Corelli of the Theater Authority is in charge......the idea is to make it a monster benefit to be held at the Hippodrome or Madison Square Garden.

• • • SURPRISE party given by Universal studio staff and all employees to Cliff Work on the occasion of the first anniversary of his incumbency as studio chief was a great success...... Infor-mation service has been set up by Warners at the home office for the convenience of visiting exhibitors to the World's Fair, with Mrs. Isabel Turner in charge.

CONCILIATION BOARDS DEMANDED IN CANADA

(Continued from Page 1)

according to J. O. Scott, League's Central Committee chairman.

Scott disclosed at the week-end that the League formally had called on the majors and on Paramount Pictures Canadian and its affiliates "to meet our committee to set up properly balanced conciliation boards for each distribution territory, 50 per cent of the representation to consist of individual independents and 50 per cent of the distributors and the chains."

Said Scott: "These boards should be vested with authority to revamp the entire priority and protection structure, and to put into effect fair and binding rules and schedules. The board should, moreover, be empowered to consider complaints on priority and the application of rules and schedules, to arrive at a balance between exhibitor and distributor and all independent and chain differences and relationships."

Scott, long identified with the Canadian industry, recently has been theater consultant to a string of Ontarion theatre exhibitors. Associated with him on the committee are M. Axler, H. Alexander, G. Lester, M. Goodman, W. Bory, H. Rotenberg, H. Kay, H. Ginsler, H. Firestone, N. A. Taylor, and S. H. Falk.

To pullback the League exhibits, are being asked to answer such questions as "What prior runs immediately precede you?" "How long do you wait after your prior run?" "Do you consider this period unfair?", "How far away is the prior run theater from you?" and "How long do you wait after first release in your territory?".

Strike Over, TMAT Talks Contract with Five Boro

Following recognition of the Theatrical Managers, Agents and Treasurers union by the Five Boro circuit as the regular bargaining agency for its members employed by the circuit, a four-man committee from the union will open contract negotiations with Five Boro representatives today.

A truce was declared the latter part of last week which ended the strike called by the union against the circuit, with all men returning to work in the houses that had been struck. Union executives are hopeful for a speedy conclusion of a contract. Pact will cover wage scales, working conditions, vacations and hours.

Bread and Butter

London (By Cable)— Staple bread and butter of the English middle poor is to be American pictures. J. E. Skinner said at the meeting of Central Pictures Houses in Sheffield. He also stressed the need for keeping the British public keen for pictures by encouraging real progress in domestic production.
'KNOCK-DOWN' FORUM FORESEEN ‘BY STEFFES

(Continued from Page 1)

the annual conclude here June 13-15. Conflicting opinions within Allied's own ranks is offered by Steffes as evidence of an emerging understanding on trade practice proposals.

“We have received communications,” he writes, “from our own members in the Northwest, advising us that if Allied goes for arbitration and the trade practice proposals are going to pull out and start a separate organization. In the next mail, we receive letters from other exhibitors telling us that in their opinion it is about time we stopped firing and tried to settle our differences by accepting the trade practice proposals and by all means do everything we possibly can to see arbitration is adopted in the industry.”

Steffes says every exhibitor, regardless of affiliation, attend the convention so that the future welfare of the business can be shaped. In fact, all theater owners, if it is humanly possible, should attend as he does not see how unit leaders have “a moral right to make decisions for their members.”

Commenting on a reply he received from one prominent exhibitor, Steffes states: “One exhibitor leader writes he is sorry he can’t come because his organization and our organization is too far apart. What a joke!”

Steffes makes a special appeal to exhibitors groups with no organization affiliations, urging its leaders not to send any one member as secretary-treasurer, but to recruit their members to be at the convention personally.

“I am wondering,” Steffes writes, “if all the exhibitors who have been so prominent in voicing their opinions in Minneapolis and New York the past year are going to be present. If not, I am wondering if they are going to remain quiet and keep their names out of the headlines in the future? The battleground is in Minneapolis and anyone who is afraid to be here should forever hold his peace.”

The open forum is not going to be a "pink teat," Steffes declares, reiterating the plan to have a secret ballot on trade reforms.

Speidel, All Officers Renamed by Audio Prod.

Frank K. Speidel has been re-elected president of Audio Productions, Inc., and Eastern Service Studios. Charles L. Glett was named as vice-president of the studio company in charge of operations and A. J. Wilson as vice-president of Audio in charge of industrial production. E. H. Pflug was elected treasurer of both corporations and P. J. Mooney as assistant secretary.

Great Progress Being Made On Film Daily Golf Tourney

(Continued from Page 1)

work, nevertheless. With laborious care they went over every one of the 18 greens and fairways. They were equipped with secretaries who acted as caddies. The duty of the seer was to make extensive notes, dictated at each green. You can imagine that these seers were pretty busy, what with carrying the heavy bags and their note books and pencils, and carrying on the conversation with the Committee members when they made a lousy drive or bungled a short one into a bunker, or dribbled an easy putt right over the green.

Well, as we were saying, just before the Hollywood glamour crept into our scenario, the Committee did some constructive work. They noted the difficulties of the course and plotted and planned how to use the smart bunkers, traps, the rough and the tricky fairways. This was the day that they dictated to the seer at the greens. But, strange as it seems, when they got back to the club house, the seer couldn’t find their note books. It didn’t make much difference anyway, for the Committee discovered that they had been playing on the Briarcliff golf course, whereas the tournament is to be held at the Rye Country Club. Tut, tut, these slight errors will occur occasionally.


PARA. PRODUCT-LINEUP TO BE BARED FRIDAY

Parameters, Inc., and Eastern Service Studios. Charles L. Glett was named as vice-president of the studio company in charge of operations and A. J. Wilson as vice-president of Audio in charge of industrial production. E. H. Pflug was elected treasurer of both corporations and P. J. Mooney as assistant secretary.

Great Progress Being Made On Film Daily Golf Tourney

(Continued from Page 1)

work, nevertheless. With laborious care they went over every one of the 18 greens and fairways. They were equipped with secretaries who acted as caddies. The duty of the seer was to make extensive notes, dictated at each green. You can imagine that these seers were pretty busy, what with carrying the heavy bags and their note books and pencils, and carrying on the conversation with the Committee members when they made a lousy drive or bungled a short one into a bunker, or dribbled an easy putt right over the green.

Well, as we were saying, just before the Hollywood glamour crept into our scenario, the Committee did some constructive work. They noted the difficulties of the course and plotted and planned how to use the smart bunkers, traps, the rough and the tricky fairways. This was the day that they dictated to the seer at the greens. But, strange as it seems, when they got back to the club house, the seer couldn’t find their note books. It didn’t make much difference anyway, for the Committee discovered that they had been playing on the Briarcliff golf course, whereas the tournament is to be held at the Rye Country Club. Tut, tut, these slight errors will occur occasionally.


Don't Permit Neely Bill Debate at Allied Perley

(Continued from Page 1)

nouncement could be made at the convention that the bill had passed the Senate, adding that “with Congress remaining in session until August, or perhaps September, the chances are very good that it will be passed.”

In regard to the reported proposed buying combine of 2,500 theaters, Steffes stated that neither he nor any Allied officer planned to make such a proposal. He said requests had been received for permission to offer such a plan and that it would be granted, but that “unless the proponents wish to discuss it, you may rest assured that no one in an official capacity of Allied will bring it up.”

The opening day’s session on June 13 will be restricted to independent theater owners, but all others will be open to everybody. The tentative program is as follows:

June 13: Registration all day, Nicollet Hotel. Luncheon and board meeting at noon. Convention opens officially at 2 P. M.

June 14: Board meeting at 11 A.M. Luncheon at 12:30. Meetings resume at 2. Dinner follows the sessions.

June 15: Board meeting at 11 A.M. Buffet luncheon at noon. Convention resumes at 1 P. M. Tent annual birthday banquet at 7 P. M.

Hear McClendon Extending Operations in Louisiana

New Orleans—Barton R. McClendon, small circuit operator of Altona, Texas, is suing majors and Paramount-Richards Theaters over clearance granted Texarkana houses of the latter against his Atlanta holdings, it is reported to have extended his Louisiana operations. Film Row reported McClendon had taken over the Rialto and Fox at Vivian, La., from E. F. Minshew. Houses, which are in the center of north Louisiana’s oil belt, clear after Saenger Ehrlich, indirect subsidiary of Paramount-Richards, at Shreveport.

'Ecstasy' Jury Screening Plea Rejected by Justice

Albany—Eureka Production’s motion for exhibition of "Ecstasy" before a 12-man jury from all walks of life was lost Friday when Justice G. V. Schenek ruled the case must go to Third Department Appellate Division.

Justice Schenek followed precedent in such cases under the Civil Practice Act and rulings by Justices Bergan and Russell.

Case was second attempt to bring the "Ecstasy" case before a civil jury for determination of alleged in decency. "Ecstasy" now moves to Appellate Division’s next calendar.

New Owensboro Theater

Owensboro, Ky.—Malco Enterprizes of Memphis, Tenn., has leased property here for the erection of a $50,000 theater. The concern operates two other theaters here.
IT H

INVITATION TO HAPPINESS

INVADERS THEIR HEARTS

Paramount Pictures brings you

Irene Dunne and Fred MacMurray

"Invitation to Happiness"

18,000 Women weep with rapture . . . See next page
"In describing this picture we might use such adjectives as entertaining, delightful, enjoyable, outstanding, superb, and many other superlatives, and they would all be true. In our opinion this picture owes its greatness (and no one seeing it can doubt its greatness) to its very, very 'down to earth humanness'...a picture of Americans for Americans that will find a place in the hearts of all theatre-goers."

— Mary E. Sharp, Acting Secretary

NEWSPAPER COLUMNIST
Paramount's "Invitation to Happiness"

"Fred MacMurray gives one of the greatest performances of the MacMurray career. Wesley Ruggles has never made a poor picture, and this one is his greatest. This love story packs a wallop for every woman."

— Ed Sullivan

"Mark 'Invitation to Happiness' down as an emotional treat not to be missed."

— W. Ward Marsh, Cleveland Plain Dealer

"I recommend the film. I'm going to see it again."

— Des Moines Register
Accept Paramount’s “Invitation to Happiness”

Audiences of women chosen from leaders in each city’s civic and cultural life . . . acclaimed “Invitation to Happiness” as “a story you will carry in your heart always”. . . “a picture with plenty of ‘umph’”. . . “should have the Pulitzer prize”. . . “as much a man’s picture as a woman’s”. . . “terrific entertainment with a real heart tug”. . . They applauded. They wept with sheer rapture. We have a stack of comment cards that would fill a room . . . and each and every one is a rave for this picture . . . In 36 key cities these hundreds of women are telling their families and their friends “Invitation to Happiness” is the year’s best . . . are giving this Wesley Ruggles’ triumph the biggest word of mouth build-up ever engineered for a picture!

AND CRITICS Accept “Invitation to Happiness”

“It’s a story that Mr. and Mrs. John Public will appreciate and understand. Box office, is, of course, important, and ‘Invitation to Happiness’ has all the ingredients.”
—Louella Parsons

“Top-flight entertainment. Jot it down as one of the brighter approaching events.”
—Winston French, Cleveland Press

“Paramount may point with pride to this one . . . it’s a smoothie.”
—Little Rock, Arkansas Democrat

“RADIO COMMENTATORS Accept Paramount’s Invitation to Happiness”

“‘Invitation to Happiness’ is an invitation to fun and romance. Accepted.”
—Jimmie Fidler

“Top flight movie entertainment. Women will find this one of the greatest love stories of the season. I won’t whisper this . . . I’ll shout it.”
—George Fisher, Mutual Broadcasting System

“Best thing I have seen since Notre Dame came from behind to knock down Ohio State in 1935, but unlike that game, it has sustained punch plus the same terrific climax.”
—Ted Husing
"IRENE DUNNE'S work is definitely in the superior class." —Hollywood Reporter

"Irene Dunne's portrayal is unusually fine, giving the picture its charm and humanness." —Showman's Trade Review

"Irene Dunne does splendid work." —Film Daily

"Irene Dunne plays in an impressive manner." —M. P. Daily

"For Irene Dunne it is a decided change of pace from her more recent sophisticated comedies. A refreshing change. She shows her versatility in a performance of persuasive appeal and sound merit." —Daily Variety

"Miss Dunne's portrayal of the wife is excellent." —M. P. Herald

"Paramount can look for hefty grosses from 'Invitation to Happiness.' The picture doesn't miss a trick in playing on every emotional response that can be expected." —Hollywood Reporter
FFRED MACMURRAY has never done better work.”
—Film Daily

“Mr. MacMurray’s performance is his best to date.”
—M. P. Herald

“Fred MacMurray continues to grow in stellar stature and here gives one of his most sterling and impressive enactments in a role eminently adapted to him.”
—Daily Variety

“MacMurray turns in his best performance to date.”
—M. P. Daily

“WESLEY RUGGLES, producer-director, has done a masterly job.”
—Film Daily

“Directed by Wesley Ruggles at the peak of a brilliant career, ‘Invitation to Happiness’ is just what the title declares it to be.”
—M. P. Daily

“A Wesley Ruggles production in that veteran director’s ablest manner. It is solid entertainment.”
—M. P. Herald

“The Wesley Ruggles production packs a solid wallop in the heart interest department.”
—Hollywood Reporter

“Wesley Ruggles has skillfully directed it, so that it plays on every emotion and should have a tremendous audience response.”
—Showman’s Trade Review

“First, last, and always a love story, excellently told.”
—M. P. Daily

“A swell human interest story; should play to heavy grosses in all theatres. One of the most human pictures that has come to the screen in many a moon.”
—Film Daily

“The tale is written, directed and played with moving emotional appeal...one of the best in some time.”
—Daily Variety

“INVITATION to HAPPINESS”

Produced and Directed by Wesley Ruggles

Director of “Sing You Sinners” and “True Confession”
INVITATION
To SUMMER BOX OFFICE HAPPINESS

A fast-stepping college picture
“MILLION DOLLAR LEGS”

Tamiroff is terrific
“THE MAGNIFICENT FRAUD”

Irvin S. Cobb’s heart-tugging tribute to the American spirit
“OUR LEADING CITIZEN”

The best of the Bennys
“MAN ABOUT TOWN”

A cavalcade of show business
“THE STAR MAKER”

Elisabeth Bergner’s Greatest Performance
“STOLEN LIFE”
CA DMAN TO ADVISE
TELE CONTROL BY BBC?

(Continued from Page 1)

outside events, remain vested in produc-

er.

Not outside promoter of a televised event thus will be able to dictate the pace to be paid by exhibitors, and the court, in circuit monopoly will be im-

possible.

CEA Opinion Is Divided
On Televising in Theaters
London (By Cable)—Sharp differ-
ences of opinion on television in the-
aters developed, not only between the
BBC and the KBS, but among CEA
ners, following recent parley on the
subject between the exhibit, and
tribal, national organization, but
there is no definite split on the main
ule.

The CEA wants the KRS to ban
televising of films, but at the same
ime is willing to buy new sets televis-
ed to large screens in the-
ers, confining such telecasts to big
picture shows, among other features. Some CEA members
think big screen tele should be out
of theaters for all time.

Gaumont British and Odeon, both
ominous CEA members, are en-
couraging television theaters and are
planning to install large tele screens
throughout their circuits. Proposals
establish provincial tele stations
end color to these plans, and also
crease the already strong feeling
that control of rediffusion fees is an
argent matter.

These differences of opinion com-
plete the preparation of a state-
ment denouncing the BBC. The
Postmaster General, inasmuch as the
industry should present a united
front in that document.

"Trooping of the Color"
Via Television Thursday
London (By Cable)—"Trooping of the
Color," annual ceremony in
onor of the King's official birth-
th day, which will take place Thursday, will be tele-
vised in all GB theaters equipped with Baird apparatus.
In the absence of the King and Queen, Queen Mary, the Duke of Glouce-
der and the Princesses Elizabeth and Margaret Rose, will be televi-
ed. This is the first subject to be tele-
vised for a second time. Its similar-
ity of theme will allow an excel-
ent comparison of the television progress made in a year.

Slot Machine Talkies
London (By Cable)—Slot machine
talkies have been installed in certain
of London's amusement arcades. Sit in
a comfortable chair, drop a penny in
the slot, look through a window, adjust
earphones and you can hear and see one-
reel of a talking picture; a second penny
in the slot brings you another second reel.
For four pennies you see a four-reel talkie
which is almost the cost of two half-hour entertainments in some of Lon-
don's cinemas.

W arner Not Yet Decided
On Its NT Selling Policy

(Continued from Page 1)

Warner criticism last week, com-
pares 206 theaters. Aggregate num-
ber of houses under National Thea-
ter sway is approximately 550, FWC
thus representing less than half.

Warner's sales chief, Grad L.
Sears, will remain here from three to
four weeks to personally supervi-
sel of Warner product to audiences
in Crime series, which have appeal.
Saudi Arabia, Denver, Kansas City,
and Salt Lake City territories.

National Theaters has two affili-
ates in New York City, two stations
in Intermountain, 83-house circuit,
with headquarters in Denver, and
Fox Midwest, 108-house chain, with
headquarters in Kansas City.

Warner officials declare they
are primarily interested in selling their
product to established houses rather
than to persons who would build on
security of securing Warner product.

State Rights Producers
Will Form Association

West Coast Bureau of THE FILM DAILY

Hollywood—Hollywood producers
who sell to state right exchanges are
planning to form an association
and have retained David Velas as coun-
sel. Among companies represented
at a conference were Victory, Reli-
able, Metropolitan, Colony, Arcadia
Gateway, Supreme, C. C. Burr and
Excelsior. The principal subject to
be handled by proposed organization
is the independent producers rela-
tions with the various guilds and
unions.

Look Photo Crime Series
Planned as Short Subjects

West Coast Bureau of THE FILM DAILY

Hollywood—Leonard Goldstein has
purchased from Look Magazine the
motion picture rights to the Photo
Crime series, which has appeared in
Look during the past two years.
Goldstein is now negotiating with a
major company for the release of the
series which will number 13 a year.
Ethel LeBlanche has completed the
story for the first of the series.

Handled by Shubert

West Coast Bureau of THE FILM DAILY

Hollywood—"On Trial," which
opened at Warners' downtown
and Hollywood theaters, was handled
by Milton Shubert as associate pro-
ducer. The picture was taken from
the play by Elmer Rice and was pro-
duced by Warner Bros.

Two Receive Prison Terms
In Pathe-Cinema Action

(Continued from Page 1)

Johannides to two years. Judgment
of 5,000,000 francs was entered against
the three defendants individu-
ally and collectively. Lucien
Dolffs, fourth defendant, was
acquitted of the charges.

Complaints against Tanzenzpa-
ft first filed by stockholders in
1935, and later that year the com-
pany was declared bankrupt. An
investigation resulted in 7,000 Pathe
fan letters charging company with
fraud conspiracy against Tanzenzpa-
f, and Johannides last December.

Theater Ork Issue May
Come Before AFM Meet

(Continued from Page 1)

With the American Federation of
Musicians' annual convention set to
open next Monday in Kansas City, Jos-
eph S. Weber, president, and
Thomas F. Gamble, assistant to
Weber, leave for C. C. today to open
executive board meetings on Thurs-
day. Meetings of the union's execu-
tive board will continue until the
convention opens.

Inasmuch as no plan for return of
orks to theaters has been formulated
to date by the union for presenta-
tion to the majors, it is expected
that this question will be featured at
the convention. Meeting will prob-
ably last the entire week of June 12.

F. B. Good Rites Held

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services were
held Saturday for Frank B. Good, 55,
maestro cinematographe, who died of
a heart attack. He had been chief
camera man for Norma Talmadge,
Tom Mix, George O'Brien, Jackie
Coogan and others and was secre-
tary-treasurer of American Society
of Cinematographers.

Regents to See "Polygamy"

The New York State Board of Re-
gents will review "Polygamy" Fri-
day. This film was denied a license
last month by Commissioner Erwin
Dollfuss, who declared it would
be against the moral code of the
State. The picture is handled in
the New York and New Jersey terri-
ory by Syndicate Exchanges, Inc.

New Washington House
Washington Bureau of THE FILM DAILY

Washington—A 1,600-seat house
in the 4900 block of Massachusetts
Ave. is planned by Life Amusement
Co., headed by Fred S. Rogod. House,
designed by John J. Zink, will be
under the general supervision of C.
H. Olive who is managing director
of the Atlas and Princess. Opening
is planned for the fall.

EQUAL BUYING STATUS
NEELY REPORT'S CRUX

(Continued from Page 1)

Senate, drafted by Sen. Matthew
Neely, Democrat, was re-
vised at the week-end. A lengthy
document, the report, prepared sub-
ect to the Senate Committee on
last week, presents an analysis
of the legislation plus extensive re-
counting of support by civic groups,
women's clubs and church organs-
zations.

Now on the Senate calendar, it
was indicated at the week-end that
Neely would press for quick upper
chamber action.

Neely makes out and charge that
"in 15,000 odd theaters that are inde-
dependently owned, no local panel of
choice exists." Taking tip from last
year's Senate debate when Walt
Disney subjects were featured, Neely
stresses that newsreels and other
short subjects are expressly excluded
from the operation of the bill.

In course of report Neely wrote of
the April hearings:

"Witnesses representing the stu-
dios centered their attack on Section
4 complaining that it would be un-
rely burdensome and would interfere
with the production of quality pie-
ce and no one can advance a complete and true syn-
opsis. An amendment was suggested
to the effect that general outlines of
picture and description of principal
characters, a statement describing
manner of dialogue, vice, crime, sex-
ual passion be substituted for com-
plete synopsis.

"Arguments that compulsory
block-booking is necessary in order
to insure a market for the products
of the studios are nullified by the
fact that the 'Big Eight' do not ex-
hbit poorer pictures in their own
theaters.

"It was shown in Washington, D.
C. that approximately 200 pictures
annually released by the 'Big Eight'
were not played in their own-first-
runtown theaters. Independent
neighborhood theaters have to con-
tract and accept these poorer pic-
tures," Neely asserts.

"The 'Big Eight' controls the film
industry and they fear competition
if bill is enacted," the report charges.

Neely concludes that the pur-
pose of his measure is to "establish
community freedom in the selection
of pictures and to be independent in
theatre management," to "re-
lieve independent interests in motion
picture industry—producers, distri-
butors, and exhibitors monopoli-
ic and burdened trade practices.

Rojce Mikes Nazis
W. C. Curtis Bar, THE FILM DAILY

Hollywood—Lionel Royce, refugee non-
Aryan, candidly snubbed an offer of
"honor" from the German Embassy in Wash-
ington--which came through the
German Embassy in Washington, received
curt negative reply.

Monday, June 5, 1939

11
**REVIEWS OF THE NEW FILMS**

**"The House of Fear"**
with William Gargan, Irene Hervey
Universal
67 Mins.
MYSTERY CHILLER WILL PROVIDE THE FANS WITH GASPS AND THRILLS.

With a haunted theater as the site of this mystery yarn, writers are provided with some good thrills and plenty of suspense for the goose-pimple fans who like to be shocked. The scenario takes a fresh approach in its treatment of the performance of a Broadway play, which closes the house. Reports circulate that the theater is now haunted by the victim's ghost. William Gargan is the detective on the case, poses as a producer, and a year later opens the theater to give the play. He has a hunch of crooked hands. According to the script, Gargan is the only one advertised at the box office, and hearpers is correct. There is plenty of sleepy and creepy business to give the fans the necessary thrills. William Gargan is very convincing as the detective-producer, Irene Hervey as the leading lady in the play is good. Dorothy Arnold plays a chorus girl rôle cleverly, she is really being the wife of the detective out to get the evidence on the suspected theater owner. Selling angles: good mystery thriller.


CREDITS: Producer, Edmund Grainger; Director, Joe May; Authors, Thomas Fallon, Wadsworth Camp; Screenplay, Peter Milne; Camera, Milton Krasner.

**DIRECTION, Good:** PHOTOGRAPHY, Okay.

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**"Undercover Doctor"**
with Lloyd Nolan, J. Carroll Naish.
Paramount
67 Mins.
FACTUAL STORY 95% OF BASIS FOR UN-DERWORLD DRAMA IS ROUTED IN TREATMENT AND RATES ONLY FAIRLY.

An adaptation of a factual story by J. Howard, chief investigator of the War of Investigation. And like most factual stories, this one moves along too mechanically, covering a lot of incidents that have been recounted in underworld stories in the newspapers. Naish as a prominent society doctor acquires his income by handling surgical cases for the underworld. His nurse (Janice Logan) who is in love with him, tries to save him from mingling with the gangsters after she has already made a man of him by taking him off the hook. The doc has his eye on a rich society girl who can help him in his ambitious climb. He also supports the faithful nurse pretty shabbily. And so right there the sympathy is lost for the main character, and you feel that the girl deserved her fate for being such a sap as to waste her affections on the ingrate. But he gets his just deserts in the end, when the girl grows interested in a federal agent on the trail of the gang and tips him off where the hideout is located. Here they close in and get the killer. Lloyd Nolan as the G-Man scores, also Janice Logan as the nurse. Richard Carle is the fencer who as a respectable business man cleans up the game as the gang chief is impressed with his menace. Selling angles: A. J. Edgar Hoover of gangster methods giving the lowdown.


CREDITS: Producer, Howard Estabrook; Director, Joseph Santley; Screenplay, C. L. Engle, Herbert Wilcox; Based on a story by J. Edgar Hoover; Shooting, Horace McCoy, William R. Lipman; Camera, Carman, C. M. Allen; Editor, Arthur Schnick; DIRECTION, Fair. PHOTOGRAPHY, Good.

**Movie Editor Turns Exhib."**
Sound View, Conn.—The 250-seat Colony Theater, which has been renamed Corson's Cinema City, will open for the summer with foreign and class pictures on June 15, under the personal supervision of Julian B. Tashil, film editor of the Hartford Times, John P. Glackin, former lessee of both the Colony and Strand during the summer, will open the Strand about July 1.

**Stock Out, Pic Back**
La Crosse, Wis.—The Wisconsin Theater here, playing stock for the past month, is back on straight flickers and has announced reduced summer prices of 15 cents at any time. Previous top for flickers was two bits.

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**Cleveland Strand Closes**
Cleveland—The Strand theater is closed this week and the Standard is operating three days a week. Both subsequent runs belong to the Community circuit.

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**"Charlie Chan in Reno"**
with Sydney Toler, Ricardo Cortez, Phyllis Brooks.
20th Century-Fox
70 Mins.
FAIR WHOLDUNIT GETS GOING TOWARD THE HALF-WAY MARK WITH GOOD SUSPENSE.

A fairly interesting thriller with the murderer well concealed among a dozen suspectscence keeps the interest taut on show action. There is a divorce a go, which gets herself murdered after she does a lot ofeful things to several people, thus taking one step closer to the suspect list. The plot develops as expected, and there are a lot of good turns in the story where some gentle, creepy stuff develops. But the main excitement is back at the hotel where the murder occurred, when Chan assembles all the suspects in the room, and finally pins the crime on the guilty party with the aid of his son, a young college student.

CAST: Sydney Toler, Ricardo Cortez, Phyllis Brooks, Slim Summervelle, Shane Darren, Dorothy Nolan, Lloyd Nolan, John Eldredge, Carleton Young, Tanya Natan, as the feminine romance lead, and Paul Ellis and Carlos Ruffino among the principals.

CREDITS: Producer, Dino DiPiazza; Director, W. Edward Story; Location, creative work done; Credit to T. Gluskew, who was in charge of the music, and Harry Simione, who directed the vocal ensembles. At the end of the film, the surprised as a hard-riding Mexican secret service agent, poses as a cow and is hired by Tana, a ranch owner. Ellis is paying off a man, but Gluskew gathers evidence against him and forces him to admit he has stolen his own bond for a bank's sake, and is now afraid to be caught by Tana, who accepts him. Guizas sings the songs which he wrote in collaboration with Nesette Noriega.

CAST: Tito Guizar, Tana, Martin Garlaga, Paul Ellis, Pilar Arcos, Jose Tortos, Ricardo Ruffino, Carlos Montalban, Reo Lechuga, Jose Fena Pepet, Arroyo.

CREDITS: Producer, Dino DiPiazza; Director, Richard Arlen; Second Unit Direct, Irving Applebaum; Author, Enrique Molina; Art Director, Ralph Beger; Cameramen, Jerry Ash and William Sickner; Music Director, Loid Gluskew; Arrangements, H. Simione.

**DIRECTION, Splendid:** PHOTOGRAPHY, Good.

**FOREIGN**

**"Cuando Canta La Ley"**
(The Singing Charro) 67 Min.
Paramount-Faralla
67 Min.
HOLLYWOOD PREVIEW.
HIGLY CREDITABLE SPANISH FILM MAINTAINS FAST TEMPO.

This Spanish picture, produced by Dario Faralla, is a highly creditable offering, with action, comedy and fine singing by Tito Guizar. Richard Harlan has done a splendid job of directing, maintaining a fast tempo. Martin Garlaga is very good in a comic rôle, while you enjoy the laughs. Tana acts the feminine romance lead, and Paul Ellis and Carlos Ruffino are among the principals. Music plays an important part in the production and there is a credit to T. Gluskew, who was in charge of the music, and Harry Simione, who directed the vocal ensembles. At the end of the film, the surprised as a hard-riding Mexican secret service agent, poses as a cow and is hired by Tana, a ranch owner. Ellis is paying off a man, but Gluskew gathers evidence against him and forces him to admit he has stolen his own bond for a bank's sake, and is now afraid to be caught by Tana, who accepts him. Guizas sings the songs which he wrote in collaboration with Nesette Noriega.

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**DIRECTION, Splendid:** PHOTOGRAPHY, Good.

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**Spencer Will Build**
St. John, N. B. — A new link in the F. G. Spencer chain is to be built in Campbellton. Spencer is already a house in Campbellton, which is exactly on the Quebec provincial line. The Spencer chain now numbers 18 houses.

**Petrillo Dropping Concerts**
Chicago—It is reported there may be no Giant Pack band concerts in the summer under direction of Jimmy Petrillo, of the Chicago Musician Union. Cost to the Union has been heavy during the past two years, and the economy may dictate the omission.

**Industrial Pic Opens Office**
Industrial Pictures, Inc. of Detroit has opened offices at 607-41 East 42 St., to handle the company's activities in the Eastern territory. The Eastern territory will be in charge of Henry Hobart, who has for many years been associated with advertising and the film business.
ASSIGNABILITY BRIEFS
FILED IN MOMAND SUIT

(Continued from Page 1)

orders by Judge A. P. Murrah at the
earlier hearing on the case.A
Frank Wells, defense counsel, in-
ulated that in support of their
motion to dismiss the petition in the
cases they would rely upon three
repositions:

1) That the causes of action are
not assignable.
2) That the plaintiff is not a
named assignee.
3) That the assignment of the
cause of action, if assignable, consti-
tuated a hampers contract and therefore
forbearance against the defendants
by the assignee thereof.

The plaintiff's brief, filed by E. C.
Black, filed by C. Ray Smith for Mom-
and presented numerous citations
of the records, and in conclusion
contends:

"Although...the petition shows
that there was consideration for
the agreement, we take the position
that the authorities have well set-
ted the question that lack of con-
sideration or partial consideration
is a concern of the defendants. More-
over, in the various corporations so
named, the defendants, they could not
amend the motion to assign of the defendant's.
The defendants' brief filed by E. C.
Black, D. Johnston and Henry S. Griffith cites many cases of
record and summaries as follows:

The defendants argue that their
motion to dismiss is vital to the plaintiff's
cause. If the decision is against us,
we cannot appeal until final judge-
ment. If the decision is for us, the
plaintiff can appeal immediately and
we argue the questions finally settled at
the time. It is our opinion that under
these circumstances, any reason-
able doubt in the mind of the court
should be resolved in favor of
maintaining the motion."

"Juearez" Opens Big
Following a five-week roadshow
run at the Hollywood Theater, War-
ners' "Juearez" had its popular price
remiere at the New York Strand.
Today to heavy biz. Film will be
seen again for second week, with a
third week virtually assured.

REVIEWS OF NEW FILMS

"Oregon Trail" (A Serial)
Universal

"Swans" (Paraphrages)
Paramount

S H O R T S

"Art Gallery"
M-G-M

Classy Novelty

Real novelty employing the carto-
toon technique, done in Technicolor.

"Yankee Doodle Home"
(Music Hall Vanities)
Columbia

Patriotic

Nick Lucas and Vince Barnett as a
song writing team are called in
by the boss of the publishing firm
when a foreign producer arrives
looking for hot numbers. They
are fired. So Barnett gets an idea,
and makes up to look like a foreign pro-
ducer, and listens to all the
singers. His songs are accepted by
the company. Of course he sends
in the compositions of all the
company's songs. Of course he
sends in the compositions of all the
company's songs, and he is given
their jobs again. Featured songs are
"The Great American Home," and
"I'm a Veteran of the Great Secret-
ary." The Mullen Sisters and Jean
Walters ware, with Nathaniel Stil-ke, and Hand company: Produced and directed by Arthur Dreyfuss. Photographed by George
Webber. A Fanchon & Marco pro-
duction.

"Stranger Than Fiction"

Fine Novelties

A midget railroad built by a school
boy in Philadelphia, that works
perfectly. A retired parson has built
a novel printing press out of odds
and ends, including a pair of roller
skates. A Cleveland gent with a
hobby for clocks, and in his collec-
tion are some antiques that go back
for centuries. A dog that has the
knack of putting out burning matches
with his mouth. A woman's novel
etching technique, using a piece of
cel luloid, an etching knife and a
deeses written by an intrigued won-
der who is a jiggerbug, and swims,
plays basketball and golf, but he
spends all his time trying to
dance. Script by Henry Clay Bat-
**New Gov't Trust Policy May Involve Commerce Dept.**

Tuesday, June 5

Washington—A broad new Government trust policy which would cast the Commerce Department in an intermediary between the industry and the Department of Justice is forecast here.

It is predicated upon conferences now underway between the Commerce Department and the potash industry, recently subjected to D of J scrutiny. Theory underlying the conferences is that the Commerce Department can discuss plans of settlement with business interests that cannot be discussed properly with the Justice Department and also that the former agency is better prepared to look into the economics analysis of any proposed consent decrees, while the latter concentrates on the legal phases of the case.

While the conferences are regarded as experimental, it is understood that a decision on whether it will be made a part of the permanent advisory procedure of the Commerce Department, lodged in a proposed bureau of industrial economics, will be made shortly.

It is known that Assistant Attorney General Thurman Arnold, in charge of the anti-trust division, and Secretary Hopkins recently discussed the possibility of the Commerce Department's participation in certain types of anti-trust law cases.

Week-end reports that film industry had conferred with Secretary of Commerce Hopkins concerning the pending New York ecuity suit were unconfirmed.

**Trade-in**

Detroit—The Matinee at the East Detroit Theater drew in 1,200 youngsters to a house seating 768, manager Joe Williams reports. Williams admitted all youngsters bringing an old car tire with them as admission was 50 cents. Approximately 700 bought tickets, and a large number of other tickets will be extended to the Roseville Theater, also operated by Williams, next week.
resolutions Also Denounce
Non - Theatrical
Competition
Myrtle Beach, S. C. - Resolution was
animously adopted yesterday by a semi-annual convention of the
owner Owners of North and South
Carolina, meeting here at the Ocean
crest Hotel, condemning the needy
block-booking bill now pending
Congress. The convention also
strongly denounced non-theatrical
competition, although upholding of
tertainment for shut-ins and
the capitalized.
Meeting yesterday, at which Lyle
(Continued on Page 4)
Va. ITO VOTES
TO JOIN ALLIED
Morgantown, W. Va. - At the
meeting of the ITO of West Virginia
here yesterday attended by 31
executives upon motion of Richard
arks of Clarksburg, the members
voted to join national Allied.
The meeting was addressed by
Resenberg, president of AL-
d Western Pennsylvania, R. J.
eke, president, president, presided. The an-
ual meeting will be held for elec-
on of officers the first week of Sep-
ember, city to be selected.
set for the Duel
of the Duffers at Rye, N. Y.
It will be every man for himself
this Duffer Duel which the Com-
mittee jokingly refers to as a golf
armament. Oh, haven't you heard?
- is officially called the 27th Film
(Continued on Page 6)
Metro at Peak
West Coast Branch, THE FILM DAILY
Hollywood — With a total of 20 pic-
tures on current working schedules, Metro yesterday reached a new produc-
theatrical peak for the year. Eight are before cameras; five others will start within
the next ten days.

Broadway's Film Theaters Report Week-end Biz Gains
HOPKINS, PIX EXECS. TO CONFERENCE TODAY
Carolinas' Exhibs. Unanimously Condemn The Neely Bill

FOX THEATERS CASE
MAY FACE REOPENING
Possibility of a complete reopening
of the Fox Theaters receivership
was foreseen yesterday by observ-
ers as one of the developments of
the Manton case, with the appoint-
ment of a special master already
(Continued on Page 6)
Mono. Bookings, Playdates
at Company's Record High
Next eight weeks' bookings and playdates of Monogram are the
highest in the company's history,
(Continued on Page 7)

Report Week-end Biz Gains to 100%
in Broadway Sector Film Theaters
Zey Bill Would Not Violate
U. S. Trade Treaty—Zey

The Jean Zey Bill, now pending in
the French Chamber of Deputies,
was designed to organize the French
motion picture industry and would
not violate the Franco-American
trade treaty, despite assertions to
(Continued on Page 6)

FOX THEATERS CASE
MAY FACE REOPENING
Chicago — Sale of the Gregory
Theater circuit of 31 houses to the
Alliance Theater Corp. was an-
ounced yesterday, Headquarters
of the chain, operating in Indiana,
(Continued on Page 6)

GREGORY CIRCUIT SOLD
IN $1,500,000 DEAL

Occupational Tax Threat
in Wisconsin Legislature
Madison, WIs. — Wisconsin exhib-
tors face an occupational tax on
their theaters in connection with
three sales tax proposals presented
to the legislature by Gov. Julius P.
(Continued on Page 7)

Survey of Broadway houses yester-
day showed a definite increase in
business during the past week-end
against the preceding week, with
attendance jumps estimated as high as
100 per cent in at least two instances.
Managers are expectant that upturn
will be maintained, a number of the-
er execs, expressing the belief that
New Yorkers generally have satis-
(Continued on Page 4)

Hays, Kent, Warner, Schenck,
Schaefer Set For To-
day's Confab
By Prescott Dennett
Washington — In a surprise
move Secretary of Commerce
Harry I. Hopkins announced
from his office in the Depart-
ment late yesterday that he
and other officials of the De-
partment of Commerce will
confer today with representa-
tives of the motion picture indus-
try "to discuss economic problems
confronting that industry."
Industry representatives will in-
(Continued on Page 7)

NEW PRESSURE DRIVE
BEHIND NEELY'S BILL
San Francisco — Full strength of the Motion Picture Research Coun-
cil is to be marshalled for a new
pressure campaign to force pas-
sage of the Neely anti-block booking and
blind-selling measure by the Senate
without delay, it was learned here
yesterday.
Current bulletin of the Council
(Continued on Page 7)

To Tackle Albany Clearance
Problem in New... This Week
Albany, N. Y. — The problem of clearances in Albany and sur-
rounding cities may be clarified in New
(Continued on Page 7)

Un-Naturalized!
Rome (By Cable)—Marco Polo has be-
come a Saty by grace of the Italian cen-
ers. His new name is MacPolo, and
the picture made by Samuel Goldwyn
"The Adventures of Marco Polo," at
first rejected by the censor, has now
been passed under the title of "Una
Sera to the Corsi del Cron Rom." Change
at heart (and of hero's name and nation-
ality) is due to the scarcity of films
since the withdrawal of American pic-
tures.
There's a Job to be Done

(Continued from Page 1)

fact that 31.8% per cent endorse government supervision, but that ONLY 51.2 per cent are opposed.

The New York Times has observed, this could lend itself easily "to an interpretation that might bring about a real censorship." Added The Times, "If our international broadcast programs are to be censored so that they shall not offend this or that foreign Government, it is only a step to the argument that it is at least as desirable to censor our domestic programs so that they shall not offend our own Government. . . . Censorship of all kinds has an inevitable tendency to spread."

Such a rule may be made, tomorrow, to-day, the day after that, films; and in view of what Fortun's Survey has produced, there's a real job to be done NOW by those who believe government censorship is anti-American.

Warner Theaters Zone Meeting at H. O. Today

Joseph Bernhard, general manager of Warner Theaters, will preside over a meeting of the Warner Thea- ter Zone Managers today in the Home Office.

Those present at the meeting will be: Zone Managers—James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacocks, Newark; Mike Silver, Albany; Ted Schanger, Philadelphia; Harry Kal- mine, Pittsburgh; John Payette, Washington; and Herbert Copeland, Atlantic City.

Among the Home Office Executives who will participate in the confer- ence are: Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Gold- berg, Willard C. Patterson, Frank Phelps, Nat Follman, Abe Ligard, W. Stewart McDonald, Harry Rosen- quest, Louis Kaufman, Herman Maier and Frank Cullin.

Joseph Ermolieff Planning to Produce Two in France


Ermolieff claims to have devised a new production system which, through novel script construction, permits glove-fitting of American studio-shot scenes into the more massive, colorful atmosphere of sets made abroad, so reducing considerably cost of making American versions and at same time offering greater scope in shooting the original Continental production. Ermolieff is stopping at the Warwick Hotel, pending his departure on the Normandie.

Early Trial of Ford Trust Action Expected in Chicago

Chicago—Early trial date is expected to be set for the Ford Sta- dium theater anti-trust action against the majors and B & K, it was reported yesterday. Counsel for Ford Ford will file reply brief with Federal Judge Wilkerson this week.

Bingo Adv. Off Marquees

Syracuse—Bingo advertising on theater marquees and sound trucks was ordered eliminated yesterday by Fire Marshal Charles Wilkes.
ASTEST ACTION SENSATION THEY'VE EVER HAD!
The brand of Warner Bros. screen excitement that's
ten-to-one over all opposition—including the temperature!

HELL'S KITCHEN

with The

DEAD END' KIDS

Also

MARGARET LINDSAY
RONALD REAGAN
STANLEY FIELDS

Directed by LEWIS SEILER and E. A. DUPONT
Screen Play by Crane Wilbur and Fred Niblo, Jr.
From an Original Story by Crane Wilbur
EXHIBS. OF CAROLINAS CONDEMN NEELY BILL

(Continued from Page 1)

Wilson of Roanoke Rapids, N. C., president, presided, closed the three-day convention. Col. Holmes Spring of Myrtle Beach, delivered an address of welcome, response being made by Frank H. Beddinger of Charlotte, N. C., vice-president of the association.

Ed Kuykendall, national president of the MPTOA, was the guest speaker.


Officers serving until the next meeting in December include Lyle Wilson, president, Frank H. Beddinger, H. H. Berry, and Albert Sotile of Charleston, S. C., vice-presidents; Mrs. Walter Griffith of Charlotte, secretary and treasurer.

Approximately 200 guests and members were in attendance.

Validity of Extensions, Issue in Stirn Appeal

Application was made yesterday by John Stover, attorney for the Stirn interests, in the United States Court of Appeals for an extension of time in which to file his record on appeal in the Broadway Theater case.

C. Rickaby, attorney for the Atlas group, countered with an application to dismiss the appeal.

Stover claimed that he had to have an 800-page record printed and would need additional time. Rickaby asserted that Stover was delaying so that the appeal would go over the Summer, and that previous extensions granted by the Circuit Court were invalid. The Court reserved decision, stating that it would look into the question of the validity of the extensions, and if it decided that the court was without power, it would grant a dismissal.

ALONG THE BALTO WITH PHIL M. DALY

• • • SEND-OFF in Latin America…scored for "Juarez" by Charles Eintfeld…• the stunt is commented on at length by Tide, the advertising and marketing mag, in the current issue…Eintfeld realized that the film’s locale and story fitted into the requirements of the Latin American markets…

• • • SPEECHES of the diplomats who came from Washington for the premiere at the Hollywood Theater were short-waved for consumption below the Caribbean…• and later, a half dozen similar shows given in Washington with South American diplomats present, were aired over short-wave stations…these programs were all transcribed, and shipped to Warner representatives to broadcast over South American stations in advance of the picture’s opening…

• • • IT SEEMS that this entire exploitation program cost Warners a sum equivalent to that of a trailer…because the stations aired the shows gratis…• in fact they were eager to carry them, since most of the short-wavers find a dearth of broadcasts that will keep foreign listeners tuning to their frequencies…• the ad mag comments that the degree to which the Warner picture benefits from this promotion may serve as a preliminary test of what advertisers can expect from short wave…

• • • MARKING the first time such co-operation has been extended to a motion picture…the board of education of Los Angeles recently issued a bulletin on M-G-M’s "Goodbye Mr. Chips"…• which reached practically every public school student in the city…• the bulletin was sent to all teachers of English, and read in all classes over the 8th grade in elementary schools and to every high school class…

• • • AS FAR as we can gather…there are only two lonesome running exchanges in the U. S. A. • • • Anne O’Donnell at Detroit and Eleanor M. Pardalos, of Pam-O Film Exchange, in Buffalo…• Miss O’Donnell has been handling exchange work for many years…• and then about a year ago decided to step out with her own organization…• and she is doing swell, handling a bunch of indie product, such as "Moonlight Sonata," the Frankie Darro and Finkie Toamins…

• • • NOW that Grand National Pictures is starting to deliver product…• it is nice to note the first on the list…• "Exile Express," featuring Anna Sten…• gets a grand sendoff with an ace pressbook… • • • a very expert job throughout, with an impressive line of ad layouts to meet the requirements of every type of house…

• • • MANY students of the film biz are unaware that there is a splendid reference library at their disposal…• at the Museum of Modern Art Film Library in their beautiful new building…• 11 West 53rd St. • • • there is an extensive library of books, periodicals, scripts and stills.

B’WAY HOUSES SHOW WEEK-END BIZ GAIN

(Continued from Page 1)

fled their initial World’s Fair curiosity.

The Roxy with “Young Mr. Lincoln” played to capacity, and the Strand with “Juarez” also was a packed house; "Goodbye Mr. Chips" at the Astor continued strong at the Music Hall with "Captain Fury" reporting that business was just as good as it was the first week-end the film played there.

Loew’s State and the Capitol reported a solid increase in business and the Paramount with "Unio Pacifico" in its fourth week reports business just as good as the preceding week-end, an excellent show for the tail end of an extended run.

Week-ends were crowded at the various houses, with several of the screenings being best attended by date showing, but the general feeling was that business has not had newness as an attraction because the general public was coming back to the theaters. Independent circuits polled reported business showing a slight improvement over last week-end in some cases as a marked improvement in others.

Pick "Queen of Destiny" as Wilcox Film Title

Herbert Wilcox’s “Sixty Glorious Years” will be released under the title of “Queen of Destiny,” UK, announced yesterday. General release date has not been set. Picture stars Anna Neagle and was produced in Technicolor.

Kindler Loses Appeal

Application of Abraham I. Kindler in the Appellate division for reversal of the decision in the case of Kimmel versus Kindler has been denied. Kindler is said now in de fault of the sum of $255 due Kim mel that was sequestered by Judge Aaron J. Levy in the Bronx Court, Supreme court. Kindler, under Court’s ruling, must pay Kim mel his weekly salary until such time as he has been restored to his job.

WEDDING BELLS

Miami, Fl. — Cupid has hit the Wometco organization a double whammy. In the first instance, the theater manager has taken to himself new wife Flynn Stubblefield, manager of the Strand, who has Sara Kilgo as his bride, while Burton Clark, of the Rossetti married Dolores Donahue.

Leominster, Mass. — Maurice H. Jaffe, manager of the Metropolitan Theater here, and Miss Lottie Sega were married recently at Providence.

Paris (By Cable)—Merle Oberoi and Alexander Korda were married Saturday at Cap D’Antibes and are reported honeymooning on the Riviera.
TARZAN BILL RODGERS is doing it!

TARZAN EDDIE SAUNDERS is doing it!

TARZAN TOM CONNORS is doing it!

Everybody at M-G-M is doing it! And you'll join the joyful yells for the big Show of Shows!

"TARZAN FINDS A SON"

Screen it fast! It's more excitement than the screen has known in years. It's a circus!

A show for showmen! Give a YELL!

The one and only JOHNNY WEISSMULLER with 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
**Gregory Circuit Sold in $1,500,000 Deal**

(Continued from Page 1)

Illinois and Wisconsin, will remain in this city.

The deal which saw the Gregorys relinquish control is said to involve $1,500,000.

On the heels of the new company, with S. J. Gregory as vice-president and general manager, Gregory circuit personnel will be retained, it is understood.

Alliance plans further expansion, it was said.

**Get Set for the Duel of the Duffers at Rye, N. Y.**

(Continued from Page 1)

Daily Golf Tournament. To be celebrated at the Rye Country Club in Westchester on June 23rd.

The limit of weapons will be extended from 14 to 40. On account of the war talk in the New York papers, a request was made to Prime Minister Chamberlain, each contestant must carry an umbrella.

Extra printed articles. A club-throwing championship for short-tempered guys. Also a ball-cussing rodeo, run on the lines of a hog-calling contest. The guy that causes the most damage and longest wins a season pass to any grind house on Forty-second St. That ought to teach him a lesson.

Send in your check for your entry. Maybe you are not classed as a desirable person in the exclusive social golf set. But if your check is not returned, you can assume that you have made the grade.

**Sparks Aides Lead Fight on Ft. Meyers Admiss. Tax**

Ft. Meyers, Fla.—Charles Kirkconnell, Frank Bell and Bill Hart, theater managers of Sparks house, have obtained the signatures of more than 1200 people to a petition protesting the five-cent amusement tax assessed by the city council. The assessment is expected to be used for welfare work in the locality.

The tax provides for an extra five cents on tickets selling for 15 cents or more. It is declared that some of the houses will have to close if the tax is collected.

**Erpi Sues Glen Glenn, Infringement Charged**

Suits have been filed on behalf of Erpi in the Federal Court for the Southern District of California against Glen Glenn Sound Co. of Los Angeles, alleging infringement of a number of patents relating to the recording of sound on film. All of the bills of complaint request a preliminary and final injunction. The plaintiffs sued upon cover modern apparatus for the recording of sound on film.

**Pix Rental Solution**

New Orleans—Latest film row laugh is the tale of the exhibitor who claims the new house he is building will be re-poundantly for Negroes. Reason: Film rentals or colored houses lower.

Quebec’s Mayor Promises Probe of Theater Closings

Quebec—Mayor Lucien Borne has ordered an investigation into the closing of Quebec’s 11 motion picture theaters. He accused the operators of having “banded together to bring about an organized strike.” President of the probe was made to 120 employees of the closed theaters.

“Return to your managers,” said the mayor, “and tell them the strike is not long enough and to put you back to work.”

While the silver screen in Quebec moved to a moratorium, remained dark yesterday as operators took this way of expressing their opposition to a boost in the city’s council tax by threat of theaters owner across the St. Lawrence River in Levis wore a broad smile, for the film booked to Levis theaters byerryboat or motored over the Quebec shores.

An unconfirmed report was that certain interesed contemplated opening a theater in the adjoining municipality of Sillery.

The close circuit is operated by the Montreal theater which is available for a pick pie. While Mayor Lucien Borne has declared his administration has no desire to use the rance for films, local exhibs. would not be surprised if such a move was made.

**Expect Newsreels to Use Dunncolor Process**

West Coast Bureau of THE FILM DAILY

Hollywood—Belief that newsreels, especially, will be key advantage of the recently perfected three-color Dunncolor process has been voiced by William Carroll H. Dunnc, while explaining and demonstrating his process. Sponsors claim speed, almost equal to black and white, for the system and also cite lower costs and the need for less lighting equipment.

Using emulsion on both sides of the raw stock, with two color images in one and the third color in the other, the company has been testing and perfecting the process for three years, mostly on commercial productions.

Dunncolor will be offered to studios on a royalty basis. Under the plan, producers will be able to use their own camera crews and equipment, while the company pays for all laboratory equipment changes, process their own negatives.

Advantage for Dunncolor is claimed by the elimination of a camera or compensating device on the camera, which permits the cameraman to bring the light of various times of the day to the required balance, minimizing the need for balancing negatives in the final print process.

**Zey Bill Would Not Violate U. S. Trade Treaty—Zey**

(Continued from Page 1)

the contrary, the author of the measure declared yesterday upon his ar¬

ival from Paris on the Ile de France.

Zey, through an interpreter, said he believed his bill would strengthen the Union of Nations against aggressors and that protection by the Government, but

incursions are that there is very lit¬

tle chance of passing.

Whether or not other film cases decided before the man can be reopened was a matter of pro

and conjuncture yesterday along film row, with attorneys’ opinions diverg¬

ing. However, some five cases have al¬

ready been filed in the courts ask¬

ing for a review of Manton’s ac¬

tions. Judicial inquiry into other cases is almost certain, it is be¬

lieved.

Yesterday, Judge Knox indicated the serious regard he is giving the Fox case when he indefinitely postponed action on an application of Attorney E. Watson, who previously had acted as attorney for the receiver from June, 1932, to November, 1934, for an allowance of $1,500. Watson had previously been awarded $51,900 in the same capacity.

Judge Knox said that in this case this action might be unfair to Watson who did not appear to be in any way responsible for what had happened, but that public policy took precedence and that he found it “wise and expedient” to post¬

pone his decision, in view of cer¬

tain matters which had been brought to his attention.

**“Discriminatory” Aspect of Bingo Bill Rapped**

New Haven—Both Connecticut MPTO and Allied Theaters of Con¬

necticut wired protests to Governor Baldwin on the “discriminatory” as¬

pect of a bill which would have be¬

fore him for signature. Exhibitors stated they want to play the game as well as organizations, and would like an audience with the Governor. Meantime, New Haven proponents of the game sought to short cut local option requisites, and start operation in July.

**Enjoin IATSE from Holding Meetings of New Locals**

West Coast Bureau of THE FILM DAILY

Hollywood—Reinstatement order enjoining the IATSE from holding meetings of the five newly chartered studio locals and also enjoining it from transferring members of Local 37 to the new locals, has been issued by Superior Judge Emmett Wilson.

1 & 1 Get Former WB House
Chicago—The Indiana and Illinois Theaters, also the Vernon, all expanding in Chicago, will take over the Lexington theater, formerly under Warner circuit management.
Pix Industry in Vanguard of "Business Embassy" Co-op Groups

(Continued from Page 1) Include Will H. Hays, Sidney R. Kent, George D. Neely, Nicholas M. Schenck and Harry M. Warner. Secretary Hopkins' official announcement states that the "discussion will embrace problems affecting the motion picture industry in its relation to the general economic structure." The Hopkins announcements put the motion picture industry right up in the vanguard among groups operating with the newly-announced "Business Embassy" division to be set up in the Department of Commerce. Normally a "public appeasement" policy recently got under way by the new Secretary of Commerce.

Pix Biggest Co-op Group Motion pictures will be the biggest industry group to have conferred with Secretary Hopkins in his new policy, Vic Sholls, the Secretary's personal public chief, reminded THE FILM DAILY last night. Previously the Secretary has conferred with "smaller segments of American industry," Sholls pointed out.

Plans for today's conference call for an all-day affair with the conferences meeting in the great private office of the Secretary at 10 o'clock in the morning, sitting in with Secretary Hopkins will be a couple of his top assistants including Willard T. Thorpe, ace Commerce business trouble-shooter, and Nathan D. Golden, chief of the department's motion picture division.

Says the Commerce Department announcement: "Among the leaders of the motion picture industry who will confer with Secretary Hopkins will be Will H. Hays, president of the Motion Picture Producers and Distributors of America; Sidney R. Kent, president of 20th Century-Fox; George J. Schaefer, president of KRO-Radio; Nicholas M. Schenck, president of Loew's, Inc.; H. M. Warner, president of Warner Bros., Inc." Kent to Talk on Conciliation... The conferences will have lunch together following their morning round-table discussion and then go into their afternoon session when it is anticipated that Kent will discuss the "most significant" business conciliation move. Due to last week's Capitol Hill action on the Neely bill as well as the current Justice Department's "crack-down," the motion picture-Commerce Department conference is regarded in informed capital circles as "most significant" by businessmen who have been divided in the past by the government's anti-trust activities in the motion picture industry.

Vic Sholls said he was not prepared to confirm or deny a late rumor operating with the newly-announced "Business Embassy" division to be set up in the Department of Commerce. Normally a "public appeasement" policy recently got under way by the new Secretary of Commerce.
YOUNG MR. LINCOLN at Roxy, N.Y., does the biggest business on Broadway over the week-end...at times topping the combined attendance of all other big first-runs!

That's boxoffice greatness

THE KEYSTONE OF YOUR FUTURE
Oklahoma Allied Votes Against Arbitration Rules

(See Column 2 Below)

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

Intimate in Character
International in Scope
Independent in Thought

NEW YORK, WEDNESDAY, JUNE 7, 1939
TEN CENTS

WB Theaters Consistently Use Duals, SkourasCharge

D OF C-PIX CONFAB AGAIN NEXT WEEK
Para. to Have 8-10 British-Made Films for 1939-40

Hicks Returning to London
In Fall, Following
Australian Trip
By GEORGE H. MORRIS
FILM DAILY Staff Writer

Aboard Paramount Special Train, via Caliente, Nev.—Paramount in 1939-40 will have eight to 10 British-made features, it was disclosed last night by John W. Hicks, vice-president in charge of foreign distribution, on his way to the company's sales convention which opens in Los Angeles tomorrow.

The exact number of British films was not revealed, but it was indicated that among the British films included in the count will be a product of20th Century-Fox, 2,000,000.

OKLA. ALLIED VOTES
'NO' ON ARBITRATION

Oklahoma City—Members of the Allied Theater Owners of Oklahoma organizing committee met here yesterday and instructed delegates to the National Allied convention in Minneapolis next week to vote "No" on the Arbitration question.

Meeting was attended by more than 100 descendants of the founders of the industry.

Prizes and More Prizes
for That Golf Tourney

The Committee hopes it won't rain this year. For they are all set for that great Links Drama De Kueks. The 27th Film Daily Golf Tournament, we refer to, which will be held at the Rye Country Club in the Westchester hamlet on June 22.

And prizes. Won't prizes! Every-
(Continued on Page 4)

LA: BUYING POOL
STRUCTURE APPROVED

Oklahoma City—Meeting of 33 independent exhibitors was held here yesterday afternoon to consider the proposed buying pool plan, and complete approval of its structure was voted. It was also voted at the meeting that complete secrecy regarding all details would be kept until plan is ready to be put into effect.

George Sumner presided at the meeting.
(Continued on Page 4)

Levy Names Committees for RKO's Sales Conclave

Appointment of committees to officiate at the RKO international sales convention to be held June 19-23 at Rye, N. Y., was announced yesterday by Jules Levy, general sales manager.

The general committee includes
(Continued on Page 7)

Skouras, Answering Sears Statement, Charges Warner Houses Playing Duals

WARNERS CLOSE CONTRACTS
WITH 15 INDIES IN K. C. AREA

West Coast Bureau of THE FILM DAILY

Hollywood—Indicating a further extension of the Warner policy of not selling product to National Theaters houses, started last week against Fox West Coast theaters,

(Continued on Page 4)

The charge that Warner Bros. consistently show double features in their own theaters, was made by Syros P. Skouras, executive vice-president of National Theaters Corp.

last night in reply to a statement by Gradwell L. Sears, general sales manager of Warner Bros. Pictures, that the latter company was with-

(Continued on Page 8)

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(Continued on Page 8)

Warner Bros. V.-P. Remains in Washington as "Cont- tact" Man

By PRESCOTT DENNETT
Washington Bureau of THE FILM DAILY

Washington — With yesterday's conference between top industry execs. and officials of the Department of Commerce scheduled to be continued next week to delve further into the industry problems, importance of the talks was indicated by the fact that although all execs. here from New York returned there last night following the conclusion of the meetings, none would return today.

(Continued on Page 5)

ADDED BILL OR SUIT DISMISSAL, COL. PLEA

Columbia yesterday notified the Department of Justice that the company will apply to Federal Judge William Bondy on June 16 for an order dismissing the Department's suit against it. Columbia claims that the Department, in its bill of particulars, has failed to show a

(Continued on Page 4)

Columbia Lists $80,158 Loss for Nine Months

Net loss of $80,158.80 for the nine months ended April 1, 1939 is shown by Columbia Pictures Corp. This compares with a profit of

(Continued on Page 8)

Bush Heading 20th-Fox Entertainment, Publicity

Merger of the 20th-Fox exploitation and publicity departments was announced yesterday by Charles E. McCarthy, director of advertising

(Continued on Page 4)
Use of Book Premiums Spreads in N. Y. Area

With two theaters in the New York area now using book premiums and four more scheduled to adopt them next week, J. L. Morse, head of the promotion Premium Syndicate, Brooklyn, yesterday forecast a rapid spread of their use in theater circuits throughout the country. Morse stated that in addition to the theaters now using book premiums in the Chicago area, four more would start there next week. Brandt and Interboro circuits are the ones now using them in New York, with other circuits among those starting next week.

Receipts on book days have been doubled in theaters using book premiums, Morse asserted. He said that at the present time the World's Popular Encyclopedia in 12 volumes was being used, assuring the theaters of a three-month sale of the book for as many weeks. Other educational books and non-fiction books are planned to follow the present attraction.

Para. Selling Way Ahead In Cleveland Territory

Cleveland—Paramount selling in this territory is way ahead of any former years. Harry H. Goldstein, district manager, reports that circuits have been signed and approved for practically all key independent situations covered by his three offices—Cleveland, and Cincinnati. Last year was a banner year for early selling, but this year, states Goldstein, beats last year. Goldstein says that the closed deals include the leading Cleveland independent circuits—Associated, Community and Washington circuits.

CEA Branch Wants 10-Year Bar on Sub-Standard Pix

London (By Cable)—The CEA, British national exhibitor Ass'n, is determined to prevent the spread of Bank Nights in the U. K., as was stated here by W. F. Fullert. Major circuits and independent theaters alike, he said, are united against the Bank Night principle.

So far, he continued, but two cases had been brought to the attention of the CEA. In one case, the exhibitor promised to stop the practice. The other exhibitor, failed to reply to CEA's inquiry. He added that there were means of putting an end to Bank Nights whether or not they come within the meaning of the Lotteries Act.

Quebec Exhibs. Propose Mayor Pay Their Losses

Quebec—This city's exhibs. are willing to comply with Mayor Lucien Borne's suggestion that they give the increased municipal taxes another month's trial—provided the mayor will guarantee to pay their losses. That proposition was made yesterday by J. A. Paquet, local showman.

Fronts of the darkened movie houses are plastered with posters telling of the tax and quoting figures alleging that Quebec are higher than in Halifax, Saint John, Montreal, Ottawa and Toronto.

New Jersey Censorship Bill Dies in Assembly

Trenton, N. J.—Among batch of 178 bills entered in legislative graveyard in Assembly resolution passed here is one creating a State Board of Censors to review moving pictures. This and other bills were ordered killed by the Assembly steering committee and means censorship worry is out for another year at least.

Jacoby, Goldwyn Eastern Talent Rep., Quits Post

Lois Jacoby, Samuel Goldwyn's Eastern talent representative, has resigned.

Joseph Schenck In N. Y.

Joseph M. Schenck, board chairman of 20th-Fox, has arrived from the Coast for a short vacation here. Length of Schenck's stay is undetermined.

17 Warner Pix for 1939-40 Finished or in Production

West Coast Bureau OF THE FILM DAILY

Hollywood—Seventeen features scheduled among the 48 announced by Warners for 1939-40 are either already completed or in actual production, it was disclosed yesterday.

COMING AND GOING

HARRY M. WARNER, GEORGE J. SCHAEFFER, MICHAIL V. SCHENCK and JOSEPH H. HAZEN were in Washington yesterday.

JOSEPH M. SCHENCK, board chairman of 20th-Fox, is here from the Coast.

GULF & WESTERN, RKO's manager in Central America and Mexico, arrived in New York yesterday.

DENNISORE A. ROSS, vice-president, general manager of Ross Federal Service, and RICHARD E. ROSS, director of branch operations, have left on an extensive trip through the Midwest.

JAMES COSTON, Chicago; NATHAN WOLF, Cleveland; J. L. HOFFMAN, New Haven; DON H. COOKS, Newark; MOE SILVER, Albany; TED SCHLANGER, Philadelphia; HARRY KALMINE, Pittsburgh; JOHN PAYNE, Washington; and HARRY COPELAND, Atlantic City, Warner zone managers, leave New York today for their posts after a one-day zone managers' meeting here.

GUSTAVE GRAN, chief inspector of the Open Motion Picture Theaters, Oslo, Norway; E. HOWARD HATHAWAY, New York, Peters; THOMAS A. J. SULLIVAN, Michigan, and MUNRO DAVIES, Italian, author have registered at the RKO hotel.

ANTHONY COLLINS, composer, arrives in New York Monday on the Normandie.

W. R. RAY MILLAND is in at the Waldorf.

SONIA HENIE and her matron sail for Europe today on the Queen Mary.

SAM ENSIL has arrived on the Coast after a European trip.

JOHNNY MEDROKIN is due here today from Chicago.

Warner Biz in Denver Area Said Up 25-30%

Denver—With business up 25 to 30 per cent over the same time last year, Earl Bell, Warners exchange manager, reports having closed product deals with the Gibraltar Enterprise and Black Hills Amusement Co. circuits.

Collins Named Manager Of Denver UA Exchange

Denver—Earl Collins, salesman, has been promoted to the management of the UA exchange here, succeeding Al Hoffman, who goes on the road.

THE THEATRE

George Abbott Productions

"There have been a number of good girl and movie shows in town of late, but this is far and away the most ambitious of the lot."—Watts, Hr. Trib.

George Abbott—Rodgers and Hart

The Boys from Syracuse

By Jimmy Walker. Edna Todd, Savy MURRAY ALBERT HART

ALVIN, W. 52d St. Mat. Wed. & Sat. COLUMBUS 3-1114

"Roars of Pleasure"—Dickinson, Times.

WHAT A LIFE

with EZRA STONE as Henry Aldrich

MANSFIELD, W. 47th St. Mat. Wed. & Sat. COLUMBUS 3-1064
In every situation where YOUNG MR. LINCOLN is playing, it is proving one of the greatest word-of-mouth attractions 20th Century-Fox ever produced!

And remember this—YOUNG MR. LINCOLN will make a friend for your theatre of every person who sees it!

HELD OVER at ROXY, New York, where YOUNG MR. LINCOLN is doing the biggest business in town!
connection between Columbia and the exhibition field. Application will be made for an order precluding the D of J suit as far as Columbia is concerned on the grounds that Judge Bondy's order directing a bill of particulars has not been complied with, or, in the alternative for an order directing the Department to file a further bill.

Company claims that the instance of violent racketeering by which the bill is sought referred entirely to alleged acts of coercion concerning the interstate Circuit of Texas, and that these instances have been threshed out in a trial previously held in Texas and courts there had adjudicated upon them at the time of violations by Columbia and asks that the suit against it be dropped.

If Judge Bondy will not dismiss the suit, Columbia requests an order directing the Department to give details as to the times and places of agreements and names of parties concerned in alleged violations by Columbia.

**Warners Close Contracts**

With 15 Indies in K. C. Area

(Continued from Page 1)

NT division, it was learned last night that product deals have been closed by the company with 15 independent theaters in the Kansas City area, heart of the Fox Midwest division of NT.

At the same time it was learned that Grad Sears, Warners sales chief, is calling in all his branch managers in the West for conferences here Thursday and Friday on plans for selling product away from the FWC circuit to independent exhibs.

Ben Kalmenson, western and southern sales manager, plans to visit the east and John J. G. Vonherberg and John Danz, Seattle circuit operators, also arrive here today to talk product deals with Sears. W. E. Callaway, Warner Coast district manager, will also sit in on the forthcoming sales lobbies.

**ALONG THE RAIL** with PHIL M. DALY

- - - DISTINCTION... for Cecil B. DeMille... who has been named one of the "38 Business Leaders of Today"... by this year's honor men of the New York University School of Commerce... DeMille was notified in a wire form Grover Whalen, who invited him to attend a dinner to the University's "Leaders of Tomorrow" at the World's Fair.

- - - ED SULLIVAN in his column calls attention to the splendid work of two American players as follows..."Too bad that Henry Fonda isn't a foreigner... Then his grand performance in 'Young Mr. Lincoln' would excite huzzahs and speaking... And if any foreign actress turned in the magnificent emotional performance that Alice Brady contributed to the courtroom scenes of the same picture, we strike off a hands-across-the-see medalion... You can kid Darryl Zanuck about many things, but only Zanuck ever gave Alice Brady the type of part for which she is so well fitted... The others out here have insisted on the Brady playing simpering comedy roles... It's a pleasure to echo those sentiments here..."

- - - AS THE summer season approaches... we detect a little carelessness creeping into production of the Class B pictures... time was when you could easily tell the difference between a B and a C... the B picture had a certain something about it that told you at once that here was a picture that belonged at the top of a dual bill... but nowadays when you walk in on a dealer and see the C confronting you... it looks just like the B... or is it that the B has sunk to the level of the C... it is all very confusing to the cash customers... and is causing embarrassment to some theater managers... trying to explain to their old and loyal patrons which is the B and which is the C... and so some exhibs are wondering why they should pay for a B when they can rent two C's for the same amount of dough... of course the solution seems to be to play one A picture and some good shorts... but a lot of exhibs, haven't thought of that... but wait... just give 'em time...

- - - COMMEMORATING the fiftieth anniversary of Thomas A. Edison's invention of the Kinetoscope... Paramount will present a nation-wide broadcast over CBS... originating at the Coconut Grove in the Ambassador Hotel at Los Angeles on Saturday night... preceding a banquet for delegates attending the Paramount convention... Jack Benny will be master of ceremonies...

- - - TESTIMONIAL lunch in honor of Benny Goodman to highlight campaign activities of the Amusement Division of the United Jewish Appeal for Refugees and Overseas Needs... on Monday, June 12 at 12:30 noon at the Edison Hotel... Ben Berns will be chairman... Phil Baker vice-chairman... Eddie Cantor will be toastmaster...

- - - TALKING of the two femmes in the exchange biz... we got slightly twisted... it is Eleanor Perdelwitz at Buffalo who is handling that indie product... mebbe Anne O'Donnell at Detroit is handling it, too... if not, she oughter... it's darn good indie product...
At Commerce Dept.'s Conference on Industry Problems

The wide, wide range of problems today confronting the film industry was considered by those and other conferences who assembled in the U.S. Department of Commerce yesterday at the invitation of Secretary Harry Hopkins.

Carolina Exhibs. Close Session with "Play Day"

Myrtle Beach, S.C.—Yesterday was "play day" for members and guests of the Theater Owners Ass’n of South Carolina holding their semi-annual convention at the Ocean Forest Hotel here. Approximately 200 were registered for the three-day meet, exceeding all former attendance records.

The conference was in session. It developed, however, that his interest was elsewhere—a parley on the extension of credit to small business, specifically.

Cohen, credited with playing a major role in the evolution of the new policy, told THE FILM DAILY that he knew nothing of the film parley.

The conference came as a surprise to Rep. Andrew Edmiston, Democrat, W., Va., sponsor of the House anti-block-book and blind-selling measure, companion to the Neely bill. He said he would confer with Senator Matthew Neely today and a statement might follow.

Abram F. Myers, Allied board chairman and general counsel, was not available yesterday for a statement on Allied’s position, deemed important in view of its support of Government litigation and regulatory legislation.

D of J Plans Unchanged

Thurman Arnold spent the day attending Temporary National Economic Committee meeting of which he is a member, but THE FILM DAILY learned last night from another high ranking Justice Department official that the Commerce Department move will not in any way defer the filing of other suits against the industry by the Justice Department.

"Oh, goodness no," was the explanation of this executive when queried as to the possibility any change in D of J suit plans had been provoked by the Commerce conciliation movement.

It is assumed that an official statement will be issued by the Commerce Department at conclusion of the conference.

Union Walkout at Fair Looms After Royal Visit

(Continued from Page 1)

Trades Council will be ended at the conclusion of the visit to the Fair of the King and Queen of England unless "necessary" adjustments in conditions now said to be existent are made, it was learned last night.

Unanimous vote on this action, which will mean a general walkout by these unions with a strong possibility that other unions will join the walkout in sympathy, was taken at a meeting of representatives of the Theatrical Trades Council unions, which include the musicians, operators, studio mechanics, American Federation of Actors, cameramen, stagelab and others.

Action is said to be the result of continued difficulties encountered at the Fair by the operators’ union and the actors’ organization. Principal complaint has been jurisdictional encroachment by other unions, with wage scales, working conditions and other matters also not satisfactory in some cases, it has been charged by them.

Negotiations will be continued with the Fair to the deadline set by the Council and hope is held satisfactory adjustments can be made. A general walkout would virtually cripple the amusement area, it is believed.

8 TO 10 BRITISH FILMS FOR PARA. IN ’39-40

(Continued from Page 1)

pix under the British Films Act has not been determined, Hicks said, the decision hanging upon stories and casts.

Hicks, with Adolph Zukor, Para. board chairman, leaves for Australia shortly after the convention closes. They will return to the U.S. together and Hicks will leave for London in the Fall.

Para. has no plans to produce "Down Under,” according to Hicks. Speaking over a portable mike at the trainside at Omaha, Prexy Barney Balaban told station KOIL listeners that the current run of "Union Pacific" at Paramount’s Plaza in London is producing such large grosses that company representatives there feel the pix will have run of at least 18 weeks, playing until October.

Balaban’s mention of the British premiere was linked to Omaha’s interest in the film which has its world premiere in that city.

Da-Lite Under Code

Chicago—Da-Lite Screen Co., Inc., has placed its products under Fair Trade regulations.
“Tarzan Finds a Son”  
with Johnny Weissmuller, Maureen O’Sullivan  
M-G-M 90 MINS.  
POWERFUL ATTRACTION FOR THE KIDDIES AND ADVENTURE LOVERS SHOULDN’T GIVE THEM YELLING FOR THE ANIMAL JUNGLE STUFF.  

A great attraction for the kiddie and adventure lovers with Tarzan and his mate, Maureen O’Sullivan, finding a little baby which is the sole survivor of a plane wrecked in the African jungle. They raise the boy, who becomes the constant companion of his father. Five years after the plane crash, a searching party of English people arrive looking for evidence of the death or escape of the sole passengers, an Englishman and his wife and their baby. If alive, the baby is the sole heir to a vast fortune in England. Henry Stephenson heads the searching party, being one of the agents, along with Ian Hunter and his wife, Frieda Inescort, in the event the child is proved to have died. The complications and excitement develop with the unsuccessful attempts of Hunter to take the child back to England, and as his guardian control, fortune or else do away with the little chap. This horrible and sinister possibility is suggested by the upright Mr. Stephenson as the aristocratic Lord Lancing, gets him made a prisoner by the dangerous relative with dark designs. But as they proceed out of the jungle with the little chap, they are captured by a savage tribe. Tarzan comes to the rescue with a herd of elephants and a troop of monkeys, rescues the scheming Londoner and wife, and of course his own mate. The boy has previously escaped to notify Tarzan, who performs a remarkable escape from the bottom of a cliff along a silk ribbon waterfall, to dash to the rescue with the elephants. It is all highly picturesque, unbelievable and exciting, but no doubt the boy is safe, and go for it in a big way. The youngest, played by John Siefeld, is really remarkable in the way he responds to direction, and almost all the Westman’s baby is in beautiful underwater settings. Sales angles: Weissmuller as the Tarzan, the remarkable animalapes, the children, a single staff, and remarkable underwater scenes.  
CREDITS: Producer, Sam Zimbalist; Director, Richard Thorpe; Screenplay, Cyril Hume; Cameraman, Leonard Smith; Editors, Frank Sullivan, Gene Ruggero.  
DIRECTION, Fair. PHOTOGRAPHY, Beautiful.  

Four Conn. Closings Due  
New Haven—Warners have closed the Tremont, Amonia, for the Summer. The Capitol, Danbury, which was dark last summer, remains open. Loew’s, Inc., is expecting to close the Palace, Hartford, at an early date; last year the house was kept open. Fishman Theaters will cut Apollo operating time in the fall, when the house moves to 11, and close the Lyric and Winchester “indefinitely” on June 17, Dr. J. B. Fishman announces.  

“Maisie”  
with Robert Young, Ann Sothen and Ruth Hussey  
Metro 74 MINS.  

HOLLYWOOD REVIEW  
EXCELLENT FAMILY MOVIE SHOULD PLEASE IN ANY THEATER.  

Here is a comedy drama that should please in any type of theater. It has action, romance, comedy and bright, snappy dialogue. It is one of the best directorial efforts and he never allows the interest to lag. Ann Sothen has a field day in the title role and gives a sparkling performance, delivering her lines with telling effect. Robert Young does excellent work as a woman-hater, whose viewpoint is changed by Ann, Ian Hunter and Ruth Hussey give effective performances, while Cliff Edwards, Anthony Allan and George Tobias are the others who hold their own. Morley C. McCall, Jr., has provided an excellent screenplay, marked by unusually good dialogue. Ann, a small-time vaudeville performer, stranded in a Western cow-town, sets her cap for Young, who is managing a ranch for Hunter, Hunter, who is unhappily married to Ruth Hussey, brings his wife to the ranch. He is cheated up by Ann and when he decides to take his life he wills the ranch to Ann and Young. When Hunter is found dead, Young is charged with the murder, but a letter that Hunter wrote to Ann telling of his plan to kill himself and his wife, and Young, wins Young’s freedom. J. Walter Ruben deserves credit for his work as associate producer.  

CREDITS: Producer, J. Walter Ruben; Director, Edwin L. Marin; Author, Wilson Collison; Screenplay, Mary C. McClure, Jr., Cameraman, Leonard Smith; Art Director, Cedric Gibbons; Associate, Malcolm Brown; Assistant, Frederick Y. Smith; Musical Score, Edward Ward.  

Theater Cashiers Organize  
Charlotte — Theater cashiers of Charlotte have organized a club called the “Cassier,” which will meet twice a week. Officers are: Lillian Byram, president; Margie Lont, secretary; Mabel Hord, vice-president; Ruby Thomas, treasurer. Members are unmarried. The organization was formed at a dinner party of the dozen charter members.  

11 Fined for “Quizzo”  
Portland, Me.—Eleven “quizzo” respondents, charged with maintaining gambling establishments or with being present at gambling stations, have received fines ranging from $50 to $100 and costs in Superior Court.  

Censors Ban “Le ROI”  
“Le Roi,” French film imported by the Film Alliance has been banned in its entirety by the New York State censor board, it was reported last night.  

“Grand Jury Secrets”  
with John Howard, Gail Patrick and William Frawley  
Paramount 62 MINS.  

HOLLYWOOD PREVIEW  
FAST MOVING Novel STORY SHOULD CLICK WITH ANY AUDIENCE.  

Put this one down as a “sleeper.” The novel story, direction, acting and production are all handled excellently. The direction by James Hogan was very good and he gives a fast moving pace with never a lag at any time. Sam Engel deserves many bows for his excellent work as a detective. The pictures will have lots of support from the “hams” (amateur radio operators) because of the activities of these radio people. John Howard, as the reporter and “ham,” does a good acting job, as does Harvey Stephens as the assistant district attorney, and Gail Patrick is splendid as the stenographer to the assistant district attorney’s brother. John Howard, a reporter. This investigation was to have been kept secret but through a short wave gadget which Howard leaves in his bar room, he finds out what the jury is investigating and has it printed in his newspaper. Howard has his name attached to the story and Stephens, his brother, is put on the carpet by the district attorney. A murder and dance party, which Howard attends, and in the end Howard, who has been a real “smart Alec,” and feels the world owes him all he can take from it, redeems himself in the eyes of his family. The original bar Reis and Maxwell Shone and the screenplay by Reis and Robert Yost were very well handled. We have a good script beautifully dressed, with many new and interesting twists. Jane Darwell as the mother, Porter Hall as one of the detectives and William Frawley as the side kick of Howard, all do excellent work in supporting roles, and Kitty Kelly, Elisa Cook, Jr., Richard Conklin and Frank Marmor as two very good work in smaller parts. There should be no trouble in booking this picture in any area.  

CREDITS: Associate Producer, Sam Engell; Director, James Hogan; Authors, Irving Reis, Maxwell Shone; Screenplay, Irving Reis, Robert Yost; Cameraman, Harry Fishbeck, ASC; Art Directors, Hans Dreier and Frank Marmor; Editor, Hugh Bennett; Sound, George Dutton and Glenn Rominger.  
DIRECTION, Very good. PHOTOGRAPHY, Beautiful.  

“Spoilers of the Range”  
with Charles Starrett  
Columbia 57 MINS.  
CARRIES GOOD AMOUNT OF THRILLS IN ACTION WESTERN INTERSPERSED WITH HUMOR.  

A typical Starrett thriller that moves along nicely paced with action all the way, but lacks any particular originality, sticking to the formula stuff. The hero plays part with a group of ranchers who have built a dam and who go on the cull to a crooked gambler for a large sum of money. The trouble starts when the gambler hires a killer gang to keep the ranchers from getting their cattle to market and raising the necessary dough to pay off the debts. There is the usual number of range songs through the action, contributed by the Sons of the Pioneers. An unusual amount of romance, also, with Iris Meredith, a very good looking as western go. The heavy in this saga is Dick Curtis, who makes a strong impression, along with Kenneth MacDonald in the role of the gambler who hires him to do the dirty work.  
CAST: Charles Starrett, Iris Meredith, Dick Curtis, Kenneth MacDonald, Hank Boll, Bob Nolan, Edward Lsaint, Forbes Murray, Art Mix, Edmund Cobb, Edward Pell, Sr.  
CREDITS: Director, C. C. Coleman, Jr.; Author, Paul Franklin; Screenplay, Sam Camerran, Allan Siegler; Editor, William Lyon.  
DIRECTION, Good. PHOTOGRAPHY, Okay.  

SHORTS  
Paramount Pictorial  
Paramount 10 MINS.  
Timely  

The academy of the Coast Guar is at New London, showing the training and acting procedures and affairs in the usual photographic of animals and birds, showing how ducks look below the surface of the water, and how some birds behave after dark. Cock and Roostie, the style authority, tells women why certain styles look lovely on models but not so hot on the average woman. She supplies a practice formula for dressing accordingly.  

Bell & Howell Prexy Back  
Chicago—Prexy J. H. McNabb of the Bell & Howell Co. has returned from an extended business trip abroad, where he visited man, of the branches of the company. Getting ready for the Coast visual convention, which will be held in Los Angeles in mid-July.  

Cocks Quits Quimby  
Fort Wayne, Ind.—Harvey C. Cocks, general manager of the Quimby Theater, has resigned, effective immediately, to become general manager and part owner of the new theater operating corporation.
The Twenty-seventh
FILM DAILY GOLF TOURNAMENT
Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee will be $120.00 if not paid before June 22.)

Name ____________________________________________________________

Address __________________________________________________________

LAST THREE SCORES

PLACES

<table>
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<tr>
<th>Player</th>
<th>Score</th>
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<td>A. S. Schubart</td>
<td>28</td>
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<tr>
<td>M. G. Poller</td>
<td>29</td>
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<td>W. J. McShea</td>
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CLUB HANDICAP

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(Continued from Page 1)

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<th>Levy Names Committees for RKO's Sales Conclaves</th>
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<td>Executives Association has been unanimously elected president of the Film Row Bowling League for the 1939-40 season. He succeeds Bob Klingen-</td>
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<td>win, who held the post the past two years.</td>
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Mednikow Acquires Indie Pic

Chicago—Johnny Mednikow, of Trailer-Made, has acquired "German | | |
Surrenders," an independent picture, for distribution in four | |
states at the end of 1937, a 3.52:1 in 1936 and 3.50:1 in 1935. |

Report consists of 15 tables comparing the 10 companies.

<table>
<thead>
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<th>CEA Office Moves</th>
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<td>Chicago—The office of the Chicago Exhibitors has been moved from the State Lake Building to the Balaban &amp; Katz Chicago Theater</td>
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<td>offices.</td>
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B-K Newsreel Theater

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<th>B-K Newsreel Theater</th>
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| Chicago—Plans for a B & K news-
reel theater are under discussion. |

W-T Hits Censors

New York World-Telegram has opened fire on film censorship via a series of seven stories by David Gilbert, a | |
staff writer. Series will spin the present world of artifice. A partial four-page issue of the first page of the second section.
OKLA. BUYING POOL
STRUCTURE APPROVED

(Continued from Page 1)
meeting, and following the session he stated that organization of the pool will be started after the group has determined exactly what, if anything, Allied will do.
All considerations were tabled until after the British Allied Convention to see whether or not Allied's rumored 2,500-exhibit buying pool receives any action at the convention, and unless the pool is scheduled here immediately following the end of the Allied huddle to work on the pool question.
Under the setup, it is reported that the pool will handle deals entirely, and previous reports that have been printed to the effect exhibits would sign their own contracts after negotiations on price are said to be inaccurate.

Some consideration has been given to holding back with the buying pool plan until there is a stronger Allied organization in this state to give it more support. It is fairly definite that it will be a separate corporation when organized.

British Tax Amendments to Parliament in Week
(Continued from Page 1)
ounced that amendments to the tax would be submitted by the Government in about one week. A committee stage of the bill will be reached a week after the amendments are submitted.
Aboard Paramount Special Train—John W. Hicks, Paramount's foreign chief, said yesterday the British tax situation appeared hopeless insofar as allowing for American pictures was concerned, but that much modification may be extended to films made in England.

Wedding Bells

Cleveland — Wedding bells will ring on Aug. 20 when Selma Horwitz, daughter of M. B. Horwitz, general manager of the Washington Circuit, will become the bride of "Sandy" Leavitt, son of Joe Leavitt who operates the Film Blub, Independent Screen Room.

— Denver—S. I. Saunders, brother of the Southern district Fox Intermountain division, and Miss Lucie Olson of Ogden, Utah, were married. They will live in Denver.

Engagement of Helen Stamatis, daughter of George Stamatis and niece of the late S. D. Cocalis, to James Constantinedes will be formalized at an engagement party being held at the future bride's home Thursday night.

Skoureas, Answering Sears Statement, Charges WB Theaters Playing Duals

(Continued from Page 1)
holding its pictures from sale to National Theaters because of the double feature policy.
If Warner Bros. "apologizes," ascribed Mr. Skoureas, "to the honor of being the standard bearers for the abolishment of the double feature, I shall hail it as a step forward." It is well recognized that competitive conditions at present necessitate the use of the double feature programs in certain localities.

"In their statement Warner Bros. attacked the showmanship with which we exhibited their product and stated that our method of doing was costing them loss of revenue.
Under the present management of Fox West Coast Theaters Corp. and the other theater interests of National Theaters Corp., the film rental paid to Warners for their pictures was about $10,000,000 and will be over $1,500,000,000 for the year 1939 for the same number of theaters.

Disappointed in Receipts

"Our present contract with Warner Bros. is for the two theatrical seasons 1937-38 and 1938-39. The number of designations of 'A' pictures is largely in excess of those previous years. Despite the optimization of the system at the time the contract was made with us, our results with Warner Bros. pictures for 1937-38 were disappointing, and we are finding our loss of $1,500,000 for the year 1939 for the same number of theaters.

German Government's diplomatic representations against Warners' "'The Confessions of a Nazi Spy," required to the MPPDA by the Film Department at Washington, has been briefly acknowledged by the Hays Office with the retort courteous that the picture was based upon court records of an espionage trial, it was learned yesterday.
Other than that no action contemplated, it is understood.

German communication to Sec'y of State Hall cited the pic as an example of 'propaganda' denouncing Nazi-U. S. friendly relations. State Department's own action was restricted to the formal communication to the MPPDA calling attention to the protest.
Meanwhile, in State Department circles yesterday it was reported the Nazi government was preparing, through its controlled pic industry, with a series of so-called "documentaries" stressing U. S. unemployment, gangsterism and judicial corruption for international distribution.

Harry M. Warner, here attending the Commerce Department parl ay, when questioned about the German Embassy's "propaganda" situation, stated that he would continue showing the picture as long as patrons flocked in to see it.

Bathing Beauty Contests

Set for Two Conn. Houses

Waterbury, Conn.—Loew's will inaugurate Bathing Beauty Contest at the Poli, sponsored by the Hankin Knitting Mills, which will supply bathing suits to local contestants. The contest is set for three consecutive weeks. At the Globe, Bridgeport, a similar five-weeks' contest will be started June 26.

STORKS!

A daughter, Polly Lee, was born Monday to Mrs. Ralph Daugh, wife of the managing editor of Fawcett Publications.

Nazi Spy' Based on Court
Disclosures, MPPDA Advises

"Upon the request of the German Government's diplomatic representatives against Warners' 'The Confessions of a Nazi Spy,' required to the MPPDA by the Film Department at Washington, has been briefly acknowledged by the Hays Office with the retort courteous that the picture was based upon court records of an espionage trial, it was learned yesterday.

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German communication to Sec'y of State Hall cited the pic as an example of 'propaganda' denouncing Nazi-U. S. friendly relations. State Department's own action was restricted to the formal communication to the MPPDA calling attention to the protest.
Meanwhile, in State Department circles yesterday it was reported the Nazi government was preparing, through its controlled pic industry, with a series of so-called "documentaries" stressing U. S. unemployment, gangsterism and judicial corruption for international distribution.

Harry M. Warner, here attending the Commerce Department parl ay, when questioned about the German Embassy's "propaganda" situation, stated that he would continue showing the picture as long as patrons flocked in to see it.

Bathing Beauty Contests

Set for Two Conn. Houses

Waterbury, Conn.—Loew's will inaugurate Bathing Beauty Contest at the Poli, sponsored by the Hankin Knitting Mills, which will supply bathing suits to local contestants. The contest is set for three consecutive weeks. At the Globe, Bridgeport, a similar five-weeks' contest will be started June 26.

STORKS!

A daughter, Polly Lee, was born Monday to Mrs. Ralph Daugh, wife of the managing editor of Fawcett Publications.
Fair Trial for Arbitration Rules Favor ed by Exhibs.

PARA. BUDGET TO BE $30,000,000 MINIMUM

By GEORGE H. MORRIS
FILM DAILY Staff Writer

Los Angeles—Paramount's 1939-40 production budget will at least equal and possibly exceed that appropriated for the current season. Barney Balaban, prexy. told THE FILM DAILY yesterday. That means an expenditure next season of a $30,000,000 minimum.

Company's convention, with 275 delegates attending, swings un-

Regional Surveys Show U. S. Exhibs. Helpful of Arbitration Workability

Golf Tourney Beckons to Golfers and Golfers
Indications are that the 27th Annual Film Daily Golf Tournament scheduled for the Rye Country Club

Grammar and Clarity

Development Stems from Industry-Commerce Dept. Conference—World Assembly of Film Experts in U. S. Projected

By PRESCOTT DENNETT. Washington Bureau of THE FILM DAILY

Washington—An international motion picture economic conference loomed on the horizon last night with the completion yesterday of the second lap of the unprecedented Department of Commerce-industry film conference. This tremendous development which would bring to Washington or possibly New York worldwide film experts in a smashing attempt to tear down economic trade barriers, re-adjust quotas, and generally speed business was learned exclusively by THE FILM DAILY.

So important is this development that Commerce Secretary Harry L. Hopkins made a special statement as to the importance of the conference.

ARBITRATION CHANGES TO BE ASKED BY ITOA

The distributors' proposed rules of arbitration in their present form do not measure up to ITOA's requirements, but suggestions will be made to clear up a few objectionable features, it was revealed yesterday, following a meeting of the association at the Hotel Astor.

Milton Weisman, ITOA attorney, (Continued on Page 6)

New Jersey Allied Squawks Over "Gunga Din" for Tele

Allied of New Jersey has sent a letter to George J. Schaef, president of RKO Radio Pictures, protesting RKO's reported plan to fur-

Application to Dismiss Para. Suit Is Withdrawn

An application of Paramount Pictures, Inc., Henry A. Schatzkin and Mortimer W. Loewi, trading as Schatzkin-Loewi & Co., and Stan-

(Continued on Page 3)
"Ecstasy" Gets Show Cause Order in Philadelphia Court

Philadelphia—Judge Otto Helligman sitting in Common Pleas Court No. 1 yesterday enjoined the exhibitors of a rule on the Censor Board to show why the action of the Board in banning "Ecstasy" should not be reversed. Action was brought by Eureka Productions of New York, hearing will be held Tuesday.

Complaint indicated that the picture had been banned on May 3, 1939, and went into detail regarding the picture in other sections. On May 3, no member of the new censor board had as yet been confirmed, although two are now confirmed and working. Whether this point will be brought out by the complainants is not known.

Bush Names Chamblish
20-Fox Newspaper Rep.

Appointment of William Chamblish as syndicate and newspaper representative for the Chicago 20th Century-Fox exploitation and publicity department was announced yesterday. Chamblish has been with the company for three years, serving first as a writer in the publicity department, and recently as assistant to Kenneth Bush who was manager of exploitation until his appointment this week as head of the newly merged departments.

Extra 50 Cent Dividend
Set by Loew's Directors

In addition to a dividend of 50 cents a share on the common stock, Loew's, Inc., yesterday voted an extra 50-cent dividend on the common at a meeting of the board of directors. The dividends are payable June 30 to stockholders of record on June 20. Last extra dividend was declared in December.

Grauman's Back to Pict policy

Hollywood—Grauman's Chinese Theater will return to a picture policy on June 18.

Newsreels Prepare to Cover
Royalty's Visit to Washington

Washington Bureau of THE FILM DAILY

Washington—The biggest show in history in years, covered by all newsreel agencies and motion picture companies from 14 different vantage points, starts today with the arrival of their Britannic Majesties to greet the capital of the United States; another point of coverage will be armored car for reeking parade in the men.

Robert Denton, Paramount News Washington chief, explained that newsreel executives are co-operating with the limit to the Government secret service. All agencies are specializing their newsreels tonight.

Copyright Statute Draft
Completion Due Monday

Copy of the first completed draft of the proposed new copyright statute is expected to be sent to Washington Monday, according to a meeting of the copyright committee yesterday at the Bar Association building with Prof. James T. Shotwell presiding. Draft will be presented in Washington to Senator Thomas, member of the sub-committee on foreign relations on adherence to the Berne convention, for study, it was reported.

Sussman In Pittsburgh
On Harris Product Deal

Pittsburgh—William Sussman, eastern division manager for 20th Century-Fox, is spending several days here this week negotiating a deal for the 1939-1940 product with the Harris Amusement Company with Edgar Moss, district manager, and Ira H. Cohn, branch manager.

Jack Ellis' RKO First

Jack Ellis, of the RKO exchange in New York, is the first salesmen with the company to be 100 per cent sold this year, it was learned yesterday.

United Theaters Defers
Meeting, Seeks Members

Chicago—Scheduled meeting of United Theaters of Illinois, new in- die exhib, unit, scheduled yesterday at Springfield, has been postponed three weeks during which a membership campaign will be waged.

THE THEATRE

George Abbott Productions

"There have been a number of good girl and musc shows to town of late, but this is by all odds the most brilliant of the lot," says the New York Times.

George Abbott—Rudgers and Hart

The Boys from Syracuse

with Jimmy Cagney Eddie Teddy SAVO MURRAY ALBERT HART

ALVIN, W. 624 St. Muts. Wed. & Sat. Columbus 6-6-14

"Boys of Pleasure"—Arkham, Times.

WHAT A LIFE

with EDDA STONE and Harry Aldrich

MANSFIELD, W. 47TH St. Mut. Wed. & Sat. Circle 6-6-40
GUT CLOSE PRODUCT DEAL WITH COLUMBIA

(Continued from Page 1)

the first release scheduled under the new pact being Frank Capra's newest production, "Mr. Smith Goes To Washington."

Deal was concluded by J. A. McColl, Columbia's foreign chief, and Cecil F. Mason, Columbia manager for Australia, with Norman Bede Rydge, GUT head, currently here. Mason has left for Australia.

Steffes Sees Attendance of 700 Sure for Allied

(Continued from Page 3)

Hotel have been reserved and very few are still left at the Raddison. Indications are that the Minneapolis convention will have the largest attendance in the history of exhibitor organizations.

Lon Young Leaves H I P, Forms New Company

West Coast Bureau of THE FILM DAILY

Hollywood—Lon Young has discontinued his association with Hollywood Industrial Pictures and Roland Reed and opened offices at Grand National Studios for the production of public relations, sales-training, documentary and industrial pix for national merchandisers. Now in preparation are several experimental subjects designed particularly for television. Freeman Lusk, public relations and merchandising counselor, will be associated with Lon Young Productions in an advisory capacity.

Columbia Honors Zey

Columbia University conferred an honorary degree of Doctor of Laws upon Jean Zey, French Minister of National Education and pix industry legislation sponsor, at its commencement.

New WB Shorts Series?

West Coast Bureau of THE FILM DAILY

Burbank — Marie Wilson will be starred in "Lizzie," which may be the forerunner of a new Warner series of two-reel comedies. Owen Crump will do the script.

LIVE TALENT RETURN BEFORE OKLA. MPTO

(Continued from Page 1)

direct exhibitor problems in the state and nation.

The directors also decided to begin immediate publication of an monthly association bulletin.

Convention program includes address by the MPPOA presy, Ed Kaykendall, an open forum discussion by D. R. Milsten on Ascap, a discussion of short subject merchandising by Mrs. Bess Short and an address of welcome by Oklahoma's Governor Leo Phillips.

Set also on the program are the following topics and discussions: "The Theater of the Future" by Jack Corgan, Southwestern theater architect; "The Return of Live Talent to Motion Picture Houses," by Ralph Talbot; "Screen Advertising and How to Use It." by C. B. Akers of Tad Screening Advertising; "The Popcorn Profits" by Pop Warner of the Burch Manufacturing Co.; a discussion and demonstration of Television; a discussion of visual education by Dr. Henry Bennett, president of Oklahoma Agricultural and Mineral College and discussions by Bob O'Donnell of Interstate and Paul Short of National Screen Service, topics as yet unassigned.

Application to Dismiss Para, Suit is Withdrawn

(Continued from Page 1)

ton W. Griffiths, to dismiss the suit brought by the executors of the estate of A. L. Leeds, Laurence C. Leeds and Harold Spear, trading as Spear & Leeds, was withdrawn yesterday with the approval of New York Supreme Court Justice Ernest L. Hamner.

Complaint is based on the proceeds obtained on the sale to Parmount Pictures of interest in the stock of the DuMont Television Co.

Preview Hotel Greeters Film

Preview of a motion picture sponsored by the Waldorf-Astoria in conjunction with the Hotel Greeters of America will be held today at five in the Waldorf Ballroom. Picture features front office operations in hotels.

Manager on City Council

Wilmington, Del.—Official returns confirmed the re-election of City Councilman John O. Hopkins, Negro, Republican, manager of the National Theater.

"Swiss Family" First

West Coast Bureau, THE FILM DAILY

Hollywood—First Gene Towne-Graham Baker pick to be sent before the cameras under their RKO Radio releasing deal will be "The Swiss Family Robinson," which Towne says will be brought to the screen "as is."
"HELLO
TARZAN!"

This is "MAISIE"
The Explosive Blonde!
She'll dig gold for you!

with Robert Young, Ann Sothern, Ruth
Hussey, Ian Hunter and Cliff Edwards
Screen Play by Mary C. McCall, Jr. - Directed by
Edwin L. Marin - Produced by J. Walter Ruben
"HELLO MR. EXHIBITOR!"

Here are Two Big M-G-M Shows for Showmen!

Just when the thermometer goes down and your business goes along comes The Friendly Company with two grand box-office attractions. Screen them fast! They'll inspire you to roll up your sleeves and yell "Hello Tarzan! Hello Maisie! Welcome to the box-offices of America!"
Int’l Parley An Attempt to Tear Down Economic Barriers

Aims: To Strike Blow for Int’l Peace, Speed Employment Reopen Foreign Marts
(Continued from Page 1)

Hopkins called off his regular weekly press conference yesterday to allow for industry and Commerce statisticians to whip into shape the biggest government of pix statistics, records, and company figures ever compiled.

Next week’s official conference is expected to be followed by a history-making formal announcement from the Commerce Secretary and possibly the industry.

Overshadows Domestic Problems
The international economic conference development completely overshadows hitherto vital domestic problems such as possible conservation in the New York equity suit and the most Neely book-looking bill. Officials interviewed by The Film Daily believe now is the time for the industry and the Commerce Department to join hands in attempt to accomplish two purposes:

1. Strike its own blow for international peace
2. Speed employment by reopening old foreign markets lost to America by international friction, quotas, and the like.

Authority for the fact that the call for the world-wide economic film congress is top-notch on the Department of Commerce-industry conference agenda is none other than Dr. Willard L. Thorp, economic advisor to the Commerce Secretary Hopkins. Dr. Thorp, who is running the conference for the Secretary, is convinced that this is the only way to solve the industry’s problems is to treat them from an international standpoint since the motion picture industry—of all businesses—is the largest international American commerce.

Assumes Big Proportions
“Yes, it is a good guess that the international conference principle can be expected to bulk higher on our agenda,” Dr. Thorp smiled. He indicated that the conference reflected the views of Will Hays who yesterday emphasized the broad aspects of the current confab.

Questioned specifically right after Thorp, Nathan D. Goldin, chief of the Department’s motion picture division and one of the conference, commented: “I agree with Dr. Thorp’s intimations; such a historic world-wide film economic conference is something well worth considering by both industry and government.”

Insiders point out that a strong governmental tie-in to the congress principle is the fact that on July 1 the Department of Commerce—provided the Department will pool forces in working for the American film industry. The State Department will use its representative around the world to gather for the Department of Commerce

THREE ’38-39 PLAYS FOR PIX
Studies’ Purchases Mostly from Stage Productions of Other Seasons

Film companies during the 1938-39 Broadway season were far more interested in acquiring pix rights to plays of preceding seasons than they were in annexing these to current productions, checkup shows.

Only three 1938-39 offerings attracted film money, RKO via Gordon and Goetz acquiring “Abe Lincoln in Illinois” and “The American Way” and Katharine Hepburn repurchased the musical right of “The Philadelphia Story.” Other plays purchased, their

New Jersey Allied Squawks Over ‘Gunga Din’ for Tele
(Continued from Page 1)
nish films for television, referring specifically to “Gunga Din” (Editor’s note: RKO announced that it would make available a tabloid of “Gunga Din” for television use).

New Jersey’s Allied’s letter, in part, read: “We are greatly surprised that any producer should provide a source of competition to its exhibitor customers. You can readily understand that if our patrons are able to see a picture such as ‘Gunga Din’ on their television sets at home, they are not likely to come into the theater.”

“We strongly oppose such action by any distributor-producer and urge you discontinue this practice. The exhibitor has enough difficulties to contend with to keep his house open during these depressing times, and certainly we should not add to those difficulties.”

“Will you let us know what action you will take in this matter?”

The letter was sent on authority of the board of directors which met Tuesday.

the vital industry foreign facts which the Commerce Department will pass onto the industry.

“I don’t know what effect the proposed international film conference will have on the D of J film program...”

Harrissburg, Pa. — Emergency taxes, including the discontinued amusement tax, raised $156,739,865 for Pennsylvania in the biennium which ended May 31, a sum $4,231,686 greater than the estimated return.

The amusement tax, which was discontinued last year, brought in $975,585. Officials had estimated that the tax, one cent on every 25 or fraction thereof spent for amusement, would bring $460,000.

aimed at their businesses go to Congress.

They can’t solve the problem that way.”

He forecast the passage of the bill by a vote of four to one, but added that he would not start a war on Capitol Hill by asking for a vote on the King and Queen of Great Britain in the left capital.

ARRBITRATION CHANGES TO BE ASKED BY ITOA

(Continued from Page 1)
was authorized to present the ITOA objections and suggested revisory to be distributed to the distributors’ attorneys today. Tomorrow, and if it is indicated that the changes can be made, President Harry Brandt will announce his unit’s approval of the arbitration plan at the Allied convention in Minneapolis next week.

A self-insurance plan for exhibitors was urged at the meeting by Arthur Peterson, of the Mitchel May Agency, who asserted that liability costs were going up and that ITOA members could save up to a maximum of 75 per cent of their present costs. He said the Loew’s, Inc., had operated on a self-insurance plan for two years and that the system had proved successful. A committee, composed of Otto Lederer, David Weinstock, Francis Bregman, Irving Reno and Reynold Pear, was appointed to investigate Peterson’s proposals.

ITOA members voted to fight the proposed plan of the City Planning Commission to reduce the size of marquee.

David Weinstock and W. French Poe were appointed to represent the ITOA at the new major scale conferences with Local 30 which are scheduled to get under way June 17.

Weinstock was presented with a check of silver for his work in directing the annual ITOA Movie Ball.

Intermission Bill Passes III.
House: Senate May Kill It

Chicago—Neither circuit nor independent theater owners are waiting about the Sandquist House Bill, 643, which would require a 15 minute intermission between shows in film theaters, passed at Springfield 100 for to three against. It is expected the adverse legislation will be defeated in the Senate. The Legislature ends this month and many bill will be lost in the rush.

Batcheller With Reed
West Coast Bureau of THE FILM DAILY
Hollywood—George R. Batcheller, assistant director on the Republic lot, to join Lloyd Reed Productions with headquarters in the Selznick International Studios. Reed will make assistant to Reed. He was with Republic as assistant director for two years.

Feld In Stahl Pix
West Coast Bureau of THE FILM DAILY
Hollywood—Pitt Feld is playing an important role in John M. Stahl’s production “The Modern Cinderella,” starring Irene Dunne and Charles Boyer for Universal.
Paramount Execs. on Coast Sales Convention's Program

(Continued from Page 1)

By GEORGE H. MORRIS

LOS ANGELES

PARAMOUNT's 18-car special, plus two Diesel locomotives and a steam locomotive was one of the heaviest passenger trains ever to cross the Continent, although trains made up of lighter equipment have constituted as many cars. Paramount went "100 Men and a Girl" considerably better for the train had over 200 delegates and one member of the fair sex, Mrs. Adolph Zukor.

Like Topsy, the train just grew as it was joined in Albany, Buffalo, Chicago, Omaha and Salt Lake City by additional delegations, and at San Bernardino by the studio execs., a brass band and a flock of Para players.

At Omaha, Barney Balaban, Stanton Griffls and John W. Hicks were positively fascinated by the dexterity of the train crew hurling baggage off the platform to car tops for the long haul. Scene is certain for a forthcoming Para, pix, probably "Uncle Tom's Compartment," another railroad extravaganza.

The Chicago boys and the Omaha bunch vied with one another to see which could don the sportiest sport clothes, Omaha winning by a gaudy tie.

The Marco Polo of the transcontinental jaunt was easily M. Mendel. He occupied the observation platform so consistently that the porter abandoned making up his downy berth.

Earl Sweigert, solon of the Philo office tragically crossed the desert. Sadly surveying the arid wastes, he declared "this is my wedding anniversary, and I'm 3,000 miles from home."

Neil Agnew amused himself at the Las Vegas halt by hunting horned toads.

Said a wisecracking gent to J. T. Touhy as the train whisked past a particularly small hamlet "there's one place you won't have to worry about a subsequent run." To which the stalwart Touhy responded, "the hell you won't, just look at the freight train right on our tail."

Judge Frawley and Justice Flynn, the travelers' friends, had the right answer to every question about the trip, both coming and going, and in Hollywood, and what questions!

Adolph Zukor was among the most energetic members of the trek, and at the bridge table with his partner, Stanton Griffls, the finesse flew thick and fast. Card games helped pass the time away but could not compete as far as recreation was concerned with the three-a-day grubfests in the trio of dining cars.

Lab Union Votes Strike Against Consolidated

At a meeting of the laboratory workers' union 702 last night it was voted to call a strike against Consolidated Laboratories with which the union has been negotiating for some time. Actual calling of the strike rest with the executive board.

The lab union is asking Consolidated to meet the wage scale recently agreed upon by the union and De Luxe Laboratories.

Emery Berthiaume Drowns

Montreal—Emery Berthiaume, 41, film operator at the Savoy Theater, Verdun, was found drowned at Riviere des Prairies near Montreal.

Elmer Fleming Dies

Chicago—Elmer Fleming, 50, personnel manager for Warner Theaters is dead from heart attack. His widow, a son and daughter survive.

GN Financing Said Near Completion

(Continued from Page 1)

Golf Tourney Beckons to Golfers and Goofers

(Continued from Page 1)

on June 22nd will be an overflow. The entries are piling in, and so are the prizes and trophies.

As usual, there will be little film business conducted on that day in New York. All the main execs, will be out on the Westchester course knocking the IT white pills around. The Big Event will be the match team play for the Albee Memorial Cup. The leading film companies and many individuals are donating handsome prizes and trophies.

You will find your Golf Coupon in this issue. Fill it out now while the matter is fresh in your mind. Of course that also calls for filling out your check, too. Funny thing about these golf tournaments. They need dough to operate. Just like a theater. Or a home office exec, sitting in a poker game. Even a home office exec isn't welcome in a poker game without any dough. The same philosophy applies to guys who read this daily drool about the golf tournament, and fail to respond with A CHECK. We thank you kindly for your continued interest, and with the best of luck we remain yours sincerely. Sincerely hoping you send your check so we can get going with this damned tournament.
Regional Reactions to Rules of Arbitration Generally Favorable

(Continued from Page 1)

following a survey by FILM DAILY staff correspondents.

The reservations with which several of the leaders endorsed the arbitration rules involve the demand that the panels be unbiased and not dominated by the distributors. In several localities, exhibitors claimed they had not had time to study the latest proposed rules and would not commit themselves beyond the assertions that an equitable system or settling disputes was desirable.

Representative regional reactions to the arbitration proposals were as follows:

Henry Lazarus Endorses Distrib. Arbitration Rules

New Orleans—Henry Lazarus, local Allied president, whose frequent disagreements with the majors and circuits could earn him the title of the "Great Dis-senter," sprang a surprise when he endorsed arbitration proposals, with reservations.

His endorsement was qualified with the statement that the boards would have to be unbiased.

"It's perfectly all right if it's not controlled like the old arbitration boards," he declared, adding that the majors and circuits had the Boards of Trade working "pretty much to their liking."

An unbiased board is the best way to handle the situation," he continued; "at least, it's better than government regulation."

"I'd Like to See the Plan Honestly Done—Livingston"

Lincoln, Neb.—Speaking for most of the independents in this territory, Bob Livingston, a leading Nebraska showman, said: "I'd like to see the arbitration plan honestly done, but I don't want to see the boards peopled with three exchange men, a controlled-showman and two exhibitors."

Mich. Allied Leader Gives Strong Approval

Detroit—Strong approval of the proposed arbitration clauses was voiced by Miss Pearl Sprott, manager of Allied Theaters of Michigan. "I thoroughly approve of the proposed plans," she said. "They seem to be drawn so as to be fair and square to both sides, inasmuch as they set up a representative from each side, giving each a voice, to-

Still Amending

Distributors' attorneys have not yet completed the drafting of the arbitration proposals and there is little hope for the conclusion of the work before June 5, W. F. Rodgers said yesterday. Rodgers leaves today for Detroit and Chicago, but will be in Minneapolis to attend the Allied convention next week.


Boston—Only one New England film man out of exactly 23 gathered to see their reaction to arbitration clauses proposed for the trade practice code had read them. The question generally drew such answers as "What is the purpose?"

Arthur Howard, secretary of the Independent Exhibitors, Inc., opined "the one thousand exhibitors will tell the story in Minneapolis the thirteenth of June.

20-Fox Seeking "Magic Key" as "Second Fiddle" Plug

Twentieth-Century-Fox is reported negotiating with Rudy Vallee for a one-time appearance on RCA's "Magic Key" program on June 26, as a plug for its production of "Second Fiddle." If deal goes through, contract will be signed this week.

It is understood that future broadcasts by 20th-Fox may be undertaken in the absence of this going through and warrants continue.

"Second Fiddler"—

Hollywood—Contending the arbitration boards should not consist of laymen, especially attorneys, Albert Galston, president of the ITF of Southern California and Arizona, pointed to the success of the conciliation board which has been functioning in this territory for several months. The board, he said, settled 20 disputes, all to the satisfaction of all. Galston said he "heartily favored the arbitration proposals," provided only film men were on the boards.

Cincy Exhibs, Almost A Unit in Favor of Plan

Cincinnati—Leading independent exhibitors almost unanimously favored the arbitration clauses of the trade pact.

Harold Bernstein, president of the Greater Cincinnati MPTO, believes that it is not strictly a contract enforcement plan, as operated under the old boards several years ago, if should be given a trial, at least.

Maurice White, president of United Theaters said: "We can work along lines of proper arbitration, if we can get the right people in back of it. We should be able to regulate our own troubles within our own industry. I believe it is a step in the right direction."

Willis Vance, prominent independent, said. "I'm for it."

Susmann Favors Plan "If Properly Handled"

Chicago—"If properly handled, I'm willing to give the arbitration plan a fair trial," said Ludwig Susmann, Allied director. Favorable comment also was expressed by Jack Rose, Indiana-Illinois circuit operator, Emil Stern, of the Essaness circuit, and the Bland brothers.

N. J. Allied Convention in Sept. in Atlantic City

New Jersey Allied will hold its annual convention in September in Atlantic City, the board has decided. Dates and hotel are to be determined later.

Charles Robinson, who formerly operated a number of theaters in New Jersey, has been named executive secretary and traveling representative for the New Jersey unit. His duties will be similar to those of E. Thornton Kelly, of New York Allied.

Favored in Philly Area

By All Except "Die Harders"

Philadelphia—Reliable sources here say that this territory, with the exception of the "die-hards," will go along with the arbitration proposals, but it probably will be the first time to "start yelling" at the first sign of anything going wrong.

Since compulsory arbitration was outlawed, there have been many cases of private arbitration to settle disputes and decisions have been adhered to.

Kirschen For It If Plan "Flexible, Fair" To Both Sides

Detroit—Edward E. Kirschen, Allied leader, said he was for arbitration as long as the plan was flexible and fair to both boards. "Arbitration boards should have discretion similar to that of courts to decide cases on their merits, instead of strictly following rules of the contracts," he said, adding that there should be a reasonable amount of leeway in handling all cases.

Clev. Exhibitors For It If Myers Approves Plan

Cleveland—Local independents indicated that they favored any kind of arbitration that met with the approval of Abram F. Myers, Allied general counsel. Leaders, including the plan was voted on by Henry Greenberger and George Mann, expressed willingness to support any form of arbitration that guaranteed equal rights to all parties, if sanctioned by the Allied general counsel.

Minneapolis "Leery" Until Allied Meet Discusses It

Minneapolis—Independents here declined to comment on the proposed arbitration rules until the plan could be discussed thoroughly at the national Allied convention.

S. A. CIRCUIT UPS BUILDING PROGRAM

(Continued from Page 1)

Eve to see future despite the fact that theater business in that city is off around 25 per cent at the present time, Focion Soto, head of the chain, told the FILM DAILY yesterday.

Three theaters are in the course of construction now, a 2,800-seat house in Bogota costing $90,000, while in Barranquilla and Cartagena, 1,500-seat houses are being built at a cost of $150,000 each.

Soto stated that there are no restrictions of any kind in the country to hamper distributors and non are contemplated. He said that in a recent trip by H. C. Ekebak, Spanish French and German films, will American pix representing about 7 per cent of the total footage shown. Soto will be here another two weeks. Trip is for the purpose of buying product he which he does twice a year.

Scully, McCarthy Off on "J" Circuit Deal Conference

(Continued from Page 1)

Sales Manager William A. Beull and Eastern Sales Manager F. J. McCarthy left together in the morning for Memphis, and Western Sales Manager William Heineman left the afternoon for Louisville. When the conferences in Memphis are completed, McCarthy will return to New Orleans and Beull will return to Chicago. They will all meet in Louisville and go with him to Detroit. It is anticipated that the three executives will be here another 10 days.

Stirn Interests Granted Added Time for Appeal

(Continued from Page 1)

W. Stirn of Milwaukee in the RK &Y, proceeding on condition that his record and brief on appeal be filed by June 9, and on the further condition that his appeal be heard on argument according to the usual rules of the circuit court, the following appeals of H. Cassel Co. and Copia Realty Co. —A motion by H. C. Ekebak, attorney for the Atlas group, to dismiss the Stirn appeal was denied on the ground he was in default.

Dual Direction

West Coast Bus., THE FILM DAILY will direct the principals and dramatic sequences and W. F. Rodgers will direct the business and chase sequences for "Falling Stars," Darryl F. Zanuck decreed yesterday.
Kuykendall to Attend National Allied Convention

Business Embassy" to Consult All Pix Industry Branches

PARAMOUNT SET ON 52 OF 58 TITLES FOR 1939-40

Minority Report Urges Senate Defeat of Neely's Bill

No Magic

By CHESTER B. BAHN

Smith, Chairman, Two Other
Senators Critical of Block-
Booking Ban

Washington Bureau of THE FILM DAILY
Washington—The Senate today
has before it an Interstate Commerce
sub-committee minority report op-
posing the Neely block-booking bill
signed by Senators E. D. Smith,
Democrat, S. C., sub-committee
chairman; W. H. White, Jr., Me. Re-
publican, and Chan Gurney, S. D.
Republican.

The minority report closely an-
yzed every provision of the Neely
(Continued on Page 9)

CFI STRIKE CALLS
OUT 250 UNIONISTS

Consolidated Film Industries Lab-
oratory at Fort Lee, New Jersey,
was struck at 6 p.m. last night by
Local 702, lab. workers union, with
250 union members leaving the plant.
Picket lines were set up and the
union established strike headquar-
ters nearby.

A strike call was voted by the
(Continued on Page 2)

Cecil B. DeMille Signs New
Four-Year Para. Contract

West Coast Bureau of THE FILM DAILY
Hollywood—Cecil B. DeMille yest-
erday signed a new contract with
Paramount which will keep him at
(Continued on Page 2)

MPTOA PREXY
ALLIED GUEST

Kuykendall Recounters, Will
Attend Minn. Parley

Ed Kuykendall will attend the na-
tional Allied convention in Minne-
apolis next week, the MPTOA presi-
dent informed the
trade press yest-
erday. Kuyken-
dall previously
had declined All-
ied's invitation to
attend.

It is understood
that Ed Kuykendall
reconsidered his
stand after a
large number of
MPTOA members
advised him that the
organization should be repres-
ented at the open
forum sessions which are scheduled
as an important phase of the Minne-
apolis meeting.

DALLAS EXHIB. SUING
INTERSTATE AND PARA.

Dallas—Damages in the aggre-
gate of $155,000, plus reasonable
attorneys fees, and treble the actual
(Continued on Page 9)

MPTOA, Allied Among Associations
Commerce Department Will Consult

Equity Suit Delay Onus
Put on Gov't by Majors

A memorandum was filed yester-
day with the Department of Justice
(Continued on Page 9)

Lineup Keyed to Poll Results;
Some Eastern Production
Possible

By GEORGE H. MORRIS

Film Daily Staff Writer

Los Angeles—Of the 58 features
of the 80 features to be produced for 1939-40 with
a $30,000,000 budget, Paramount has
set titles for 52, the company's na-
tional sales convention was informed
yesterday. Sessions at the Ambas-
sador Hotel continue today and to-
morrow.

As the conclave opened with Neil
F. Agnew, vice-president in charge of
sales, presiding, fresh emphasis was
placed upon the fact that the lineup,
which in addition to the 58 features
includes 85 shorts, largely reflects
(Continued on Page 3)

NEW SELLING METHOD
FORESEEN BY BALABAN

West Coast Bureau of THE FILM DAILY

Los Angeles—Declaring that the
industry today faces an unpreced-
ented situation, Prexy Barney Bal-
aban told the Paramount sales con-
vention here yesterday that "we
must find the solution in new
formulas."

"It is my belief that we face an
(Continued on Page 6)

Para. May Surrender Some
Foreign Branches—Zukor

West Coast Bureau of THE FILM DAILY
Hollywood—Reporting on his ex-
tensive European tour, Adolph Zu-
kor, Para. board chairman, told the
company's sales convention here
(Continued on Page 6)

Forecasts Retirement of Last
2 Million of Para. 6% Bonds

West Coast Bureau of THE FILM DAILY

Los Angeles—Para, may shortly
announce retirement of the last $2,-
000,000 of 6 per cent bonds now out-
(Continued on Page 6)
Along the Rialto

With Phil M. Daly

- - YOUNG TALENT... plenty of it... announced yesterday at the Paramount convention in Los Angeles... this company is touting no less than 17... emphasizing that they are not novices... they have already been tried in the grueling competition of stage and screen.

- - THE list includes Joseph Allen, Jr., who will play the romantic lead of "Our Leading Citizen"... Mariel Angelus, the hit of the Broadway show, "The Boys from Syracuse"... Judith Barrett, who has turned in impressive performances in a dozen pictures, and soon will be seen in Lloyd C. Douglas' "Disputed Passage"... Louise Campbell, whose performance in "Men With Wings" won her the female lead opposite Bing Crosby in "The Star Maker"... Tom Coley, who played the juvenile lead in the road show of "Our Town," and who will make his screen debut in "Dr. Cyclops"... Ellen Drew, whose impressive performance in "Sing You Sinners" won her co-starring roles in "The Lady from Kentucky" and "French Without Tears"... Betty Fields, who was a sensation in the Broadway show, "What a Life," and who will play the same role in the Paramount screen version.

- - OTHERS of the Lucky Seventeen include Virginia Dale, vaude star, who makes her film bow in "Death of a Champion"... Susan Hayward, set for the female lead in "Beau Geste"... William Henry, already established with his work in "Geronimo"... William Holden, currently playing the title role of "Golden Boy"... Evelyn Keyes, last seen in "Union Pacific"... Janice Logan, who scored in "Undercover Doctor"... Joyce Matthews, the Florida beaut, to be seen in "Night Work"... Betty Moran, appearing in "The Star Maker"... Patricia Morison, instant hit in "Persons in Hiding"... and Robert Preston, who gave that brilliant performance in "Union Pacific," which won him the role in "Beau Geste."
Four Technicolor Features on Para's 1939-40 Lineup

**Foreign, Shorts and Sales Heads at Para's Convention**

Approximately 50% of Pix to be Based on Screen Originals

(Continued from Page 1)

the results of a six months' poll of Para's patrons and pix patrons as to their preferences likes and dislikes. Approximately 50 per cent of the 5858 copies distributed will be used on originals, it is indicated by the absence of authors' names in the formal announcement. Paramount is also considering some Eastern produce. However, the bulk of the program will be made on the West Coast: definite exceptions are three British pix and the Max Fleischer cartoon feature, "Gulliver's Travels," now under way in Miami.

Freeman, Le Baron Praised

Barney Balaban, para's publicity chief, praised the accomplishments of Y. Frank Freeman and William LeBaron, pointing out that only Para had offered a program calling for feature weekly during the past 200 weeks.

Freeman singled out the following theater men as contributors of "invaluable showmanship ideas" reflected in the new lineup: Sypros Mouras, John Balaban, Tracy Barnham, Abe Blank, Ralph Branton, Dave Cockrill, Harry David, Fred Doll, J. J. Fitzgibbons, Joe Fried, Bill Jenkins, Harry Katz, Mike Kiley, Sam Pinanski, E. V. Richards, Harold Robb, Ed Rowley, Jay and Maurice Rubens, Ed Sparks, Tony Tsebukum and Bob Wilby.

LeBaron told the convention the studio would provide "pictures with maximum of action and a minimum of dialogue, with vivid colorful backgrounds," that the program offers "some of the longest list of fresh box-office personalities in the company's history" and that "free from the marquee names and long accustomed to prevent stardom in picture," LeBaron, in addition to citing the stellar lineup of 54, called attention to the "Golden Circle" of 17 young players. Mention was also made of the directorial staff of 27. Neill Agnew, presiding as vice-president in charge of distribution, trucked the keynote when he declared that the slogan blazoned forth be:

Laughton Brillianteers

"West Coast Box, THE FILM DAILY"

Hollywood—James Cagney, the Mayflower production fashioned in England and set for Paramount release, is a compelling meller dealing with the purposeful workings of sacking-shipping off the Cornish Coast in the early Nineteenth Century. Although Laughton has not quite reached the status of his character's star, Charles Laughton. Buried in a brilliant performance, making the most of the opportunity to skillfully portray the sinister character of the mad spurned scapegrace who is the undercover leader of the chaise pirate gang. Alfred Hitchcock's direction and Laughton's characterization supplied by Laughton's supporting cast of O'Hara, Leslie Banks, Enith Williams and Robert Newton—MORRIS.

Personal Para. Paragraphs

By GEORGE H. MORRIS

—LOS ANGELES

STANTON GRIFFIS stood out of the line which converged on the large Fiesta Room, scene of six sessions, long enough yesterday to scribble some notes for his talk before delegates.

G. B. J. "Judge" Frawley read the law to Para. Publicist Frank Pope. The Judge, in enforcing the statute that trade press boys were not to be allowed to attend the morning meeting, though Frank was with the Hollywood Reporter.

A highlight of the afternoon was the presentation to Cecil B. DeMille of a plaque for his accomplishment in producing "Union Pacific." Award was for best pic in month of May in opinion of National Screen Council, composed of newspaper critics, reviewing committee of Catholic Alumni Association, and state chairman of the 48-state Federation of Women's Clubs. Previous award went to "Wuthering Heights."

Harry Sherman is much in evidence at convcals and entertaining delegations at his ranch suite in the hotel.

Plaque was presented by Red Kann, editor of Boxoffice.

After the long haul from New York to Los Angeles, some of the H. O. boys were naturally tired and a bit short for breakfast but solicitous of being on time for the gavel rap. Despite dinner room rush, waiters were on their best Chesterfield manners. A delegate called out impatiently "what's the matter with my liver?" Waiter gallantly said, "That, sir, is something I am not permitted to discuss."

This is the first trip to the coast for Jim Goodson, Atlanta salesman and ditto for O. O. Ray, Atlanta office manager.

Bob Gillham rose early and basked in the sun on the upper balcony of his Ambassador bungalow, while Neill Agnew breakfasted in snappy sport clothes in patio.

BennyPix a Winner

West Coast Box, THE FILM DAILY

Hollywood—Para's "Mama About Town," which is so smooth and slick a comedy as the current calendar year is likely to disclose. Studied with capri and rapid-fire humor, pix is geared to score with every type of audience from the dandies of smart screen situations to run-of-the-mill pigruns who revel in good and plentiful gags. Jack Benny in the title role probably turns in the best performance of his screen career while Dorothy Lamour and Edward Arnold are duplicated in their respective roles as are other cast members. Mark Sandrich's direction is excellent and in tune with the cleverness of the silken-screen from the pen of Morris Ryskind. Eddie Anderson is a support tightlukker in the person of Rochester. Benny's dependeds spot in the film. The Anderson dances specially highlight the footage as does his dialogue participation to the point that he shines every bit as brilliantly as his starring players. Entire production has punch and pace and is technically excellent as well—MORRIS.
WITH

CHESTER MORRIS
Iron-jawed pilot whose word in the air was law!

LUCILLE BALL
Lady of leisure fleeing unpleasant disclosures.

WENDY BARRIE
Socialite heiress on her first elopement.

JOHN CARRADINE
Craven-hearted detective, escorting a prisoner.

ALLEN JENKINS
Gangster chaperone of his chief's little son.

JOSEPH CALLEIA
Political prisoner on his way to his doom.

C. AUBREY SMITH
Botanist absorbed in search of science.

KENT TAYLOR
Man-of-action co-pilot of the plane.

PATRIC KNOWLES
Wealthy wastrel, eloping with socialite heiress.

ELISSA BETH RIDDON
Charming wife of the absent-minded botanist!
Stark...startling...different!...Nine people trapped by an airplane crash in the head-hunters' jungle!...Their crippled plane can carry only five away!...Who was to stay and die—and who to do the choosing?...Scene by scene that great climax builds...Word by word and act by act emotions are unleashed!...You've never had anything like it!...Terrific dramatic impact chained to box-office appeal such as made the movies the great mass entertainment!...RIDE IT LIKE A SHOWMAN!
New Selling Method Foreseen by Balaban

(Continued from Page 1)

Friday, June 9, 1939

early new method of selling—not this year, perhaps, but it is not too early to plan,” Balaban declared, confronting the whole industry as a result of its failure to come to an agreement on major problems was discussed at length by Balaban.

“Unfortunately, the public and the government have been drawn into the movie picture industry’s operations problems, which should have been our private concern,” said Balaban. “The government suits, anti-trust actions, trade practice complaints, state and Federal legislation—added to the contraction of foreign markets—may prove costly to the industry. It is certain that anything that affects film revenues which in turn affect the livelihood of people working in the industry, all and we are confident that the sales and distribution forces will match their performance.”

Zukor drew for the delegates the conclusion that there is no fundamental difference in the kind of pictures foreign exhibitors want and those wanted by the theater operators here at home.

Zukor touched briefly upon the urgency of devoting greater attention to the second-run houses, in view of the apparent reluctance of people in the big centers which supply the main revenue to go downtown to the first-run theaters.

Thompson is producing Douglas latest book, “Disputed Passage,” which co-stars Dorothy Lamour, John Howard and Akim Tamiroff.

Douglas spoke before the convention after which excerpts from the pictures were shown to the delegations.

III. Interimmission Bill to Senate Judiciary Comm.

Chicago — The Sandquist House Bill, 645, requiring 15-minute intermission between film shows, has been referred to the Senate Judiciary Committee, of which Senator Harlowe of Wisconsin is chairman, for Senate action.

Forest Hills House Leased

United Long Island Theater Corp. has leased the 600-seat house under construction on Queens Blvd., Forest Hills. Agreement is for 21 years.

Para. May Surrender Some Foreign Branches—Zukor

(Continued from Page 1)
yesterday that economic conditions abroad may necessitate the surrender of “a number of our foreign branches.”

Said Zukor: “That places a greater selling burden upon you here at home, and upon the studio producers in Canada. You and you better product to sell. We know that the studio has done its part in giving us the best product in an ability to produce, and we are confident that the sales and distribution forces will match their performance.”

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It is time to be making plans for your summer renovizing program. Your problem is how to spend the funds available so as to give your theater the greatest possible increase in drawing power.

**HAVE YOU INSTALLED HIGH INTENSITY PROJECTION?**

If not, you should give it careful consideration in your plans, for more than a third of the theaters in this country are now using this superior, snow white, projection light.

The little book illustrated above, "The Eternal Triangle in Picture Projection," tells you in clear, simple language, supplemented by explanatory illustrations, how Simplified High Intensity projection attracts new patronage to your theater.

**Write for a free copy today!**

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**Simplified High Intensity Projection**

WITH NATIONAL "SUPREX" CARBONS

**ECONOMICAL AND MODERN**

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation

CARBON SALES DIVISION, CLEVELAND, OHIO

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

BRANCH SALES OFFICES: NEW YORK, PITTSBURGH, CHICAGO, SAN FRANCISCO

_The words "National" and "Suprex" are trademarks of National Carbon Company, Inc._
Theaters Under Construction

ALABAMA
Mobile—New, 900 seats, St. Stephens Rd.—5 Points; Builder: J. M. Chappelle; Architect: J. M. Chappelle, Jr.; Cost: $15,000; Operator: Alex Gurnare; To be completed about 10-4-39.


ILLINOIS
Pontiac—New, 500 seats; Builder: Hal Opperman; Architect: Hal Opperman; Operator: Edward Zorn; To be completed in late Summer.

INDIANA
Bedford—Indiana, 500 seats; Operator: McCraw; To be completed in about six weeks.

MONTANA
Great Falls—Town, 600 seats, Central Ave.—500 Block; Builder: Max Apostle; Cost: $40,000; Operator: Max Apostle; To be completed 6-1-39.

OHIO

Virginia
Portsmouth—State, 550 seats, 6-15-39 to 6-25-39, High St.; Builder: Bill Hogodd; Architect: Bill Hogodd; Cost: $15,000 to $25,000; Operator: Levine.

WISCONSIN
Madison—Randall, 720 seats, Monro St.

Theaters Planned

ARKANSAS
Ozark—Ozark, 400 seats, Public Square; Cost: $5,000; Operator: E. B. Wacaster.

KANSAS

LOUISIANA
Shreveport—West End, 425 seats (5-26-39); Owner: Saenger-Enlich; House Manager: James Dickson; Previously closed Sept., 1938.

TEXAS
Dallas—Haskell, 500 seats (5-6-39); Owner: D. A. Dickson; House Manager: D. A. Dickson.

New Theater Openings

ILLINOIS
Greenville—Bond, 600 seats (5-20-39), West side of square; Builder: Friz; House Manager: John Sturm.

KENTUCKY
Hickman—Rex, 250 seats (4-20-39).

MISSISSIPPI
Bruce—Bruce, 250 seats (5-15-39); House Manager: J. R. Adams.

WEST VIRGINIA
Rupert—Rupert, 250 seats (4-26-39), Main St.; Builder: Geo. Wise- man; Cost: $27,000; House Manager: Raymond Thayer.

Theaters Planned

ARKANSAS
Elaine—Tent Show; Owner: F. R. Watson; House Manager: F. R. Watson.


IOWA
Lake Park—State, 220 seats (5-20-39); Owner: Alvin Myrick; Previously closed 5-18-39.

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Dallas—Haskell, 500 seats (5-6-39); Owner: D. A. Dickson; House Manager: D. A. Dickson.
The Pumperer's Club of the B-Ch Ranch has moved right into THE FILM DAILY Golf Tournament. "Horn-hum," yawned Pumperer Si Sec, "I've been entering for the entry fee, I've got callouses on my hands just from thinking of George Dembow swinging golf clubs. We're negotiating with the World's Fair to borrow those electrified wheel-chairs for the players and of course there will be a bag and everything. Don't be alarmed that the Pumperers will actually play. We will see that the negotiations fall through."

A ringing telephone interrupted the interview. "Wrong number," inquired Pumperer Sec, "is it the Secretary. "It simplifies things."

"The solution to this matter is not difficult," continued the exponent of the celebrated Pumperer movement which puts off until the day after tomorrow what was postponed from the week before. "Tennis is the solution!"

"But this is a golf tournament," protested the reviewer.

"Correct" replied the Pumperer, "that's where our organization comes in. In order to play golf it requires a great deal of thought, the golf costume itself for instance: your favorite golf shirt has been made up and then you've got to decide whether you want to take; you complain to your wife, etc. On the other hand, in order not to play tennis you simply don't take rubber-soled shoes and that settles it. Simple, isn't it?" Ask Howard Dietz, Log Nizer, Len Libbin, Jack Allocore and all the other tennis players about plans for THE FILM DAILY Turna-

Minority Report Urges Defeat of the Neely Bill

(Continued from Page 1)

bill, refuting the proponent's arguments in an 18-page minority report. After well reasoned arguments dealing with virtually every conceivable trade phase, the three opposing Senators signed their names to two last significant paragraphs:

"Predominant persons foremost among the sponsors of the measure at the last session of Congress have addressed the committee, stating their desire now that the industry be given the chance of handling these problems without legislation."

"After careful study, we cannot recommend a bill which, it is conclusively shown, would not work out in actual practice, and which would do injustice to one of America's most important and essential art and industries."

Report points out many conflicting groups have endorsed the Neely bill after reading statement of purposes minus the bill. It deals with the "unfair descriptive catchword slogans" which the bill relies upon for possible success, according to the dissenters.

Regulation rubber-soled tennis shoe, a dandy little article and awfully good-looking which is prescribed for all Pumperers. These shoes are easy to leave at home, they are small, unobtrusive and do not take up much room in a closet. They are the best kind to get in order not to play tennis.

"The next step is to persuade golfers to enter the tennis tournament! And here's the diabolic thought: if enough of the industry decide to substitute golf for tennis this year and have a rubber-soled shoe in order not to play tennis—and what a success that would be."

The notorious Pumperer paused, pushed a button on his desk, spoke to Sophie the Secretary and went out. "I think in a club of my own," for me," said the interview was over.

Para. Star Salaries

Washington, D. C. The final report for 1938 filed with the SEC reveals that its highest paid star was Claudette Colbert, who received $201, 945. Bing Crosby was second with $260,000. Jerry Reed was third with $250,000. In 1937, the three highest paid men were Martin Druce, Lubin, $280,833; and Claudette Colbert, $210,055.

Quebec's Mayor to Maintain 10 P. C. Amusement Surtax

Quebec—Mayor Lucien Borne told the Civic Administration Committee here yesterday that theater owners have not given the 10 per cent surtax on admissions a fair trial so it will be maintained. He was supported in this decision by the aldermen. The new tax led to the closing of Quebec's 11 movie theaters last Friday.

A petition is being distributed by the theater owners claiming that discontinuance of the shows will have a harmful effect on tourist business, hotels, restaurants and stores.

D of C Will Call in All Pix Branches

(Continued from Page 1)
RCA Victor “Voices” Electric Storytome

An electrical musical instrument that captures all the richness of tone, volume and color of the grand piano and is housed in a cabinet no larger than a spinet, has been developed by RCA engineers in collaboration with craftsmen of the Story & Clark Piano Co. The new instrument will be marketed through Story & Clark dealers under the name Storytone “Voiced by RCA Victor.” Theatrical use by clubs, for lounges, etc., is indicated.

Providing the music of the piano, the radio and the phonograph, the Storytone utilizes specially designed electrical amplifying and speaker equipment to reproduce the full range of tones with the kindling clarity and brilliance, it is said. The volume is easily controlled by a single knob located at the end of the irregular panel. The range is so flexible that a single turn of the knob produces the softest whisper of a note or brings in the full tonal blend of a powerful crescendo, it is said.

Used in conjunction with either a radio or phonograph, the Storytone reproduces radio programs or recorded music. A special piano bench has been designed by Story & Clark which contains an RCA Victor radio and phonograph located separately in two sliding drawers placed directly beneath the seat. A simple plug-in connection on the Storytone permits easy operation of either instrument. The Storytone may also be played while the radio or phonograph are in operation.

Bell-Howard Extends Film Treatment to West Coast

West Coast Bureau of The Film Daily
Hollywood—The Peerless-Vaporator film treatment which has been offered by the Bell & Howard laboratory throughout the Middle West for the last two years, is now available also from the Hollywood laboratory of the company. A complete Vaportating installation has been placed in the local Bell & Howard headquarters, 716 N. La Brea Ave.

Eastern Seating Offers Reconstructed Chairs

Eastern Seating Co.’s new illustrated bulletin reveals that it has on hand a large stock of reconstructed chairs for exhibitors. Bulletin claims a saving of 70 per cent on its stock. Eastern supplies theaters, schools, auditoriums and clubs with seating needs.

Stanley Biz Booms

Chicago—Stanley Levine, general manager of Stanley Theater Equipment Co., reports business 20 per cent ahead of last year. Recent Stanley installations include 8, 5, air conditioning equipment for the Rio, Chicago Heights, and the new ice rink and seating of the Elmhurst in Pleasant Hills.

Biz Better, Westinghouse Restores Wage Reductions

In view of improved business, full restoration of pay reductions for 8,700 salaried employees was made effective June 1, according to George H. Bucher, president of Westinghouse.

Salaried employees erecting have been receiving 90 per cent of their base rates since June 1, 1938, when reductions for all salaried employees were made in the Company’s re-termination move against falling business at that time.

Salaried employees receiving less than $125 per month were restored to their full rates six months ago.

The Westinghouse wage and salary plan from which all employees receive extra monthly pay, based on the average profits of the three months preceding, will continue to function, Bucher states. Under this plan, employees have received extra pay each month, except one, for the past three years.

Air Conditioning Summer Banners by Art Flag

Art Flag, Inc., has brought out an entirely new line of Summer banners on air conditioning, which has received highly encouraging response. Firm’s product is of such quality that it has been called upon for much work outside of the theatrical field.

It made the largest flag exhibited at the World’s Fair—50 by 75 feet, with each star three feet high and each stripe four feet wide. It also did many of the welcoming banners for the visiting British royalty.

New Head for B & L Specialty

George G. Tschume, head of Photographic Lens Sales for the Bausch & Lomb Optical Co., has just been named to assume the management of the company’s Specialty Department, left vacant by the resignation of Roy G. Walker.

Lam Signs With Altec

Oscar C. Lam, has signed Altec to service his theaters in Cedarville, Newman, and LaGrange, Ga., in addition to his three Rome, Ga., theaters now serviced by Altec. H. B. Moog negotiated for Altec.

Michigan Will Have Nine New Theaters

Detroit—Construction of at least nine new theaters is under way in Michigan at the present time, involving an estimated expenditure of nearly $500,000. Houses involved are of all sizes, from small community theaters to the de luxe Harper being erected here by Wisper & Wetsman.

The houses being built include: un-named house at Beaverton; Shafer at Garden City, by Walter D. Shafter; Century at Kronenwithe; by Albert Heffner; Harper, Detroit, by Wisper & Wetsman; Flatroin at Flat Rock, by John Volaches; Vandale, at Van Dyke, by Schulte Circuit; Enquip Detroit, managed by George W. Sampson; new Butterfield house at Lansing; and A. Eiseeman’s Northway town at Flint.

In addition, several other houses have been projected on paper.

Will Build in Groton

Groton, Conn.—G. Hoss and Mrs. Hoss, operators of the Mosrup Te-

ner, have bought a theater site on Pequoni Ave. and will build this summer.

Remodel Denver’s State

Denver — The State is having $10,000 spent on redecoration, re-modeling, recarpeting and installing of a washed air system, and this Fall Manager Buzz Briggs will modernize the front.

Drive-in for Savannah

Savannah, Ga. — An open-air, drive-in theater is being established on Victory Drive. George Wilby of Atlanta, is here to supervise installation of equipment.

New House for Good Hope

Good Hope, Ga.—A new theater is scheduled for the oil section here by William Muller.

Sparks to Build in Dania

Dania, Flia. — Sparks Enterprises will build here. The new house will face the Federal highway and it is expected will be ready by Fall.

5 Circuits Using Jumbo

Interborough, Five Borough, Endicott Consolidated and Newark Bend-theater circuits are among the latest to play Jumbo, the “16 ways to win” game. Samuel Light, general manager for Jumbo, reports that many circuits have been playing it for three years now and report capacity business.

Auditoriums shaped by sound rather than by the accepted rules of styling may soon add a strange new beauty to theatrical architecture. Plain flat walls often set up reflections or other acoustic difficulties that mar sound reproduction. They are not interesting to the eye. When architects were concerned chiefly with arranging the auditorium so that all spectators could get a good view of the stage and screen, they devoted but little attention to the basic appearance of wall and ceiling shapes. Walls were erected where needed and then decorated with a pleasing design.

Recently, however, engineers have discovered that wall shape exerts considerable influence on the acous-
tic charact eristic of a room. Each room, we learn, requires a special shape. This factor becomes particularly important where the best balance between good hearing and good vision is to be achieved, as in motion picture theaters, night clubs, concert halls, and in other rooms where people gather to enjoy speeches or musical entertainment.

The demands of proper acoustics are now taken into account while the architects are planning new theaters. This contrasts with the former practice of waiting until they were finished and then applying costly and frequently unsightly acoustic treatment. Surprisingly, modern architects have found that by following the acoustic specifications closely in design, new shapes and contours of added beauty have often resulted.

This discovery of the importance of shape or form, however, does not mean that the need for applying sound absorbing materials to the surface has completely disappeared. But it does permit us to use these materials more artistically, efficiently and, economically. We have learned, for example, that it pays in terms of better sound and less material if the materials are scattered on various surfaces instead of
ACOUSTICS

New Engineering for Epitphone

Being confined merely to the rear wall or ceiling, we know they must be distributed unevenly about the room in small patches. No longer should we arrange the treatment in a symmetrical pattern on each side wall. When the architect permits the sound itself to aid in determining the shape of the room and then applies proper absorbing materials on this ideal acoustic form according to well-established scientific principles, the exhibitor finds he has a theater which delights both eye and ear.

By utilizing these principles of acoustic design, the modern architect can, with confidence, undertake the design of a theater building for a lot of almost any shape. Circular structures, once the bane of sound engineers, today are yielding acoustic results that only a few years ago were thought to be impossible even in houses of the most conventional shape.

ONE such auditorium, the circular "Voder" room in the Bell Telephone exhibit at the World's Fair in New York, houses a device or making speech artificially. This room was designed according to the new idea. Nationally prominent experts have declared it to be one of the world's outstanding examples of good acoustic design. Leading art critics praise the "Voder" room as an object of modernistic beauty. A spectator listening to a performance in this auditorium can move about at will without being able to detect a change in the quality of loudness of the sound. He sees a room in which the wall itself is strangely though pleasingly interesting—entirely devoid of "gingerbread" and incapable of detracting from his enjoyment of the show.

A sound reproducing equipment—that is, the mechanism itself—has been said to represent about 60 per cent of a theater's sound system. The remaining 40 per cent is composed of all in front of the screen, the auditorium and its contents.

$100,000 PIX HOUSE PLANNED FOR DENVER

Denver—J. J. Goodstein has applied for a building permit for a $100,000 theater to be built in the Park Hill section, after which the house will be named. Seating 1,000, the theater will be of glass brick, terra cotta and stainless steel construction in modernistic design, and of the stadium type. Charles D. Strong is the architect.

Guedry Opens New House

Abbeville, La.—Milton Guedry, exhibitor with a house in Erath, has opened his new house here. Equipment furnished by the National Theater Supply Corp., of New Orleans, consists of Simplex projection, Walker Sound Screen, Simplex 4-Star Sound.

Lampert Planning Two

Windsor, Conn.—Nathan Lampert, of the Windsor Theater and other suburban houses, has acquired a site for a new main-stem 500-seat house here. Following completion of this house, he will also build in Wethersfield.

Improve Denver House

Denver—The Broadway, built in 1885, Fox first-run, is being closed for extensive improvements; $20,000 will be spent.

Open Robb-Rowley House

Dallas—Robb & Rowley has opened the Rosewin, Oak City, House, a 925-seater, is on the site of the former Rosewin. Houston & Smith were architects of the theater, feature of which is a "turn room" where passengers can watch the performance if baby is in a bad mood. Lloyd Pullen manages the house along with the Texas and Midway. Gene Harris is house manager.

New Bryan, Tex., Project

Dallas—Pettigrew & Worley, Dallas architects, have completed plans for a 560-seat theater, the Queen, for the Bryan Amusement Company at Bryan.

Royal's House in Debut

Hattiesburg, Miss.—A. L. Royal has opened his new Royal Theater here.

700-Seater for Vacherie

Vacherie, La.—Henry Waugespack is to open a 700-seater here shortly.

Starr Reopening Negro House

Monroe, La.—The Bijou Amusement Co. (Milton Starr) is to re-open a Negro house here under name of The Ritz.

British Saint

British equipment start today is supplied by the Ideal Kinema, London trade, which features an article, "Protection Against Incendiary Propellents," by W. Glover. Some issue carries a second story on "The Provision of Air Raid Shelters."

Safeguard Rubber Nosings Going in Stamford House

Milton Goldstein announces that his firm, Greater New York Carpet, Inc., has contract to supply organization's new invention, Safeguard Rubber Nosings, throughout the Weiss Amusement Co.'s new Avon Theater in Stamford, Conn.

The devices, attached to edges of stairway steps, are notable improvement in theater safety, since they clearly define the steps' edges.

GE Steps Up Production

General Electric is stepping up production of fluorescent lamps, at the rate of 1,000,000 units annually, as compared with 200,000 units during the past year. A new 40 watt fluorescent, has been added to the line.

SEE WIDE THEATER USE FOR GLASTONE

Chicago—Libby Owens Ford Glass Co. has developed a new product, Glastone, made by intergrading opaque-colored glass with lightweight concrete block. The new line has structural properties, that make it a load bearing unit for buildings and not merely a facing material. Wide theater use is indicated.

Glastone consists of vitrolite structural glass, bonded by haydite, a concrete known for its lightness, strength and resistance to fire and moisture. There is a layer of asphaltic mastic between the glass and the concrete and the glass is further anchored by a hidden rustproof metal binder, around the perimeter of each glass facing section.

Install Daylight Screen

New Orleans—Louisiana Motion Picture Theater Supply Service is installing a daylight silver screen in the Bijou Amusement Co.'s Ritz at Monroe.

"LUCKY DAY"

The day you install Alexander Smith Carpet will be your lucky day, for this famous floor covering has a way of helping to swell box office receipts. Which is why you will find it in most of the country's successful theatres.

ALEXANDER SMITH CARPET
TRIPLE SUCCESS

THREE good reasons why Eastman's three new films enjoy continued success:
The outstanding special features they bring to their particular jobs....The unsurpassed photographic quality they impart to every scene....The priceless assurance of reliability they give to the whole 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
**Paramount Sales Force Instructed on Workings of Code**

**EXPECT ALLIED TO DISCUSS D OF C CONFERENCE**

U. S. Asks Court Order Majors to Answer Immediately

Of J Contends Judge Bondy Has Authority to Issue Command

Federal Judge William Bondy has been asked by the Department of Justice to order the defendants in the Government's New York suit to file their answers immediately, contending that it was "well within your power to direct them to answer."

The Government asserted there has been many delays and reminded Judge Bondy that he had informed Paul Williams, Special Assistant Attorney General, that if the latter would give him a memorandum of

(Continued on Page 3)

**GOLF TEAMS LINING UP FOR TOURNAMENT**

Entries are pouring in for the 27th FILM DAILY Golf Tournament. The captains of the various golf teams who will compete in the match play for the Albee Memorial Cup will hold a luncheon at the Astor tomorrow to discuss handicaps and other matters. Among those invited and expected to attend are Tom Gerety

(Continued on Page 17)

**Nebraska Solons Adjoin; Pix Escape Adverse Bills**

Lincoln, Neb.—Nebraska's unicameral legislature closed, setting a longevity record, last week, also an record for the film industry. No detrimental legislation was passed, and one bill for the industry good was okayed.

Legislators introduced a divorce-

(Continued on Page 17)

Decision in Atlanta Trust's Fox Theas. Claim Reserved

Decision was reserved Friday by the Circuit Court of Appeals on an appeal by the Trust Company of Georgia from former Judge Martin Manton's decision which denied an

(Continued on Page 3)

**Allied's Parley: A Suggestion**

... for the tackling of duals issue

By CHESTER B. BAHN

It is to be hoped that Allied States' national convention, opening tomorrow in Minneapolis, will not become so involved with controversial issues that matters which should find exhibitor interests united in earnest, honest endeavor to evolve a solution are either forgotten or given the once over lightly.

At the present time, for several reasons, the problem of double features again is to the fore. Generally condemned, even by those who follow the policy, duals, to say nothing of triples, persist in the face of the obvious fact that the practice makes for unhealthy competition and economic loss among showmen, to say nothing of its destruction of box-office values, in the end costly alike to producer, distributor and exhibitor.

Certainly, at this late date there is no need for extended discussion of the why's

(Continued on Page 18)

**HOLDS POSSIBILITIES IN S. A. OVER-RATED**

The possibilities of the South American market are excessively over-rated in the opinion of Nat Leibskind, RKO's manager for Southern South America. Leibskind, in a press interview over the week-

(Continued on Page 3)

**Orlob Plans to Make Three Pix; No Cosmocolor**

Harold Orlob, producer of "... one-third of a nation..." will leave for Hollywood within a few weeks to

(Continued on Page 3)

**COLUMBIA SETS FOUR FOREIGN CONVENTIONS**

Stressing its policy of overseas expansion, Columbia has set four large-scale conventions for foreign territories this year which will be personally attended by J. A. McConville, manager of foreign sales, it was learned Friday.

McConville sails Wednesday for

(Continued on Page 16)

**Consolidated and 702 Sign Pact; 24-hour Strike Ends**

Strike called at the Consolidated Fort Lee laboratory by Local 702, lab. workers' union, was ended Friday.

(Continued on Page 18)

**ADMISH TAX THREATS HEARD IN WIS., MICH.**

Madison, Wis. — Confronted by opposition to a proposed general sales tax measure, Gov. Julius P. Heil has abandoned this form of bill in favor of a substitute measure introduced in the state assembly by

(Continued on Page 16)

**20th-Fox Sales Accounts at All-Time High of 12,000**

A new all-time high for accounts has been reached by the 20th-Fox sales department, with over 12,000

(Continued on Page 3)

**III. Allied Asks Agnew's Help on Duals Situation**

Chicago—A plea for B & K's cooperation in establishing a single

(Continued on Page 17)
Rep. Charges Federal Film Sold Pic Without Authority

Charging that Federal Film Co., Inc., a distributing company, has sold 10 pictures without authority, Rep. filed suit against the company Friday in Federal Court, asking an injunction, an accounting and damages.

It was contended that Rep. obtained ownership of the pictures in April. 1937, from the producers, Cajo, Inc., and that pictures involved are "Beware of Ladies," "Down to the Sea in Calculo," "Belladonna," "If You Have Heart," "Hearts in Bondage," "Federal Agent," "The President's Mystery," "You Are My Wife," "5th Ward Center," films serials, "The Painted Stallion" and "Undersea Kingdom.

III. Senate Passes Truck Bill; Carriers to Fight

Springfield, Ill.—The state Senate passed the Thompson-Lohmann truck bill, which provisions for using main highways on Sundays and holidays, owing to traffic conditions. Trunk carriers are fighting the measure in the House.

All house bills in committees were tabled, which means that measures affecting the film industry not on the calendar are dead for this session.

7 WB Summer Releases

Warner Summer releases to the end of August, in addition to the current "Juxta," will include "The Kid From Kokomo" (July 24), "Naughty But Nice" (July 1), "Hell's Kitchen" (July 8), "Daughters of为大家" (July 15), "Indianapolis Speedway" and "Each Dawn I Die," both going out in August. Ad budgets for pic's have been raised 25 per cent. It is said by Warners that picture is a highly successful one and that it is doing well.

Settlement of the strike called by the American Federation of Bookkeepers, Stenographers and Accountants Union against Warners has been effected, it was learned over the weekend. Union members called out on strike at the Warner warehouse have returned to their jobs and the pickets have been removed.

The strike, which was called by the union in protest over the discharge of its members from the Warner warehouse staff, lasted for several weeks. Status of the two discharged employees will be settled by the National Labor Relations Board, which acted as a mediator.

The company stated that as soon as the union proved it had the support of the workers at the warehouse it would negotiate a contract, it was reported. Speedy action by the Cal hard regarding the two men who were discharged is expected.

Expect Close Contest;

As TMTA Union Elects

A closely fought election is certain today, when the Theatrical Managers, Agents and Treasurer's union elects a president, vice-president and business agent. All three posts are being contested.

Saul Abrahams, incumbent president, Hal Olver, business agent, and Dan Melnick, vice-president, are being opposed by Charles Stewart, Joseph Grossman and William Fields, respectively, for their posts.

Aussies Okay "Nazi Spy"

Australian censors have passed "Confessions of a Nazi Spy" without a single deletion. Warners h.o. was advised at the week-end.

FILM TRADE:

"Roars of Pleasure"—Atkinson, Times.
"What a Life"—With Ezra Stone as Henry Aldrich.
"The Theatre"—With James Bennie.
"Vandervelt"—With J. G. H. Cox; St. 8:40, Thurs. 9:30, Sat. 8:40.
"Must, Go Enjoy It"—Walter Winchell.
"Every War Story Wins"—Nancy Carroll.
U. S. WANTS MAJORS' ANSWER IMMEDIATELY

(Continued from Page 1)

authority, he would order answers at once.

The D of J's letter said there was no rule of procedure and that the
petition for a bill of particulars could not be allowed to delay the
action any further. The defendants, the letter pointed out, had been
sufficiently apprised of the charges to enable them to prepare properly a
responsive pleading.

The letter was sent without prec-
judice to the Government's conten-
tion that it had fully complied with
the Judge Bondy's order for a bill
of particulars, it was said.

20th-Fox Sales Accounts at All-Time High of 12,000

(Continued from Page 1)

accounts sold on the 1938-39 sea-
son, it was learned at the week-end
when Herman Wobber, general man-
ger of distribution, left for the
Coast to confer with studio execs
on new product.

In addition to this, the company has also hit a new high on picture
 circulation, it was learned. Wobber
will be gone until about the fifth
of July.

Plans for the seventh annual Sid-
ney R. Kent Drive are being worked
on now by Wobber's forces, and he is
expected to set up final plans when
he meets at the studio with Darryl
Zanuck, Charles E. McCarthy and
Morton A. Levy, Kent Drive leader
this year.

Orlob Plans to Make
Three Pix in Cosmocolor

(Continued from Page 1)

sign "names" for his forthcoming
production, "Listen Luella," which
will be the first of a series of three
comedy romances that he has in
preparation. Jane Kean, Billy Liv-
ingston and Iris Adrian are the only
ones thus far signed. Story is an
original by Orlob with screenplay by
Richard Moreenus and Ernest Cubert-
son. All three productions will be
made in Cosmocolor.

HOLDS POSSIBILITIES
IN S. A. OVER-RATED

(Continued from Page 1)

end, said that it was a fallacy to be-
lieve that the film market in the
South American countries would
compensate for the decline in the
European market.

American companies, he said, are
sending too many pictures into his
territory. It would be just as prof-
itable to send only the "A" product,
which, he stated, would get more
playing time and longer runs. As it
is now, the companies are flooding
the market with their "B" pictures
which are taking too much playing
time away from the top line features.

Commenting on the report that
Brazil was considering a monopoly
decree, similar to that imposed in
Italy, Leibskind said that he saw
very little chance of it going into
effect, adding that it was just one
of many proposed plans that rarely
became operative.

In regard to RKO pictures, Leibs-
kind said its pictures, with comedy
and action themes were extremely
popular in his territory. "Gunga Din"
did business everywhere, while
"Room Service" was highly popular
with the South Americans.

Leibskind is here to attend the
RKO international sales convention.

Decision in Atlanta Trust's
Fox Theas. Claim Reserved

(Continued from Page 1)

application of the trust company to
have its claim of $400,000 against
Fox Theaters be given preferential
treatment. The claim is for liabilities
by Fox Theaters as a tenant of the
trust company on theater properties
in Atlanta.

Col. Nine Leads League

Columbia's team undefeated, re-
mained well out in front in the Mo-
ton Picture Baseball League at the
week-end, having won four and lost
none for a percentage of 1000. Con-
solidated and the NBC nines were
tied for second place. Skouras and
RKO are tied for third place and
Paramount, Rockefeller Center and
Loew's follow in that order.

Set Int. Film Festival

Program has been completed for the
Second International Film Festi-
val being presented by the Fifth
Ave. Playhouse, with 54 features
from 21 different countries scheduled,
it was announced. Festival opens
July 1 and runs to Sept. 11. Five
more countries are represented this
year. Duration of Festival has been
lengthened two weeks and 10 more
films are being shown than last year.

Rubin as Sponsor

J. Robert Rubin, Metro's vice-president
and general counsel, is one of 52 leaders
in varied fields of U. S. life, who will
spend the 1939 Williamstown Institute
of Modern Relations at Williams College
Aug. 17-Sept. 1.

TheFilm
DAILY

ALONG
THE
WITH PHIL M. DALY

HAPPY

BIRTHDAY

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

JUNE 12
Priscilla Lane
Ann Rork
William Austin

PHIL M. DALY

(Continued from Page 1)

• • • DEPARTURE in film conventions...... that of RKO Radio in
holding its meeting at the Westchester Country Club at Rye, N. Y., on
June 19-22...... this will be the first time an industry sales meet has been
held in an out-of-town club setting...... it will also be the only one held
during the World's Fair in New York...... it will mark the first time
President George J. Schoeler has addressed the field men in a body......
and it will be the largest in point of attendance in RKO history....... special
buses will carry the delegates to and from the clubhouse at
stated intervals......

• • • THIS SAN£ editorial appears in the current issue
of New Dynamo, the 20th-Century-Fox house organ...... "So long as
theater operators insist on giveaways they'll be keeping people
away from theaters...... For every screeno cash winner there
are hundreds of disappointed patrons....... And one can't go on
disappointing these week after week and expect them to come back
...... Sooner or later, they'll sicken of the system—and think of
motion picture theaters as giveaway places that disillusion and
disappoint, rather than houses where one may forget daily worries
and be entertained...... there is nothing the matter with theater
attendance that exhibitors can't remedy—if they'll stick to the
business of furnishing entertainment, and get out of the glassware,
screeno, and other come-ons."......

• • • THE ABOVE gives additional point to the following incident
...... which occurred at Loew's Pitkin Theater in Brooklyn during dist-
tribution of screeno prizes...... a girl patron won herself a husband..... it
seems a girl patron yelled "Screeno" and went onto the stage to get
her prize money...... Seymour Mayer, acting as master of ceremonies,
asked her if she were married...... the usual patter to get some laughs
...... she said no but she wished she could get married...... said her
sweetie didn't earn enough dough...... then the sweetheart called up
from the audience...... he said he was anxious to marry the gal, but
couldn't even afford to hire a hall for the wedding...... Mayer immedi-
ately volunteered to let them marry on the Pitkin stage and provide the
marrying official...... then a merchant in the audience spoke up and
offered a piece of furniture...... an umbrella stand, or somethin'...... a
restaurant owner then offered to provide the wedding banquet...... Mayer
promised to promote more prizes from Pitkin Avenue merchants
...... and so the wedding is set for the theater stage tomorrow night.

• • • LOCAL kolyonist seems to be widely read...... refer-
ing to Cedric Adams of the Minneapolis Star...... just a few lines
in his column advised readers that Al Steffe's State Theater in that
town would admit anyone free who came armed with a four-leaf
clover to see "Lucky Night" on a certain nite...... sounded like
a good gag, and a natural tie-up...... the result was 6,500 people
showed up with four-leaf clovers, and jammed the theater to the
rafters...... the police estimated the turnaways at a minimum of
9,000...... all with four-leaf clovers...... a family of six drove 150
miles with six lucky clovers, and had to be turned away...... so
...... Mister Adams devoted an entire column to apologizing to his
readers who were disappointed in not getting in to see the show
...... was it a good stunt?...
Candid Coverage of Para's "It's Our Year" Conclave

Paramount turns out its glamorettos to welcome the sales delegates for the "It's Our Year" conclave which closed Saturday in Los Angeles.

Y. Frank Freeman, Stanton Griffis, Neil Agnew, Barney Balaban, Adolph Zukor and William LeBaron are made members of the Paramount Legionnaires in the Union Station patio.

Henry Klansfield, head of the French Film Board of Trade, C. R. Dickinson, of London, and Tony Reddin, British director of publicity talk it over.

Diesel Baum, Charlotte ad sales manager, John W. Brown, Detroit ad sales manager and W. J. Embach, Detroit booking manager, receive flowers from the welcoming committee.

Barney Balaban, Paramount proxy, checks some last minute convention details.

Neil Agnew and Stanton Griffiis keep comfortable.

John W. Hicks, foreign operations v-p, and Adolph Zukor, Chairman of the Board, discuss their forthcoming jaunt to Australia.


Arthur Pratchett, of Central America, George Weltner, and F. C. Henry, of the Philippines, "in conference."

Albert Deane, of the New York office, and Harry "Hopalong" Sherman in an informal moment.

Milton Kusell, N. Y. District Manager, and Lou Diamond, who takes care of Para music publishing activities, hold up their card game for a moment.
OUT TODAY!
The Industry's BEST SELLER!

It's OUR YEAR!

GET IT!
PARAMOUNT 1939-40

It'll Sell You on Selling Paramount Pictures...
Note that Paramount Product Book Smile!

That's how you're going to look when you read about the Paramount Program for 1939-1940... pictures like "Beau Geste," with Gary Cooper, Ray Milland and Robert Preston in the top roles... or "The Light That Failed," Kipling's immortal story, with Ronald Colman playing the lead... or "Disputed Passage," right now a Lloyd Douglas best seller... or Frank Lloyd's huge "Ruler of the Seas" or Cecil B. DeMille's "Royal Canadian Mounted"... or Charles Laughton in "Jamaica Inn" or... but, listen, you've got to get the book and read it... Read Frank Freeman's message... Read William Le Baron's message... They'll show you IT'S OUR YEAR BECAUSE IT'S YOUR YEAR!!!

48 BOX OFFICE PERSONALITIES

Yes, 48 of the FRESHEST big-name personalities in the business... a big-name line-up big enough to insure you STAR VARIETY.

9 NOW ACTUALLY COMPLETED

5 NOW SHOOTING...

Practically our entire first quarter program ready long before the season starts... and what pictures! Just look at the actual stills from these pictures in the Paramount Product Book... they'll show you IT'S OUR YEAR!
The biggest program for your business from the biggest company in the business... at least one big MOTION picture each and every week... from the company that's given you at least one a week for the past 1,300 weeks.

26 BIG BOX OFFICE DIRECTORS

It takes big directors and plenty of 'em to direct a star line-up such as Paramount's... and Paramount's got 'em...

14 NEW FACES

Read about Paramount's thrilling line-up of new faces... the Golden Circle... Read how Paramount builds 'em for your box office.

THE BIGGEST NEWS OF THE SCREEN YEAR!
A FULL-LENGTH FEATURE CARTOON COMPLETELY FILMED IN TECHNICOLOR...

MAX FLEISCHER'S GULLIVER'S TRAVELS IN COLOR!

"I'm in the Paramount Product Book, lads, and me Shorts are more super-spectacular than ever..."
<table>
<thead>
<tr>
<th>RELEASE DATE</th>
<th>TITLE</th>
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<tbody>
<tr>
<td>September 1</td>
<td>“BEAU GESTE”</td>
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<td>September 8</td>
<td>“GERONIMO!”</td>
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<td>“THE WORLD ON PARADE” (Tentative Title)</td>
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<td>“$1000 A TOUCHDOWN”</td>
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<td>“RANGE WAR” (Hopalong Cassidy)</td>
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<td>“WHAT A LIFE”</td>
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<td>“JAMAICA INN”</td>
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<td>“PAROLES FOR SALE”</td>
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<td>“A DOUBLE-DYED DECEIVER” (Tentative Title)</td>
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<td>“RULER OF THE SEAS”</td>
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<td>Frank Lloyd</td>
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The Sun Never Sets
with Douglas Fairbanks, Jr., and Basil Rathbone
Paramount
98 Mins.

(HOLLYWOOD PREVIEW)
ACTION, ROMANCE AND COMEDY EF- FICIENTLY BLENDED FOR POP EN- TERTAINMENT.

The tale of the British Colonial Service has been tellingly produced and directed by Rowland V. Lee. Lee has blended the action, romance and comedy effectively, Douglas Fairbanks, Jr., Basil Rathbone, Lionel Atwill, C. Aubrey Smith, Virginia Field and Melville Cooper turn in splendid performances, with C. Aubrey Smith supplying most of the comedy. Douglas Walton, Mary Forbes, Arthur Mulliner, Theodor Von Eltz, John Burton and Cecil Kellaway are others who do good work. W. P. Lipscomb wrote a gripping screenplay, based on the story by Jerry Horwin and Arthur Fitz-Richard. Jack Otterson designed some interesting sets for the production. For generations the C. Aubrey Smith family has been in the British Colonial service; John Smith, his grandfather, Fairbanks, Jr., the idea of joining it is also set on the African Gold Coast, in Africa Atwill, a multi-millionaire, who passes as an eccentric scientist, is active. Rathbone is also on duty on the Gold Coast, his assignment being to check on the activities of a butcher, whom the British Government believes is planning to plunge all Europe into war. With his wife, Barbara O'Neil, about to have a baby, Rathbone is called up country. Fairbanks, Jr., sends a false message telling him to come back. Rathbone returns and because of his neglect of duty, is ordered home. On Atwill's mining property, Fairbanks, Jr., discovers a hidden and very pow- erful radio station, which is being used for broadcasting propaganda. Pretending to be drunk, he stumbles in front of the micro- phone and shouts an old family byword. His uncle in London hears the broadcast, knows that he is at the station and that it must be destroyed immediately. A bombing squad- ron is sent out, with Rathbone in charge of them. When the planes are overhead Atwill, Fairbanks, Jr., thrown outside. A heavy bomb finds its mark and kills everyone at the station but John. Rathbone is restored to favor in the Colonial service, because of Fairbanks, Jr.'s heroism.


CREDITS: Producer, Rowland V. Lee; Director, same; Authors, Jerry Horwin and Arthur Fitz-Richard; Screenplay, W. P. Lipscomb; Cameraman, George Robinson; Art Director, Jack Otterson; Editor, Ted Kent; Musical Score, Frank Skinner; Musical Director, Charles Previn.

DIRECTION, Effective. PHOTOGRAPHY, Very Good.

Fawcett Rites Held
Nantucket, Mass.—Funeral ser- vices for George D. Fawcett, 77, veteran player of both stage and screen, who died here from a heart ailment, were held Friday. Fawcett, retired for the last two years, had served a term as third vice- pres. of Actor's Equity, was for- merly a director of the Lambs Club and a member of the Players Club and the Green Room.

"Good Girls" on June 30
"Good Girls Go to Paris," one of Columbia's important productions, with Joan Blondell and Melvyn Doug- las, has been scheduled for nation-wide release on June 30.

"It Could Happen to You"
20th Century-Fox 72 Mins.

SWELL LIGHT COMEDY WITH STUART ERWIN DELIVERING PLENTY OF LAUGHS THROUGHOUT.

A very lively and laughable number good for the hot weather trade with murder mys- terly played up for the laughs all the way. Erwin drives home his pretty well- potted, and discovers a dead girl's body in his car. Then the fun starts, with the police investigating, and everybody trying to build himself into the publicity spotlight at the poor clerk's expense. Everybody is sure that he is a foul murderer of a beautiful girl, including his boss. Until the wife steps in and shows that her husband on the witness stand will have to answer ques- tions about the snappy girl party, which will involve all the respectable married men and the boss. Then there is a wild scram- ble to play up to the suspected murderer, which is showered with gifts in jail. Meanwhile, the wife and his office pal follow a clue to a roadhouse, where they discover that the prop is all smoke and no fire, and Irwin is released, with all hands from the district attorney down saying they knew he was innocent all the time. Good light satire on human nature in general, and the dialogue and business are very funny. Irwin handles it beautifully, keeping the girl lines steady, and Gloria Stuart and Douglas Fowley point up the work of the comedian in grand style. Selling angles: a swell light comedy with Douglas Fowley, Walter Jensen, William Haines, Jorge Negrete.

CAST: Stuart Erwin, Gloria Stuart, Ray- mond Walburn, Douglas Fowley, June Gale, Clarence Kolb, Paul Hurst, Richard Lane, George Dickson, Chester Morris.

CREDITS: Director, Alfred Werker; Au- thor, Charles Hoffman; Screenplay, Allen Rivkin, Lou Breslow.

DIRECTION, Very Good. PHOTOGRA- PHY, Good.

M-G-M 60 Mins.

ROUTINE PRISON DRAMA BUILT UP WITH GOOD ACTING AND NOT CHIEF ATTRACTION TO SEE IS THE "5,000 ENEMIES.""

A very routine piece with the prison atmosphere, all about Walter Pidgeon as a district attorney who is trying the case of a murderer with Stuart Erwin as the laugh-provoker. Erwin plays his good- natured goof role as the modest clerk work- ing in an advertising agency run by Ray- mond Walburn. His wife, Gloria Stuart, steams him up to assert himself and play up to the boss. Along with another clerk, Fowley, he attends a party given by the boss to some married pals, and it is pretty lively with a bunch of choruses going on. Erwin drives home his pretty well- potted, and discovers a dead girl's body in his car. Then the fun starts, with the police investigating, and everybody trying to build himself into the publicity spotlight at the poor clerk's expense. Everybody is sure that he is a foul murderer of a beautiful girl, including his boss. Until the wife steps in and shows that her husband on the witness stand will have to answer ques- tions about the snappy girl party, which will involve all the respectable married men and the boss. Then there is a wild scram- ble to play up to the suspected murderer, which is showered with gifts in jail. Meanwhile, the wife and his office pal follow a clue to a roadhouse, where they discover that the prop is all smoke and no fire, and Irwin is released, with all hands from the district attorney down saying they knew he was innocent all the time. Good light satire on human nature in general, and the dialogue and business are very funny. Irwin handles it beautifully, keeping the girl lines steady, and Gloria Stuart and Douglas Fowley point up the work of the comedian in grand style. Selling angles: a swell light comedy with Douglas Fowley, Walter Jensen, William Haines, Jorge Negrete.


CREDITS: Producer, Lucien Hubbard; Di- rector, George Seitz; Authors, Wilmon Mar- ard, Leo Stanley; Screenplay, Bertram Mill- hausen, Cameraman, John Seitz; Editor, Con- rad Nervig.

DIRECTION, Good. PHOTOGRAPHY, Fine.

22 More Mfgs. Sign Up for "Gulliver" Novelties
West Coast Bureau of THE FILM DAILY
Los Angeles — With production past the half-way mark on the fea- ture-length Technicolor cartoon, Max Thomas's "Gulliver's Travels," Lou Diamond, head of Paramount's licensee department on this feature, at the close of the com- mon three-day sales session here, announced the signing of contracts with 22 additional manufacturers who will sponsor novelties ranging from Valentines to candy and from sweat- shirts to pajamas based on charac- ters to appear in the picture.

The company's licensee department is negotiating with 20 additional manufacturers on other articles suit- able for this outstanding tie-up.
Opening on a warm spring day when the Golden Gate Exposition was at its glittering best, Paramount's "Invitation to Happiness" succeeded in luring sufficient customers into the San Francisco Paramount to give that theatre its biggest opening day business in two years. What's more, this Wesley Ruggles smash continued to draw the crowds, ending its first week to the tune of 130% over average!
NEW YORK

Opening on a day when the New York World’s Fair was making the rest of Broadway look like Main Street in Maple Creek, Vermont on Sunday afternoon, Paramount’s “Invitation to Happiness” had the paying guests lined up at the New York Paramount. And the opening day figures climbed way up to run neck and neck with that solid smash hit, “Union Pacific!”

Be fair to your box office.
Book Paramount’s
“Invitation to Happiness”
Now AT RADIO CITY MUSICAL AND GENERAL RELEASE JUNE 9th

Drama of Death at the Outposts of Life!

THE SUN NEVER SETS

SAGA OF THE RANDOLPHS... TURNING THE KEY TO AN EMPIRE... UNLOCKING A WOMAN'S HEART!

Starring
DOUGLAS FAIRBANKS JR.
and
BASIL RATHBONE

Virginia Field • Lionel Atwill • Barbara O'Neill
C. Aubrey Smith • Melville Cooper

Screenplay by W. P. LIPSCOMB • Original story by Jerry Horwin and Arthur Fitz-Richard
Produced and Directed by ROWLAND V. LEE

IT'S NEVER SUMMER IN PLAYING A GOOD PICTURE NOW!

UNIVERSAL HITS NOW!
A THEATRE THAT'S

PLAY THESE BIG

They Never Heard of a Thermometer!

Hotter than the HOT!

Swingier than the SWING!

Here's the REAL

GILBERT & SULLIVAN'S

The MIKADO

IN TECHNICOLOR

By Arrangement with RUPERT D'OYL Y CARTE

with KENNY BAKER • Jean Colin

Martyn Green • Sydney Granville • John Barclay and the D'OYL Y CARTE CHORUS AND A CAST OF HUNDREDS

Recorded by the LONDON SYMPHONY ORCHESTRA • Adapted, Conducted and Produced by GEOFFREY TOYE • Directed by VICTOR SCHERTZINGER

OR BOOKING IN 50 KEY CITIES!
ADMISH TAX THREATS HEARD IN WIS. MICH.

(Continued from Page 1)

WEDDING BOWLS

Pittsburgh—the wedding of Miss Virginia Lee Koonz, daughter of Dr. and Mrs. A. L. Koons of the Lincoln Theater, New Martinsville, W. Va., and George W. Doty of the University of Pittsburgh football star, will take place on June 17 in St. Anne's Church, New Martinsville.

Engagement of Jack Ellis, presi- dent of the M-G-M Picture Asso- ciate and RKO salesman, to Miss Evelyn Bassett has been announced. No date has been set yet for the wedding.

THE WEEK IN REVIEW

DOMESTIC CONFERENCES: Fulfilling FILM DAILY's Monday prediction, the De- partment of Commerce moved into the Government's film industry investigation and litigation, Secret- ary Harold Ickes on Wednesday called the Washington conference with Will H. Hays, Nicholas M. Schenck, Harry M. Warner, George J. Schaefer and other film execs on the industry's economic problems. Outgrowth of confab was proposal for international film economic conference to be held in this country with Department's "Business Embassy" calling a 111 barrage of pix hits into consultation... At week-end Ed Kukkyendall... proxy of MPTOA, announced he had reconsidered and would attend Allied conference's mid-June forum. *

LEGISLATION: Senator Matthew M. Neely, reporting to Senate on committee's favorable vote on anti-block-billing bill, said equal buying status was the keynote of his bill... A minority report, signed by three Senators, urged the Senate to defeat Neely's bill. Allied decided not to discuss the Neely bill at its national convention while the T.O. of No. and So. Carolina, voted unanimously against it, with the MPRA putting a new pressure drive behind it. *

LITIGATION: Majors put onus for delay in Govt's New York equity suit trial up to the Government, with Columbia asking added particulars, bill or dismissal of suit against it... Polyo Army, Holding Company, N.Y. C. suit against the majors and Randforce for $750,000 damages under trust suits. *

FINANCIAL: Grand National finan- cial deal was reported nearing completion... Columbia reported a 17 months' high gross for Par... announced a $30,000,000 min- imum production budget for 1938-40. *

PARAANOUNT: In announcing its 1939-40 product line up under a $30,- 000,000 minimum budget, Paramount named 52 of 58 titles, with Proxy Barley Balaban forecasting to the Chicago sales directors new sales convention a new method of selling pix... John W. Hicks, foreign exec, announced from makeshift place the industry's finished film lineup next season... Adolph Zuk- or stated that Para. might surrender some of its foreign branches due to conditions abroad... Retirement was forecast of the last $2,000,000 of Para. 6 per cent bonds outstanding. *

ARBITRATION: FILM DAILY survey indicated that exhibs. generally favor a fair trial of the dispute, proposed arbitration rules, with the ITO asking changes in the rules and Okla. Allied rejecting the propos- als. *

ON OTHER FRONTS: Lab work- ers' union 702 voted strike against downtown Pathe, calling out 250 members. West Va. ITO voted to join national Allied... W arners continued sell- ing the public away from National Theaters... Fox Midwest in this instance in the K. C. area—with Spyros Skouras charging that WB played dual bills in 300 of its theaters... Interstate of Dallas and Para. drew a $465,000 suit by Paul Scott, Dallas exhib. *

FOREIGN

ENGLAND: Proposed amend- ments to the British tax regulations reported going to Parliament within a week... CBA acts to prevent spread of Bank Nights in England and wants a 10-year ban on re- ducing features on standard stock to 16 mm. film. *

CANADA AND FRANCE: Quebec city's 11 film theaters remained closed May 24 declaring theaters had not given its 10 per cent surtax a fair trial, and with fans crossing the river to Lewis for movies... George Zey, French Minister of National Ed- ucation, on his arrival in New York, declared his bill against dual bills would not violate provisions of the French-U. S. trade treaty.

COLUMBIA SETS FOUR FOREIGN CONVENTIONS

(Continued from Page 1)

England to attend the United King- dom sales convention, confer with Joseph Friedman, U. K. managing director, and look over the new prod- uct Irving Asher is lining for production at Denham. He will also visit a number of other European coun- tries before returning here.

Immediately upon his return, Mc- Conville will leave for South Amer- ica where the company is to make its first large scale convention to be held in Buenos Aires, Argentina. A Latin American convention for Northern South American countries and other countries bordering the Caribbean territory will be held in Havana be- fore the Buenos Aires meet get under way, which McConville will at- tend on route to Argentina.

This trip, McConville goes to Australasia and the Far East, with an Australasian conven- tion set for Sydney. He will be gone from this country about nine months.

WB Slates 15 for Cameras from Now Till Sept. 1.

West Coast Bureau of THE FILM DAILY

Burbank—Warner's will launch record Summer production schedule this week with 18 features slated for release between today and Sept. 15. Jack L. Warner, vice-president in charge of production, said yesterday 18 features to be made during next 12 weeks include: "Dr. Ehrlich, starring Edward G. Robinson; "The World Moves On," starring James Cagney; "20,000 Years in Sing Sing" co-starring George Raft and Ann Sheridan; "All This and Heaven Too," starring Nate Davis; "The Spirit of Knute Rockne;" "Tombstone," Technicolor sequel to "Dodge City," starring Tom Brown; "Fighting 69th," starring Pat O'Brien; "We Are Not Alone," starring Paulette Goddard; "Four Wives," a sequel to "Four Daughters," with same leads; "The Sea Hawk," starring Errol Flynn; "Invisible Stripes," co-star- ring James Cagney and George Raft; "And It All Came True," "The Den End Kids at Military School;" "Roll- er Derby," and "Torchy's Invitation to a Murder." * * *

Movie Cash Deal Closed

Nationwide Coupon Distributin Corp. has closed a deal with the Minnesota Amusement Co. for "Movie Cash." * * *

STORKS!

Cleveland—Ted Teschner, assis- tant manager and Joe Loew's Statistical Thea- ter, is the father of a six and a half pound boy who will also answer to Ted. The mother, the youngest of a large family, is the former Virginia George, one-time treasurer at the Hanna Theater.
GOLF TEAMS LINING UP FOR TOURNAMENT

(Continued from Page 1)

Agency Signs Lake

Lichtig & Englander have signed Stuart N. Lake, author of Saturday Evening Post stories and the motion pictures "Frontier Marshall" and "Wells Fargo," to an exclusive agency contract.

IATSE Renames Lyday

Akrön, O.—Arthur Lyday, Indianapolis was re-elected secretary of District 8, IATSE, at the annual three-day convention at the Hotel Portage here. It is his eighth consecutive term.

If Business Interferes With Golf,

GIVE UP BUSINESS!!

- - - at least for THURSDAY, JUNE 22nd

For that is the date of the twenty-seventh FILM DAILY GOLF TOURNAMENT and the town will be deserted. Everybody who is anybody will be at the beautiful RYE COUNTRY CLUB, RYE, N. Y.

SIGN UP NOW and join the gang at the industry's oldest annual get-together!

WARNING

Entrants will be limited and on a first come, first served basis. Better fill in the coupon and mail it, with your check for $10.00, TODAY. If you wait until the day of the tournament, you will pay $12.00.

TENNIS PLAYERS

Special prizes will be awarded. And, a special tennis committee is now rounding up candidates.

COMMITTEE FOR 1939

Jack Alicate, Chairman; Don M. Mertonen, Secretary; Paul Lazarus, Jr., E. P. "Ted" Curtis, Louis Nizer.

Special Train Bringing RKO Delegates to N. Y. Confabs

A special train carrying RKO managers, salaried and district managers of the Far West and Middle West will leave Chicago next Saturday afternoon for New York where the company's international sales convention to be held at the Westchester Country Club, June 19-21. When the special leaves Chicago, personnel from 13 branches will be aboard. Men from 16 additional branches will be picked up as the train moves eastward.
PARA. TO CO-OPE RATE ON TRADE PRACTICES

(Continued from Page 1)

tion here Saturday. Presented in "down to earth" language, the sales force completed a survey to determine the company's Friday morning session.
Robert M. Gillham, organization's publicity and ad director, told the conclave that Paramount's experience had demonstrated that newspapers bring biggest returns, and made the point.
No figure for the new season advertising is announced but the company has determined to keep budget expenditures flexible in order that maximum results can be achieved in line with needs of individual attractions. He said that the studio has consulted with the most suitable media. Budget will exceed that of 1938-39, it is implied.
Special exploitation is now planned for six first-line attractions, "Man About Town," "Star Maker," "Disputed Passage," "What a Life" and "Casey Jones," and that other features will receive similar attention. He added that the 1939-40 product is "most exploitable" in years, and that full exploitation of the first features is essential to deserved success of the program. Russell Holman, eastern production exec, disclosed that Paramount has formulated new and unusually ambitious plans for its British-made productions. He briefly reviewed plans for "The Princess on the Beach," said that until recently pictures made in England to comply with the film quota had been successful but did little business even in England. But now, as far as Paramount is concerned, this situation has been corrected by making in England big international pictures on international subjects and with international stars. Paramount, he added, has during the past few months made large investments in its British production unit, headed by David Rose.

Too Fast for Pix
West Coast Brus. THE FILM DAILY
Los Angeles—Pix biz in Latin America isn't exactly all boot and blisters, according to A. L. Fraschetti. Para. general manager in Mexico, Central America. Governments change with changing rules and regulations. Cuba, Fraschetti pointed out, had no less than nine projectors. One projector went away, another projector was sold. Meanwhile, the government had changed, and every man in attendance was arrested and jailed.

ALLIED'S PARLEY: A SUGGESTION . . . FOR THE TACKLING OF DUAL ISSUES

By CHESTER B. BAHN
(Continued from Page 1)

and whereof of double features. Too many millions of words have been devoted to the plight of exhibitors, and involved defenses, far too little though to finding the solution ... if one is to be found.

A ND, from surface indications, not a few problems now plaguing this industry would do a fade-out through the elimination of double features. Exhibitor squawks these June days are largely concerned with the breaking of an available product—too many pictures coming through are Grade B minus—and the shortage of product.

Pictures can not successfully be sold out like so many of Mr. Swift's sausages or Mr. Ford's cars; individuality is the very essence of film production, whereas in the sausage and auto trades, the emphasis is upon uniformity and mass production. The results speaking for themselves, the conclusion is warranted that there is some definite relationship between Hollywood's attempt to emulate Swift and Ford and below-par product.

Yet between the achievement of "fewer and better pix"—remember?—and better pix and better grosses it would appear towers the barrier of duals. "We'd like to make fewer films and improve product." In this manner the exhibitors require the maximum number of pictures to fulfill the competitive duals requirements. But the exhibitors—or a considerable percentage—contend duals stem from weak product, primarily, and from public demand, secondarily. John Q. Public consistently votes against duals!" Stars, muddled about quality of test pix and short programs. A patron habit cannot be broken over night.

A S for the present shortage of product, this commentator is reminded that it was just a year ago when rumblings of a shortage of pix for summer months were first heard. That George J. Schaefer, then with United Artists, struck out against exhibitor "dissipation of product"—the doubling of top quality pix—today, history is repeating itself once more. There is a reported dearth of box office winners while, at the same time, theater men are doing "Union Pacific" and "Rose of Washington Square" (at 25 cents in St. Louis), "Dodge City" and "Story of Vernon and Irene Castle" and "Wuthering Heights" and "Three Smart Girls." Because the Minneapolis convention bids fair to take on an all-industry aspect, what precedes is respectfully referred for its consideration.

May Settle McLendon Trust Case, Dallas, Out of Court

(Continued from Page 1)

majors out of court. Both sides have consented to try to reach an agreement by July 1. Judge Atwell has announced that if an agreement is not settled by that date it must go to trial.

and that the investment is not only proving a substantial economy but will pay revenue dividends. First of the Rose units, "Pray With Me, Tears," will be completed this weekend. Paramount intends to use its Hollywood stars and featured players in Britain under the new policy and has no intention of just making pictures to meet the quota, but is aimed at culling world revenue from its British setup.

Holman said that Max Fleischer's full-length feature cartoon in color, "Gulliver's Travels," is well under way. It is estimated that Paramount will have ten British-made pix in new season.

Following brief afternoon session at which Agnew analyzed 1930-40 product from sales angle, delegates made an inspection tour of the studio where Y. Frank Freeman arranged a special "screen" for delegates and showed them all in a souvenir film produced by Cliff Lewis and directed by Joseph Lederer. Dorothy Lamour, Lloyd Nolan, Louise Campbell, J. Carrol Naish and Akim Tamiroff appeared as co-stars with delegates. Each of the convention speakers is expected to take home as a memento.

Consolidated and 702 Sign Pact; 24-Hour Strike Ends

(Continued from Page 1)

day night after 24 hours, with a contract signed between the union and the laboratory which runs to Dec. 31, 1940.

Wage increase up to 15 per cent closed shop, eight-hour day and five day week, one week vacation with pay for union members employed at the plant for one year or more, effective this Summer and time and a half for overtime were features of the contract.

Negotiations were carried out by union officials and executive officers of the IATSE with Consolidated represenatives. The strike had been sanctioned by the IA after negotiations between the union and the laboratory reached a deadlock.

Part of the laboratory workers returned to work Friday night and the majority go back to work this morning.

Smith Leaves Imperial
To Operate on His Own

Edward Smith has severed his connections with Imperial Pictures and Imperial Dist-United Corp. and general sales manager to open an office of his own at 723 Seventh Av., it was announced yesterday. Smith has a considerable number of pictures he has lined up. New firm has not yet been named as yet.

ALLIED TO DISCUSS CONFERENCE COSTS

(Continued from Page 1)

began to filter into town last night as "Al" Steffes bumbled with board members to lay a course of action for the future. Also in town was the official directors' meeting called for tomorrow.

Early arrivals are of the opinion that with the new convention rules there will be a history-maker, inasmuch as proposed reforms will be thrashed out with vehemence. Besides, a Senate action is pending which is expected to be the highlight of the convention.

The presence of Ed Kuykendall, MPTOA president, at an Allied convention is something unusual in itself and has served to heighten national-wide exhibitor interest.

While Steffes has declared that the Neely convention will not be a topic for discussion at the sessions, it is likely that the subject cannot be avoided, even though Senate action is possible on Wednesday.

The open forum on the proposed trade practice agreements undoubtedly will be the highlight of the convention. It may be a "knock-down, drag-out affair," as Steffes aptly put it in an interview the other day but it is a fact that the final analysis an understanding will have been reached. It is too early to predict just what will take place during the next few days, but delegates and visitors probably will be disappointed if something startling doesn't result.

Registration starts tomorrow morning, the board huddles at noon and the convention itself will open at 2 o'clock. All of the general convention sessions will be held in the afternoons during the three days of meetings.

So-called "fireworks" are likely to come from several sources. Principally the last chance for a tug of war between the National Labor Relations Board and the studios is expected to get an airing at the convention. The NLRB has indicated that there is likely to be a showdown on the final touches put on the new labor law.

It is reported that the New York Allied delegation plans to start a campaign to take the 1940 convention to New York. However, a selection of a city rests with the board of directors' annual meeting in January.

"Masked" Selling
West Coast Brus. THE FILM DAILY
Los Angeles—Selling in Europe today presents certain difficulties, take it from one who has been a general manager for France. Klaifsaid that not long ago he was signing a contract with an exhibitor when both suddenly had to go back on their word.

"I wanted," commented Klaif, "because the contract involved, it is just a siren for a mock air raid."
Hanbury Sees Budget Bill DOOMING Brit. Production

(See Column 3 Below)

Intimate in Character
Independent in Thought

THE
DAILY

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

VC 75. NO. 113
NEW YORK, TUESDAY, JUNE 13, 1939
TEN CENTS

Report Six Allied Units Favoring Giant Combine Plan
CODE, ARBITRATION REVISIONS SENT EXHIB. UNITS
White Urges Two Weeks' Delay in Senate Neely Vote

Suggests Study of Clashing Committee Reports on Measure
By PRESIDENT DENNIS
Washington Bureau of THE FILM DAILY
Washington - Suggestion that Senate action on the pending Neely anti-block-booking and blind-selling measure be deferred for two weeks to permit all Senators to thoroughly study both the majority and minority reports by the Senate Interstate Commerce Committee was voiced here yesterday by Sen. Wallace H. White, Jr., one of the three to sign the minority report. At the same time, Senator White said:

"If Secretary of Commerce Hopkins

(Continued on Page 4)

TEAM CAPTAINS MEET FOR TOURNAMENT PLANS

Today the captains of the various golf teams will have luncheon at the Astor to make plans for the match play for the Albee Memorial Cup, the occasion being the 37th Annual Film Daily Golf Tournament, to be held at the Rye Country Club, Rye, N. Y., on June 22nd.

A colorful note has been added

(Continued on Page 2)

Governor Lehman Signs Admission Tax Measure

Albany - Gov. Herbert H. Lehman's favorable action on three slum clearance and low rent housing measures now puts up to localities the question of deciding

(Continued on Page 4)

WB Theater District Heads Here for Home Office Meet

All Warner Theater District Managers will be in the company's home office today for a meeting with Joseph Bernhard, general manager.

(Continued on Page 14)

Great Booking-Buying Combine Plan to Be Seriously Considered by Allied

By AL STEEN
FILM DAILY Staff Writer

MINNEAPOLIS - The reported plan to launch a mammoth booking-buying combine is expected to receive serious consideration by the National Allied convention which opens here today at the Nicollet Hotel.

Al Steffes, convention chairman.

(Continued on Page 14)

Hopkins Sending Tupper Here to Confer with Hazen. Set next Conference Date

Washington Bureau of THE FILM DAILY

WASHINGTON - Scene of the present Department of Commerce-Film industry conferences shifts to New York with the departure of Ernest Tupper, chief of the Department's statistical department, "to compare progress notes" with J. H. Hazen, executive vice-president of Warners, and one of the industry representatives at last week's evening meeting here.

"It is understood that Tupper and Hazen may call in other industry conferences who will get Tupper's report on the commerce breakdown of exhaustive industry material Hazen passed to the Hopkins "Business Embassy" brain trust. It is thought these conferences will be held in another general trade-Hopkins conference date in Washington, probably the last of this week or first of next.

There is a possibility that following this next formal trade-Hopkins conference, date for the Commerce conferences with Allied, MPTOA, and other industry segments may be considered.
Golf Team Captain Meet for Tournament Plans at Rye

(Continued From Page 1)

to this classic event in the fact that Jack Cohn of Columbia will captain a team of Old Timers. His team-mates will be selected from men who have been in the industry 25 years or more. This will lend impetus to the association that Cohn is sponsoring, consisting of those who have passed the quarter-century mark in the industry.

Everyone and those at the Astor luncheon will be Paul Lazarus, Jr., for Ampa; Mort Blumenstock and Bob Williams, for Warners; Billy Ferguson and Tom Genety for Metro; James Cron for Quigley Publications; Billy Brandt for the Exhibitors.

If you are still among those missing in the Tournament lineup, better get your bid in now. The way the entries are pouring in, it looks as if the Committee will have to put a quota on the list. After all, there is a limit that a golf committee can handle so that everybody participating can have a good day's sport. Don't say we haven't warned you. The date is the 22nd, and that isn't far off.

Intermission Bill Hearing by Ill. Senate Com. Today

Springfield, Ill.—Senate committee hearing on the Sanquinit measure calling for 15 minutes' intermission after each two hour show is scheduled for today. Circuits and indies will be represented.

Matinees Out in Chi.

Chicago—Matinees is gaining here. Lasker Bros. are dropping matinees at the Ritz, Bertrand, and the Broadway, this city’s Essanese circuit is also dropping them at the Town.

B-K Keeping Dr. IQ

Chicago—B & K will prolong the engagement of Doctor IQ, game with radio tieup, for another four weeks.

Warner Stock Holdings Listed In SEC's Report

Washington Bureau of THE FILM DAILY

Washington—SEC's semi-monthly report lists Warner stock holdings as follows: common—Albert Warner, 90,648 shares; Harry M. Warner, 62,860 shares; and Jack L. Warner, 98,560 shares. In the $3,835,561 preferred class, Albert Warner held 14,884 shares, Harry M. Warner, 9,884 shares and Jack L. Warner, 14,884 shares after disposing of 1,000. Under the optional six per cent cumulative debentures all three reported exchanges for new debentures with Albert Warner exchanging 1,739,500 and 5,460 through a holding company; Harry M. Warner 1,379,000 and Jack L. Warner 1,850,000.

Wilmmer-Vincente Houses Close for Warner Lineup

Warners has closed a deal with Wilmmer-Vincente Theaters, where by the 18-house circuit will play the company’s entire lineup, Carl Levenson, assistant general sales manager, said yesterday. Contract was signed by Roy Haines, Eastern and Canadian sales manager, Robert Smeltzer, Central district manager, and W. G. Mansell, Philadelphia branch manager, who acted for Warners, and by Joseph Egan and Frank Fowler, for the circuit.

World’s Fair Industry Pic Will Open Tomorrow

“Land of Liberty,” picture produced by the film industry for exhibition at the World’s Fair, is scheduled to have its first public showing there today, following a press preview today. Film was produced as a visual evocade of American history. It is estimated to have a cast of 30,000 persons as it comprises scenes from about 120 feature films and numberless shorts, documentary films and newreels.

The Twenty-seventh FILM DAILY GOLF TOURNAMENT

Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY.

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee will be $12.00 if not paid before June 22.)

Name  
Address  

LAST THREE SCORES  CLUB HANDICAP

DARYL R. ZANUCK, 20th-Fox production v.p., has arrived from the Coast.

PREXY JAMES R. GRAINGER of Republic, film to Chicago today and, joined by MAX ROSENTHAL, proceeds to Minneapolis for Allied’s convention. Grainger returns here Saturday.

J. H. JOHNSTON, president, and EDPAR A. GOLDEN, vice-president of Manager, (N.Y.) by train this morning for Minneapolis to attend the Allied convention.

H. J. YATES is planning a European trip.

TRUMAN H. TALLEY, Movietone News general manager, and MRS. TALLEY, arrived from Europe on the Normandie yesterday. Other Normandie arrivals included JOHN BYRUM, Paramount; MRS. BYRUM, GILBERT MILLETT, light producer, and PEGGY KENT, daughter of S. R. KENT.

Arriving on the Normandie for the RKO crew were: REGINALD ARMOUR, European general manager; RALPH HANBURY, U.K. mar and LEON BRITTAN, manager for the Far East; WILLIAM LEVY, Disney European general manager, and R. W. FEINGOUX, Levy’s assistant manager, Brazilian manager, arrived the Argentine.

ROBERT MONTGOMERY and MRS. MONT COMERY sail for London and the Queen Mary.

CLARENCE BROWN will shortly fly his own plane from the Coast for a short vacation.

JULIAN HOFFMANN, Coast correspondent for the Detroit News and North American News. in town.

JACSHA HEITFELD is en route to the Coast by car, and will proceed to Honolulu via his yacht.


IKE LIRSON, of RKO Cincinnati theater, en route to New York, as is E. M. ROTHDO Looen’s.

MYRNA LOY and ARTHUR HORNBLOW, JR. arrive from the Coast today and sail on the Normandie tomorrow for a three-week vacation in Europe.

L. CARRINGTON, vice-president and general manager of Altec, is back at his desk after a business trip to Detroit.

CARY GRANT leaves Hollywood this week upon completion of his role in RKO’s “Love” for a three-week vacation in England.

A. MONTAGUE, Columbia general sales manager, left yesterday afternoon for the Allied convention in Minneapolis.

LOUIS ASTOR, Columbia’s circuit sales executive, left yesterday for Boston for a week’s stay on business.

WILLIAM GOTTZ, v.p. of 20th-Fox arrived New York over the week-end.

MARILENE DIETRICH has arrived from the Coast and sails tomorrow on the Normandie.

THE THEATRE

“Roars of Pleasure”—Athlone, Times.

WHAT A LIFE

with EZA STONE as Henry Aldrich

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

Circle 6-6040

A MUST, GO ENJOY IT.”—

Walter Winchell Comedy Face with Music

NANCY CARROLL

I MUST LOVE SOMEONE

with JAMES BRENNE, VARIOUS ARTISTS, W. 46th St.

Eve. 8:40 Mats. Wed. and Sat.

Air-Conditioned.
Come on over and SEE MRS. TURNER

...Or write her. She and her staff can help you pick the spots you'll want to see, the places you'll want to dine at, the shows you'll want to go to. Remember us when you make your plans for the World's Fair—and remember that Mrs. Turner will worry about the details... because every friend of Warner Bros. is a friend of hers.
HOUSING ADMISH TAX MEASURE IS SIGNED

(Continued from Page 1)

which tax raising methods will be employed in the prosecution of the work in the near future. State exhibitors fear that the tax on theater admissions, possible in accordance with the half-dozen methods permitted, is likely to be adopted due to the easiness with which the revenue can be collected.

A ceiling of one cent on half-dollar public admissions is set and this, if adopted in the individual cities, will cover the situation in nearly all upstate communities. Theaters of the first-run classification in New York, however, which charge more than 50 cents would have to assess two cents, should the City Council include the admission tax in its levying agenda when low rent housing is undertaken.

FILM DAILY exclusively revealed a loophole in the bill several weeks ago whereby a 50 cent admission might actually be taxable three cents, but since the bills signed by Governor Lehman merely say that a tax "shall not be in excess" this problem can be worked out locally.

The list of taxes permitted to cities additionally includes five cents per month telephone possession and fifty cents a month on the operation of each vending machine. Any or all of the taxes may be imposed.

Marquis de Sales Dead

Paris (By Cable)—Marquis De Roussy De Sales, 87, former chairman of the Board of motion picture censors of the Province of Quebec, Canada, is dead here.

Three of the Marquis sons and one daughter live in Canada. They are the Comte Michel De Roussy De Sales, commercial director of France Film; Bernard, in the office of the Commercial Attaché in the French location at Ottawa; Gerard, and Miss Jacqueline De Roussy De Sales.

Republic Signs Robert North

With Coast Bureau of THE FILM DAILY

Hollywood—Robert North has been signed by Republic as an associate producer.

Happy BIRTHDAY

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

JUNE 13

Basil Rathbone
Tay Garnett
David J. Chalpin

URGES 2-WEEK DELAY IN SENATE NEEDY VOTE

(Continued from Page 1)

kins is discussing the block-booking and other industry subjects with industry leaders as has been reliably reported. I should almost think Senator Neely would delay by "jins" up his controversial measure until some official reaction was forthcoming from the Department of Commerce.

Neely's measure is now on the Senate calendar and may be taken up at any time. There was some intimation that the Senator might press for action this week while Allied's national convention is in progress in Minneapolis. Last year, the bill passed the Senate while Allied was in session in Pittsburgh.

Senator Neely last night assured THE FILM DAILY that he would "make no effort" to bring up his bill or the Sen. floor until after the week-long recess Tuesday or Wednesday of next week. This would permit Senators, he added, to read both the majority and minority reports if they cared to. He said he "would be surprised" if there was more than two days' debate or the measure.

Majority Leader Alben Barkley who was a member of the Senate sub-committee which held hearings on the Neely bill, told THE FILM DAILY that he had not read the majority report and doubted if many Senators had done so. Barkley also said he felt few Senators were apprised of the Commerce-industry conferences, expected to resume this week.

Movietone Set for Action; Offices in Strategie Spots

Truman Talley, head of Movietone News, returning yesterday on the Normandie after a survey tour of Europe, reported, that his organization was geared for any emergency, and that during the past year, offices have been located in every strategic point.

He did not anticipate any immediate conflict, and had no comment on the British tax situation. Mr. Talley accompanied him.

John Byram, of the Paramount story department, returned yesterday on the Normandie after a five-week stay in Europe looking over play and story material. He said that he lined up several properties in anticipation of a renewal of the pact between the Dramatists Guild and producers this fall, but no purchases had been made.

William Levy, general manager in Europe for Walt Disney and his assistant, R. W. Feigouss, also arrived on the boat to confer with Disney and attend the RKO convention.
MORE THAN EVER
IT WILL BE
Universal
in 1939-40

continuing the most amazing series of successes in MOTION PICTURE HISTORY!

2 DEANNA DURBIN PRODUCTIONS
(one co-starring Charles Boyer)
Produced by JOE PASTERNAK

HENRY KOSTER Production

"The OCEAN BETWEEN"
FOUR PICTURES...FOUR SMASH HITS!
THAT'S KOSTER'S AMERICAN HISTORY!
Produced by JOE PASTERNAK
Story by Bruno Frank
Screenplay by Bruce Manning

"BULL BY THE HORNS"
Another masterpiece created by the genius of Stahl who brought to the screen the unforgettable "Magnificent Obsession," "Back Street," "Seed" and "Imitation of Life!"
The Hero of "YOU CAN'T TAKE IT WITH YOU," "MADE FOR EACH OTHER" and "MR. SMITH GOES TO WASHINGTON"

JAMES STEWART

in

"THE MAN from MONTANA"

with MISCHA AUER

An assured box office smash-hit with the star of "The Awful Truth" and "Love Affair"

W.C. FIELDS

He's Rupee ripe now... and we pick him to pack 'em with a great successor to "You Can't Cheat an Honest Man!"

Produced by LESTER COWAN

BING CROSBY

PRODUCTION

With a Marquee Full of GREAT NAME STARS!
Productions

#2

NAN GREY  ROBERT CUMMINGS
GLORIA JEAN in
"THE UNDER PUP"

with Beulah Bondi, Margaret Lindsay, C. Aubrey Smith, Ernest Truex, Billy Gilbert, Raymond Walburn, Paul Cavanagh, Ann Gillis, Doris Lloyd
Original story by I. A. R. Wylie
Screenplay by Grover Jones
Directed by RICHARD WALLACE

"RIO"

Starring
DANIELLE DARIEUX

Produced by JOE PASTERNAK

EDGAR BERGEN
and
CHARLIE McCARTHY

Another sure-fire hit—with a
battery of front line stars added—and MORTIMER SNERD, too!

MARGARET SULLAVAN

In a role destined to outshine even her own unfor-
gottatable performance in “Three Comrades” which
won her the highest awards of the season.
MORE THAN EVER IT WILL BE

Jackie COOPER * BARTHOLOMEW

Thrilling, appealing, exploitable box office productions, topical stories of America's youth!
Produced by BURT KELLY • Directed by JOSEPH SANTLEY

BASIL RATHBONE

in

"TOWER of LONDON"

One of the greatest masterpieces of shock literature makes a perfect film vehicle for the arch-master of the sinister!
Produced and Directed by ROWLAND V. LEE, who made "The Sun Never Sets" and "Son of Frankenstein"!

"VICTORIA DOCKS at 8"

starring

BASIL RATHBONE

With red fury coiled like a snake in his mind, he sought the peace of destruction in the throes of blind dementia!
An original story by Rufus King and Charles Beahan
Produced and Directed by RICHARD WALLACE

"The Invisible Man RETURNS"

Demanded by exhibitor and public alike! Once again to fight his strange fight, to the amazement of unprecedented audiences!

BURT KELLY

Associate Producer

Jackie COOPER in "HIS SON"

The production strength of a cast of distinguished stars and a director of outstanding merit will be given Cooper in this story—aimed to hit the pinnacle of his remarkably successful career!
"Return of the Sheik"
Here's ADVENTURE at Flood-Tide—produced on a scale matching in magnitude the panoramic sweep of the thrilling story!

TWO PRODUCTIONS in
"The Family Next Door"
SERIES • starring HUGH HERBERT
with Joy Hodges, Eddie Quillan, Ruth Donnelly, Jeanette Quigley, Benny Bartlett and "SANDY", the Wonder Baby!

Associate Producer
MAX H. GOLDEN

KARLOFF-LUGOSI
"Friday the 13th"
The Merchants of Fear ready to declare even greater dividends than were paid to you with their never-to-be-forgotten "Frankenstein"

associate producer
MAX H. GOLDEN

LITTLE TOUGH GUYS
PRODUCTIONS
"CALL A MESSENGER"
"ACADEMY WINNER"
With Added Assets in Important Names for the Casts, Stories and Production!

Associate Producer
KEN GOLDSMITH

7 PRODUCTIONS
with Richard ARLEN • Andy DEVINE
Stories by the greatest authors of all-time!

"Mutiny on the Blackhawk"
"Man from Montreal"
"Way of the West"
"Raging Rivers"
"Air Express"
"Sea Patrol"
"Steel"

Produced by
BEN Pivar

MARQUEE PICTURES!
To liven up the box-office...
To attract Every Type of Patron!

4 EXPLOITATION PRODUCTIONS
Titles that can be campaigned—Group Casts that sell tickets!
"LIVE ALONE AND LIKE IT" • "MISSING EVIDENCE" • "CONVICTED WOMEN" • "ADVICE TO THE LOVELORN"

4 MUSICAL PRODUCTIONS
Zipful, zestful comedy-romances seasoned with hit-tunes and gals!
"PENTHOUSE SERENADE" • "DANCING FOR LOVE" • "RHYTHM FOR SALE" • "ROMANCE IN THE TROPICS"

8 ACTION PRODUCTIONS
Distress Signal • The Witness Vanishes • Eyes of the Coast Guard
Slightly Tempted • Vice Ring • Front Page Confession • Counterfeit Ring
Jail Baby • Freedom of the Air • Homicide Bureau • Ghost Ship
Hidden Money • Hero for a Day • Inquiring Reporter

JOHN MACK BROWN'S
with BOB BAKER and FUZZY KNIGHT
The three favorites of your action fans, in a series of pictures that will keep them jumpin' for joy!

Produced & Directed by A.L. RAY
MORE THAN EVER IT WILL BE

3 FAMOUS PRODUCTIONS

A new producing organization of major importance, headed by HARRY EDINGTON

1. Douglas FAIRBANKS Jr.
   "ATLANTIC CABLE"
   An original story by DENNISON CLIFT

2. CARY GRANT
   "PARIS STREETS"
   (TENTATIVE TITLE)
   From the famous play "La Chienne" by Georges de la Pouchardiere • Screenplay by Edwin Justice Mayer and Franz Schulu

3. "SOUTH OF THE AMAZON"
   An original story and screen play by Frances Marion
   Cact with Stars of the First Magnitude!
A QUARTETTE OF MONEY-MAKING, CROWD-PULLING CHAPTER-PLAYS
Produced by the King of Serial Producers—HENRY MacRAE

"THE OREGON TRAIL" . . . . .
15 Thrill-Packed Episodes of Pioneer Days—with John Mack Brown

"THE PHANTOM CREEPS" . . . . .
Starring BELA LUGOSI in 12 Episodes of Fantastic Action

"THE GREEN HORNET" . . . . .
in 13 Episodes. Universal scoops the field with this radio sensation

"BUCK ROGERS Conquering the Universe"
12 Breath-taking Episodes with Larry Crabbe

HERE ARE 52 WEEKS OF BOX OFFICE INSURANCE!

2 RE-ISSUES: The Greatest Combination Show of the Season!
"MY MAN GODFREY" • "THE OLD DARK HOUSE"
Presenting an Unprecedented Array of Big Star Names:
Powell • Lombard • Douglas • Laughton • Karloff • Auер • Patrick • Brady • Massey

13 COLOR CARTOONS
Another step forward in Universal Short Subject Supremacy...the added wallop of glowing color to America's favorite program novelty...produced by WALTER LANTZ

A favorite with Universal exhibitors for many years...bringing to theatre patronage the far places of the world...picture stories finely photographed by foot loose cameramen who rove the Seven Seas.

Commentary by the ace-voice of radio—GRAHAM McNAMEE

13 TWO REEL MUSICALS
To Be Produced at Universal City where the huge production facilities will guarantee the utmost in life, sparkle and novelty for the series. The cast will be studded with top-notch entertainment names.

Long established as a high spot in theatre programs where showmen build audience-appeal bills. Bringing to the screen the strange, startling, and almost unbelievable photographic evidence that "Truth Can Be Stranger Than Fiction."

Commentary by ALOIS HAVRILLA

15 GOING PLACES 1 REEL
A startling, dynamic, thrilling exposition on the Rediscovery of America—the land where Freedom still flourishes! The most exciting screen document ever recorded—America's March of Freedom since the founding of our nation!

PRODUCED BY TOM MEAD and JOSEPH O'BRIEN

"MARCH OF FREEDOM"

The Number One Newsreel of the Industry...A pioneer leader—and still the leader by actual exhibitor vote! 104 ISSUES (Twice Weekly)

Commentary by GRAHAM McNAMEE
WALTER WINCHELL says: "SUPREMACY!"

DANTON WALKER says: "WILL CREATE A SENSATION!"

DOROTHY KILGALLEN says: "Cutest thing in Technicolor since 'Snow White!'"
Rodgers, Submitting Revisions, Again Urges Joint D of J Confab

(Continued from Page 1)

the exhib. leaders that the revised Code and copy of the accompanying communication will again be sent to the Department of Justice "in accordance with assurances of counsel."

"It is understood that any final agreement with respect to the Code is subject to the approval of the Department of Justice," Rodgers says in his letter, adding, "Again we renew our previous suggestion that a joint conference be held with the Department of Justice at the earliest possible date for the presentation of the full text of these trade practice proposals and considering the possibility of putting them into effect."

Changes Are Mostly Minor

Changes in the text of the Code are minor—usually restricted to a change in wording, until Section IX which relates to "Allocation of Features," to Section X which relates to a new sentence: "After the notice of price allocation of a feature for a particular theater has been given by a distributor to an exhibitor, the price allocation shall not be changed for such theater except by mutual agreement between the distributor and the exhibitor."

The revised paragraph 1 of "Section XIV. Other Subjects of Arbitration" now reads: (1) Performance of License Agreements. A dispute arising out of the performance of any provision of a license agreement by the other party to a license agreement which the other party has breached any provision thereof shall be submitted to arbitration, unless the party in whose favor such claim is made submits a protest to the arbitrators that the award of the arbitrators may, as far as practicable, be made ex parte and before the arbitrators have been appointed, and if the party so protesting shall not be the party in whose favor such claim is made.

(a) an award of

(ii) specific performance of the provision involved; or

(b) the amount of actual and compensatory damages with respect to each feature involved, which amount shall not, except as provided in (ii) below, exceed the liquidated damages provided therefor in the license agreement or, or caused the exhibition of any feature in violation of the provisions of the license agreement of which such arbitrators have been deprived by the defaulting party, then the arbitrators shall have the right to award damages with respect to such feature involved.

Over-Buying is Clarified

Paragraph 3 of the same section, relating to over-buying, is subject to some changes, designed for greater clarity. "Respondent exhibitor" becomes "over-buys exhibitor," while "participation" is substituted for "considering" in the phrase, "In considering such complaint;" "Any complaint by an exhibitor, arising out of a complaint by an exhibitor, resulting from the alleged over-buying of a feature, by any exhibitor, shall be brought before the Board by the exhibitor." Old Section XV concerned the effective date; this section is now XVI, while the new Section XV governing "Agreement to Arbitrate" reads:

Section XV

"Each exhibitor hereto agrees to submit to arbitration any dispute subject to arbitration hereunder or under any other provision of any license agreement or any other signatory and any such dispute or any such arbitration hereof and, at the time any such dispute arise to take such other action as may be necessary to prevent the continuance of such arbitration and to sign such documents or instruments as may be necessary to avoid any such breach."

Section on Code's Term Expanded

The expanded section governing the Code's term reads:

"The term of this code shall be for two exhibition seasons, commencing with the season 1939-1940, and thereafter indefinitely."

"Any exhibitor hereto may withdraw herefrom at any time after the second exhibition season by giving written notice of such withdrawal to each exhibitor and authorized organization of exhibitors, signatory hereof, and to the Secretary of the Permanent Arbitration Board in each exchange territory in which such exhibitor transacts business, at least six months prior to the beginning of such exhibition season. Such exhibitor, distributor or the operator or operators of a feature who is signatory hereof and who has not given written notice of such withdrawal prior to the end of the season, shall be deemed to have consented to such withdrawal, unless such exhibitor, distributor, or the operator or operators of a feature who is signatory hereof shall have been given written notice of the withdrawal of such exhibitor, distributor or the operator of such feature, nor shall the right to withdraw (in writing) be exclusive."

Section VIII now becomes Section IX, while Section VI now becomes Section VIII, by amendment to Section VI, XV and XXVII in respective order, and former Section VII, "Term of Office of Arbitrators, Removals and Vacancies" becomes Section XXVII."

SIGNATORY HERETO.

RKO Making No Arrangements to Provide Pix for Tele. N. J. Allied is Assured

Answering New Jersey Allied's squawk about the reported availability of RKO's "Gunga Din" for television's use, W. J. Merrill, assistant to Proxy George J. Schaefer, young lawyer from St. Louis, representing the Allied, said that "Gunga Din" used for Coast telecasts was merely a trailer employed as "an experiment with a new medium of distribution for feature pictures."

Merrill further wrote that "we have made no arrangements for the furnishing of films for television. At the date and two short reel subjects have been used by special permission. Telecasting for experimental purposes is "responding to requests" to our exhibitors," that "we do not feel apprehensive at the present time of encroachment of television on theaters," and that "our efforts to understand and keep abreast of developments in the field of television are toward the end of protecting and coordinating our joint interests."

Arthur Stern Buys House

Chicago—Arthur Stern, son of Emil Stern, Essaness proxy, has purchased the Liberty theater on his own and will modernize.

GN REVOLVING CREDIT UNDER NEW FELT PLAN

Hammons, president of both, (The Film Daily last Thursday exclusively reported that a refinancing deal was in the closing stage).

Hammons stated that Felt & Co. have proposed a plan of readjustment which it is expected will enable the Educational-Grand National companies to obtain a sufficient number of pictures and the requisite working capital to permit a more favorable trend in operating revenues.

Following Hammons statement, it was reported that the deal called for the following: A revolving credit fund of $750,000 for a minimum of three years, and provision of pictures to be distributed by Grand National. A loan of $160,000 to Educational upon execution and delivery by Educational of its collateral promissory note, secured by assets of both companies, with exception of Educational's name, trademark and goodwill.

Also, a further loan of $40,000 to Educational. An agreement with Lloyd Wright, trustee in GN reorganization, whereby obligation of Educational to refinance $300,000 of 5 per cent cumulative preferred stock of GN Pictures, Inc, be modified by extending the time of payment therefor. Educational will give its three-year promissory note in amount of $160,000 secured by assets upon completion of arrangement.

Felt & Co. it is understood, will receive $50,000 shares of GN common stock for its services. Voting control of issued and outstanding GN stock shall be invested in hands of promissory note holder for three months from date of note issuance, it is said.

Special meeting of Educational stockholders will be held June 22 to vote on arrangement.

Majors' Added Time Request in Equity Action is Denied

(Continued from Page 1)
denied their request for certain de- tails which had previously been given to United Artists and Columbia through the Court's order.

However, Bondy granted part of the majors' request regarding access to theaters, exhibitor defendant terms and to define references to participation of interests and control. Also to clarify other statement regarding rentals, clearance and zoning, and references to selling.
SEES 5 INDUSTRY ILLS IN BRIT. BUDGET BILL

(Continued from Page 1)

duction of films in Great Britain, both features and shorts. The British government, in an attempt to cut down the surplus of the already inadequate supply of product, reduce the number of features produced and increase unemployment in British studios.

3. Bring about a three-way attack on American distributors, already “taxed” some $10,000,000 a year under the present quota law.

4. Put the newsreels out of business entirely.

5. Severely hurt British exports and make them dependent on American product.

Hanbury was hopeful that some of the measures will be adopted as a result of united industry representations to Sir John Simon, Chancellor of the Exchequer.

It was estimated that the new excise tax would increase the cost of feature production in England by upward of 30 per cent. And allied to British shorts, the proposed tax would amount to about $50 per subject figure in excess of production costs in some cases and a major part of production costs in every case, he said.

In addition to the list of imported features and short subjects, which must be printed in England, the new tax will bring about drastic curtailment, Hanbury believes. “Many of the imported films are second features which barely earn their distribution costs at the present time, shorts earn practically no revenue in view of the prevailing double feature programs and distributors are certain to eliminate these films from their shipments,” he said.

He stated that 650 features, British films which have been destined for distribution in Great Britain during the past quota year, and that this figure represents a reduction in former years and was expected to be cut again this year. Exhibitors face a serious product shortage now in competitive areas, he said. A reduction in imports means a reduction in quota production and an even more acute product shortage, he stated.

Hanbury expressed the opinion that passing of the tax burden to exhibitors might be a solution, but did not believe that the exhibitors could survive under any further taxes. “Any increase in theater admissions would place the theaters in a higher entertainment tax bracket and would certainly cut attendance, which result would be equally disastrous,” he said.

The bill is before for several weeks to confer with Phil Reisman, RKO foreign chief, and attend the RKO convention next week.

Abolish Tax or Charge Brit. Gov’t for Propaganda Piz

London (By Cable)—H. C. C. Carlton of Nottingham, chairman of

Fears Higher China Taxes; War Cuts Territory 40%
(Continued From Page 1)

mandate of Leon Britton, far eastern manager for RKO. He expressed the hope that this would not come about as distribution in China is already severely limited by transportation and operation difficulties arising from the war.

It was stated that three new theaters have been built in Shanghai in the last four months and business was good in coastal cities not affected at this time, by the war. Approximately 40 per cent of the territory formerly serviced has been ruined by the war, he said.

Birttn will be here about two weeks, returning to the Orient via the Coast, when he leaves New York.

WB Theater District Heads Here for Home Office Meeting

(Continued from Page 1)


The Home Office executives present at the meeting will be: Clayton Bond, Leonard Schlesinger, Willard C. Beeckman, Frank Phelps and Harry Goldberg.

AAA Investigating Comittee Criticizes Whitehead, AFA

(Continued from Page 1)

The Board then passed a resolution making the investigating committee report subject to hearings with witnesses, before a formal determination is made. Hearings will be held as soon as both sides are ready.

The National News Theaters of Great Britain, urges that news the

REVIEWs

“Man About Town” with Jack Benny, Dorothy Lamour, Edward Arnold

HOLLYWOOD PREVIEW

Paramount 85 Min.

TOP FLIGHT ROMANTIC COMEDY, PACKED WITH LAUGHS AND BOUND TO SCORE WITH ALL FANS.

This is literally one for the book,—meaning the date book of all houses interested in a good musical comedy, a surefire hit and one of the most skilfully mounted comedies to come out of Hollywood in a proverbial blue moon. Arthur Hornblow, Jr., its producer, and Mark Sandrich, its director, have, respectively gone to town and made the most of the slick screenplay provided by Ernie Raskind, based upon a story by himself, Allan Scott and Zion Myers. Among the attributes of the picture are that it is based upon a real situation, with laughs, slick situations, interesting production numbers, and a bevy of singing, and songs, the latter supplied by the Messrs. Cukor, Lerner, Landis and Matty Malneck; and the entire fabric of entertainment is close

GIAN T COMBINE PLAN WINS UNIT SUPPORT

(Continued from Page 1)

disclosed yesterday that the idea is a go in a half dozen units. While Steffes would not disclose the identity of the original backing in the plan, he said that after the suggestion was made public he received a flood of expressions from individual members and unions.

Every major company, as well as Monogram and Republic, will be represented at the convention, according to Steffes. Representatives expected include Grant L. Sears, Warner Bros.; Abe Monotage and Jack Gohn, Columbia; B. F. Rodgers, M-G-M; Neil F. Agnew and Austin Keough, Paramount; William Scully, Universal; H. M. Richey, RKO; Colishnited Features; James R. Grainger, Republic, and W. Ray Johnston and Edward Goldenberg.

The trade practice code laws as the outstanding issue to be discussed at the three days of sessions in connection with the current program, Abram F. Myers, general counsel, writes:

“...The distributors’ proposals will be thoroughly analyzed by those who represented Allied in the negotiations. The purpose will not be to get in large and in the large but merely to insure a correct understanding of all that is involved.

The proposal will be discussed by executives of major distributing companies. Those on the floor will be encouraged to discuss it to their heart’s content. Colonel Cole’s reputation insures that fairness and impartiality will prevail at the session. Under these conditions they will be able to chart a course for the guidance of all.”

The board of directors meets this morning to discuss the convention. They are due tomorrow afternoon with only independent theater owners permitted to attend. It is understood that all other sessions will be open to all.

Representatives from practically every MPTOA unit are expected to be on hand at the convention. Joseph Brennan, business manager of the New England unit, arrived yesterday morning. Dick Biechele of the Kansas-Missouri group is due today, as well as Ed Kuykendall and other leaders.

When the delegation from New York, Chicago and Milwaukee arrived last night, Al Steffes arranged to have them met at the station by patrol wagons which brought them to the hotel. A German band also was present to greet them.

Warner Deals With Indies

25% Ahead in Chi. Area

Chicago—Warner deals for new product with Indies in this territory are running 25 per cent ahead of last year, according to Tom Gillis, the company’s head of production. Latest development is a network of circuits to sign are Alger and Hamline.

Tuesday, June 13, 1939
Civic Leaders Join Theater as Trust Suit Plaintiffs

landis, Vineland, Names Majors and Warners in Monopoly Action

(Continued from Page 1)

the Mayor of the Borough of Vine-

land, N.J., two commissioners of

the borough, four members of the

city council, the Cumberland Circu-

lar, the Cumberland Holding

Co., and the Landis theater, a

corporation.

The suit charges the defendants

with maintaining an illegal monopoly

and unlawful discrimination, controlling and regulating prices and discrimi-

nating on the basis of motion picture

films and programs, with the result that the defendants

are a corporation.

The 54-page complaint traces the

history of the theaters in the town,

leading up to the building of the

Landis by Eugene Mori, who oper-

ates the house now as the only in-

dependent. Stanley D. Sills has been

two theaters in the town. The suit had

been expected for some time.

Attorney Shapiro, for the plaint-

iff, represented Herb Elliott in a

suit involving a dozen theaters in New

Jersey which resulted in a settlement being

made with what was considered a

victory for the plaintiff.

Montreal Exhibs. Facing 132 Illegal Admissions Cases

Montreal—Recorder’s Court of

officers are arranging to bring cases

made against operators of local thea-

ters alleged to have ad-

mitted children under 16 years of age

to performances, and have notific-

ed counsel for the accused.

This action follows upon judgment

of Judge MacKinnon in Superior

Court that it is not necessary to

have complaints of this nature

signed by the Attorney-General and

refusing to grant a writ of prohibi-

tion sought by one of the theaters to

restrain Recorder’s Court from

hearing the cases.

Court officials said that, numbered

among the cases multiple complaints

have been made in many instances,

making the accused liable to heavy

aggregate fines.

Flat Biz Tax

Washington, The Film Daily

Washington—Substitution of a flat 18

per cent tax on corporations with net

income above $25,000, and the dis-

tribution of the undistributed profits tax was tentatively favored yesterday by the

House Ways and Means Committee.

Representative Cooper, chairman of the

committee, said that under the tentatively

approved substitution program, corpo-

rations with incomes less than $25,000

would be subject to present levy, rang-

ing from 12½ to 16 per cent.

Detroit Safety Ruling Makes It Safe for Thieves, Says Contesting Exhibitor

Detroit—Ruling of the City Depart-

ment of Buildings and Safety Engineer-

ing that no dangerous fastening may be placed

upon the door of a theater, even when the house

will be closed, will be contested by J. C. Portel, Circuit operator, following four visits of thieves

to his house in the past six weeks.

The house was secured each time merely by opening the unlocked exit doors, and Portel has

just installed heavy hooks to lock the doors at night. He contends the rulings do not cover

buildings in public, and has instituted a double check by ushers and again by the house manager, when the theater opens to see that the doors

are unlocked.

Plainview Vigilance Foils Employment Night Swindle

(Continued from Page 1)

sumed identities has been uncovered.

And as a result, the gang

which had rigged up an intricate system to catch unwary theater oper-

ators, didn’t collect the $650 they

won in an age of getting.

Irvig Dollinger, operator of the

local Plaza was largely responsible for uncovering the swindle and

arrest of one man, believed a tool

for the gang, who was fined $100

and awarded $650.

The Plaza operates an Employ-

ment Night. Dollinger called for

a volunteer and a man from the

audience promptly offered his ser-

vices. This, according to Dollinger,

was unusual but not enough so to

arouse his suspicions. Then when

the man drew a number and some-

one in the audience immediately

claimed the $650 prize he became

suspicious. He told the claimant

to come several nights later “to

review a picture and collect the

money.”

The claimant, who identified him-

self through letters and a social

security card as one Norbert L.

Kimmel of 1148 East Grand St., Eliza-

beth, returned with a gang of ushers

who had been called in by

Dollinger when he found the ticket

to the contest which had been

issued. The man said he had been

offered $150 by a New York gang

that had made a survey of the

entire Metropolitan area and picked

the Plaza to try out the swindle.

Police accepted his story. The gang

had been acquired by him with the phony identity.

Warnings were sent yesterday by

Dollinger to all Jersey theaters af-

filiated with New Jersey Allied and

to others using the Employment

Night system.

Kimmel Sues for $25,000

Suit for $25,000 on charges of

false arrest and malicious prosecu-

tion has been filed by Abraham J.

Kimmel, president of the Empire State

Motion Picture Operators union,

William Santisiero, secretary, and the

union.

Nathan H. Elman, attorney for

Kimmel, filed the action forthwith

against the accused, claiming that

he was guilty of perjury.

Zenia House to Chakeres

Cincinnati — The Phil Chakeres

Corporation has acquired the Orpheum

theater, at Zenia.

10 Spanish Offices Open or Set by RKO

(Continued from Page 1)

for RKO, completed Tuesday when he

arrived on the Normandie.

Antonio Blanco has been appointed

manager for Spain, he stated. No

other plans have yet been announced

for the importation of pictures into

Spain, it was learned.

Armour noted that no negotia-

tions are current with the Italian

government and he did not look for

any change there until the govern-

ment policy is altered and unhamp-

pered business conditions once again

exist.

Armour stated that company busi-

ness throughout Europe was gener-

ally good, and that the company’s

expansion program, during the past

two years, has resulted in a new posi-

tion so that every European coun-

try, and all of Northern Africa

were now thoroughly serviced by

many offices. Offices in eight coun-

tries have been opened during the

past two years, he said.

He said that companies doing

business in the former republic of

Czechoslovakia were still active, but

money restrictions have curtailed

import and few pictures are being

imported. He predicted withdrawals

from the country of companies that

have not already left Germany and

Austria a matter of the near

future.

Armour will visit Russia when he

returns to Europe, in about two

months, and will try to negotiate a
deal there for the distribution of

 nuevo Corso, a Russian title, which a

negotiation to be made if the deal goes through.

“Love Affair” is now in its eighth

week at the Nordampe Theater in

Paris, and is proving to be the larg-

er grosser ever shown in France,

seating 1,309 patrons.

He will visit the studio and con-

fer with Phil Reisman as well as

attend the RKO convention before he

returns to Europe, at which time he

will make a complete swing through his territory.

“Tumbleweeds” for Central

The Central Theater, Broadway

has booked the William S. Hart re-

issue, “Tumbleweeds,” according to

Pittsberg Daily Express. Other dates include the RKO Bos-

ton, Boston; Roxy, Norfolk; Isis, Los Angeles; Saenger’s, New York; Page’s, New Orleans; Export News, Lafayette;

Charlotteville, and Virginia, Portsmouth.

Tele Needs Sponsors

Citing prohibitive costs of television

programs, Lenox R. Lahr, NBC president,

yesterday indicated that NBC will not

will have to be accomplished if the

industry is to prosper. NBC stated that

the problem can not be overcome by

mass circulation via networks, and re-

vealed that the first two networks in

the offing, will include New York, Boston, Philadelphia and Washington.

Citicom, the network company, has

set up the following**: Lenox R. Lahr, NBC president;}

(Continued from Page 4)

** Rutland; J. Edward Powers,}
CALIFORNIA CALLING!
LISTEN AMERICA!

"Sensational preview of 'ANDY HARDY GETS SPRING FEVER' at Huntington Park last night. Ecstatic audience consensus of opinion that this is overwhelmingly greatest Hardy box-office smash of all!"

(M-G-M to the rescue as the thermometer soars. "MAISIE" is a daisy. Harrisburg and Providence engagements great! "TARZAN FINDS A SON" a wow! Watch this week's openings! "ON BORROWED TIME" is the talk of the West Coast! "GOODBYE MR. CHIPS" terrific in Dayton, Columbus, Cleveland, the first spots outside of New York and Los Angeles to play it! And now comes "ANDY HARDY GETS SPRING FEVER"! Remember this: when a feller needs a friend there's always THE FRIENDLY COMPANY!)
MPTOA Favors Frisco—Minneapolis—While plans are still incomplete, indications are that the annual MPTOA convention will be held this year in San Francisco, Prexy Ed Kuykendall told THE FILM DAILY here yesterday. The Board will meet sometime this Summer to act officially on convention plans.

THE FILM DAILY

Intimate in Character
International in Scope
Independent in Thought

Intimate in Character
International in Scope
Independent in Thought

British Pix Duty Revisions Ignore American Distributors

ARBITRATION SETUP FAIR, MYERS ADVISES ALLIED

Allied Board to Get Negotiators' Code Report Today

Unit Sentiment Said Divided; Board Deadlock One Possibility

Minneapolis—Allied's Negotiating Committee is slated to make its report on the Trade Practice Code to the Board of Directors this morning at which time Allied's stand on the draft and arbitration rules may be determined. It is reliably reported that three or four units are in favor of voting favorably on the Code provisions, provided the Government is not relieved from pressing its New York equity suit.

It is said there is a strong group within the Allied ranks who want to

(Continued on Page 5)

GOLF TOURNEY SETS NEW ENTHUSIASM HIGH

Team captains met with the FILM DAILY Golf Tournament Committee yesterday at the Hotel Astor amid a display of enthusiasm that touched a new high, and that's saying something considering its the 27th year for the tourney.

Captain Billy Brandt of the Exhibitors' team turned in the names

(Continued on Page 7)

Zay Denies French Film Bill Aimed to End Duals

"No article of the films bill now before the French Parliament is designed to abolish double bills in France and our plans should in no way harm the American film indu-

(Continued on Page 6)

RKO To Add Three More Branch Offices In Brazil

RKO will open three more branches in Brazil during the year to augment the main office in Rio and the six branches which have al-

(Continued on Page 4)

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Allied’s “Open Forum” on Code... and a Few Words on Sincerity

(Continued from Page 1)

of the code and rules, pro and con, will be followed by a secret ballot confined to "bona fide independent theater owners" on their adoption.

The extent Allied States will be bound by the result is not clearly indicated but whether the issue is referred to the convention to Allied’s board of directors or to its affiliated units for final decision, it is difficult to see how Allied can afford to ignore the poll’s result.

THAT goes, of course, as a negative as well as an affirmative vote. If the independent exhibitors incline favorably to the Code—as distributor spokesmen are confident—the first long step will have been taken toward industry harmony and self-regulation. The alternatives, of course, are rejection and industry disunity plus outside regulation.

There has been fair warning from the distributors that no further concessions can be expected; addressing New York Allied’s prelude to the national convention, William F. Rogers, speaking for the majors, said, "I will tell you honestly and with fair frankness that the provisions of this Code we will of necessity have to take our chance on the legislation." There has been no hint—not even the slightest—that Rogers will speak in different vein today.

While the negotiations have been in progress, much has been said about sincerity. It seems to this column commentator that a fair test of the sincerity of both sides must and would stem from exhibitor decision to accept the Code. And it might be emphasized that in such acceptance the distributors stand to lose far more, far more than the exhibitors should the Code bog down after acceptance.

SIX months’ operation should establish not only the workability of the Code but the good faith of its signatories. Should self-regulation fail through distributor circumvention, the consequences must be obvious. No, the distributors in self-protection cannot afford to cede by so much as the narrow a margin.

Allied leaders, from time to time, have expressed adherence to the theory of self-regulation. Fair trial of the Code—for which no distributor claims for perfection are made—thus equally provides a test of their sincerity. It is a challenge that should not be spared, if only for selfish strategic reasons.

Such, for instance, as a trial of the Code while regulatory legislation impedes in Washington and regulatory litigation clouds the New York, Oklahoma City and Chicago scenes. From Allied’s standpoint, the time may never be so propitious again.

Philly Theater Asks Writ to Block "Gang Smashers"

Philadelphia—Suit No. 2 of the week lobbed up yesterday when the local Rex Theater Amusement Co. filed an action against the Pearl Theater, the Reo Amusement Theater Corp., Morris Wax, Paul Kleinman, manager, and the pearl to enjoin from showing "Gang Smashers," a Million Dollar production at the house tomorrow, Friday, Saturday. Both houses cat exclusively to colored trade and the Pearl claims it has a contract for all 1938-1939 product. Hearing is set for tomorrow.

Nakken Corp.’s Patent Suit vs. Erpi, WE Discontinued

Infringement suit of Nakken Patents Corp. for an injunction and accounting against Erpi and Western Electric was discontinued yesterday in the Federal Court. The suit was based on a patent for "means for transforming light impulses into electric current impulses." Alleged infringement was in the manufacturing of photo cell amplifier equipment.

Judge Clancy to Hear Col’s Particulars Bill Request

Application of Columbia Pictures Corp. for a more detailed bill of particulars in the Justice Department anti-trust suit will be heard by Federal Judge John W. Clancy, instead of Judge Vincent Bondy. Judge Clancy denied a request made yesterday to send the matter to Judge Bondy remarking that it was regarded as impossible and that Judge Bondy need not be burdened with the application.

Honor Eckhardt on His 25th Film Anniversary

Chicago—Clyde Eckhardt, 20th-Fox exchange manager here, will mark his silver anniversary Friday when a luncheon in his honor will be tendered at the Congress Hotel. It was arranged by Jack Kirsch, Illinois Allied prexy; John Balaban and Jack Osserman.

SAG Agents’ Pact Ready

West Coast Bureau of THE DAILY

Hollywood—Final draft of the Screen Actors’ Guild licensing agreement with agents has been completed, with pact to run a term of years, it was learned yesterday. It is expected that several details will have to be worked out before it is concluded, but no serious difficulty is anticipated.
Yamins Attacks Code; Myers Calls Arbitration Fair

**Between 200 and 250 Persons Attend Opening Session of the Convention**

(Continued from Page 1)

should be Yamins. Yamins warned the convention that if the Code is not enforced, it will be against the Government that certain alleged objectionable practices constitute fair trade practices.

He pointed out that Allied's creed, adopted when the body was formed 10 years ago, embodied the following problems to be dealt with: compulsory block booking, unreasonable protection, undue theater expansion, right to buy, contract revision, disposition of pictures and radio competition.

**Points Left Untouched**

The proposed Code, he said, has sought to make certain reforms in purely protective, non-competitive respects. The open forum of contract revision, but the other points, asserted, are not touched upon in the Code.

Delegates who sought to express open opinions on the Code were asked to restrain themselves until the open forum takes place.

Abraham, who spoke later in the afternoon, said the arbitration panel's rules coincided with his own suggestions for an arbitration system and that the plan, as presented in the Code, appeared to him as being fair, with a few reservations.

Myers insisted that the board be balanced, composed of the two branches of the industry. The exhibitor panel, he said, should be made up exclusively of exhibitors. The affiliated exhibitors panel, he said, should represent the affiliated theaters and the distributors. The third panel should be solely neutral. As the proposed board is now constituted, he added, it would be unrepresentative of the affiliated exhibitors, despite the fact that the distributors have said that they would like to "wish themselves out of the clearance fight except where it involves film rentals." This is a sound position, Myers said.

**Col. Cole Opens Session**

The convention was opened by Col. B. A. Cole, national president, who, in an opening address, traced the history of Allied from its beginning to the present time and cited the legislative actions which have taken place in an effort to seek reforms. Col. Cole said that even those who formerly were bitterly opposed to Allied are now beginning to sympathize with its cause.

Between 200 and 250 persons attended the opening session which was closed to all but independent exhibitors. Ed Kuykendall was present but did not enter into the discussion. Harry Brandt arrived late in the meeting but also kept silent. However, the "free-for-all" open forum today is expected to bring comment.

**Final Trade Code Agreement Not Subject to D of J Approval, Say Exhib. Leaders**

Minneapolis—Final agreement on the pending Trade Practice Code is not subject to the approval of the Department of Justice, in the opinion of Ed Kuykendall, MPTCA proxy, who told THE FILM DAILY that the Department is not expected to either approve or reject it.

Justice Department, he said, will act only in the event that the provisions violate the law, but that it has no authority to interpret the same as a document.

Similar views were expressed by Allied and other industry leaders who did not wish to be quoted.

One exhibitor comment yesterday resulted from the statement in William F. Rodgers' letter accompanying the latest Code draft to the effect that "it is understood that any final agreement with respect to the Code is subject to the approval of the Department of Justice."

**All Waukegan Theaters May Have "Man About Town" Bow**

(Continued from Page 1)

all the theaters of a city. Plan came about as a result of a deluge of requests for gratis ducation to the convention opening and breaking of Jack Borden's Jello program, from the stage of the Genesee, June 25.

If the scheme goes through, Great States will play the picture at the Academy, across from the Genesee, and reopen the Rialto for the premiere. Times, only GS opposition, yesterday indicated its willingness to also play the film. Admission will be charged at all but the Genesee and the radio part of the program piped to the other three houses.

**Arizona Western Film "Superstition Mountain"**

West Coast Bureau of THE FILM DAILY

Boulder — "Superstition Mountain" will be the first of a series of authentic historical short subjects to be made by Arizona Western Pictures. The story deals with the authentic history of the last Dutchman mine. Following the production of this subject, they will do the authentic capture of Geronimo, using the acknowledged government Indian Scout who captured him, and after that, the trek of Marcos de Niza, in the search for the seven cities of Cibola, followed by the Wickenburg massacre, and others. These will be photographed in color. Charlie Dills is writing and the stories and the subjects will be made under the supervision of John Allen.

**Gartland Takes House**

Pittsburgh — The Roxy Theater, Clearfield, formerly operated by Anthony Colose, will be taken over by George D. Gartland, effective Monday.

from representatives of all exhibitor organizations and distributing companies.

Announcement of the resolutions committee was made by Col. Cole just before adjournment. The group includes Jack Hirsch, Max A. Cohen, Moe Horowitz, L. C. Tidball, James Kaplan, Herman Blum and A. A. Kaplan.

**Re-Elect Abraham Prexy; Defeat Olver as Biz Agent**

Although Saul Abraham, president of the Theatrical Managers, Agents and Treasurers' union, was re-elected this week, the independent faction elected two of its candidates for the three posts which were contested.

Most bitterly contested was that of business agent, with Hal Olver, who was renominated as business agent on the regular ticket, going down to defeat. Morrie Scammon and Joseph Grossman were elected to the two business agents posts. William Fields defeated Dan Melnick for the vice-presidency and James J. Murphy, unopposed renominee for secretary and treasurer, was returned to office.

**Five Newsreels Rush Royal Footage Abroad Via Clipper**

Newsreel films showing the visit of the King and Queen of England from the time of their arrival in the U. S. until after they left New York to stay at President Roosevelt's Hyde Park home were shown on London screens last night, beating the duplicate boat shipments to the screens by about four days. Speedy service was made possible through invitation of Pan American to all ships to ship footage on the royal visit on their new clipper, News of The Day, Paramount News, Movietone, Pathé and Universal all shipped footage.

**VIRGINIA MPTO DEFERS ACTION ON TRADE CODE**

(Continued from Page 1)

the distro, before taking action on the agreement. Operating and maintenance costs were among routine matters taken up at the morning business session. Gathering was mostly a round of sightseeing and entertainment. Wil- liam F. Crockett of Virginia Beach, president of the unit, presided. The Mayor of Roanoke delivered a wel- come address.

Convention opened Sunday with a golf and swimming party at the Roanoke Country Club, and after Monday's business session many delegates and their wives motored over a portion of the Blue Ridge Parkway, later attending a cocktail party in Mill Mountain, followed by a dinner and dance at the Hotel Roanoke.


The mid-week convention will be held in Richmond at a date yet to be decided on.

**B & K Declares Dividend**

Chicago—Dividend of 75 cents a share on the common stock, payable June 30 to stockholders of record June 15, has been declared by Bal- land & Katz Corp. Disbursement of 50 cents a share was made on March 31.
BRIT. DUTY REVISIONS IGNORE U. S. DISTRIBS.

(Continued from Page 1) concessions on import duties being granted.

Slight consideration is granted to newsreel companies, to Technicolor and to foreign pictures imported for exhibition only. Newsreel concession is two-thirds of a halfpenny. Supplementary copies necessary to color processing may come in as one film. Foreign plex admitted for exhibition only (no copies to be made) will pay two pence per foot instead of the six pence.

The action of the Chanceller of the Exchequer came as a surprise in view of the fact that the Government had promised to adjust the duties.

Trade leaders last night indicated that there would be no acceptance of the concessions and that agitation for complete abolition of the new taxation would continue. Hope was expressed that Parliament would be more responsive to the trade position.

Patriotic Units See M-G-M’s “Yankee Doodle” Short Today

Metro-Goldwyn-Mayer’s contribution to Flag Day celebrations today will take the form of a screening of a short subject with a patriotic theme, “Yankee Doodle Goes To Town,” for various patriotic organizations. Among the list of those organizations which have accepted invitations to the screening are the DAR, the YMCA, Boy Scouts of America, Boys Clubs of America and the New England Federation of Women’s Clubs.

Gold Due In New Orleans

New Orleans—Harry Gold is expected here shortly to open negotiations for UA product with the circuits in the Gulf States. Circuit deals usually start early here and run through the summer before they are closed.

MORE D OF C CONFBS
WITH PIX EXECs. SURE

(Continued from Page 1)ference is not set. It was explained that the meeting is being arranged and will “probably be held sometime in the middle of next week.”

Statistician Ernest Tupper, who was scheduled to leave for New York yesterday to confer with J. H. Hazen, executive vice-president of Warners, revised his plans at the last minute, it was learned. Date of Tupper’s visit to New York is now uncertain.

A Department of Commerce spokesman said last night: “Business Embassies affairs with regard to the film industry are moving along rapidly.”

RKO to Add Three More Branch Offices in Brazil

(Continued from Page 1) RKO manager for Brazil, stated yesterday upon his arrival to attend the RKO convention and confer with Phil Reisman, foreign chief. Cheli stated that rumors of a government film monopoly being set up in Brazil were utterly without foundation. He expressed the opinion that the recent Lima conference had done much to help the cause of American films in South America. American film led the Brazilian market, with English, German and native film following in that order, he said.

He believes that the short wave broadcasts suggested to plug pictures in South America might be beneficial, but only if they are made in conjunction with the films’ release dates there.

“Invitation” Does Well

Following exceptional week-end business and a decided improvement in business on Monday, Paramount’s “Invitation to Happiness” completed its first week at the N. Y. Paramount with a better than par showing. Robert M. Weilman, manager, reported yesterday. Opening day’s receipts on this Wesley Ruggles production was neck and neck with the take on “Union Pacific.” “Invitation to Happiness” is now in its second week at the Paramount.

Massey Pix For Globe

“Black Limelight,” English film starring Raymond Massey, has been booked into the Globe for the end of this month. Picture is being distributed here by Alliance Films.

Court Sees “Spy”

“Confessions of a Nazi Spy” was shown to Federal Judge Vincent L. Labell by Warners at their offices yesterday to enable him to decide upon the application of Fritz Kuhn for a temporary injunction pending trial. Kuhn is seeking $5,000,000 damages, charging he is libeled by the picture; Judge Labell will take up arguments today.

M. A. Daily, Wednesday, June 14, 1939
Strong Allied Group Said to Favor Fair Trial of Code

Allied's Stand Will Be Governed by Vote of Directors

(Continued from Page 1)

—MINNEAPOLIS

RECEPTION accorded Abram F. Myers when he arrived from Chicago on the Hiawatha drew a mob of localites. As he got off the train three policemen grabbed him and threw him in a patrol wagon. Others as $1,000 plus traveling expenses, were H. M. Richey, Arthur Howard, Moe Horowitz and the writer.

Ed Brunnel, Chicago exhibitor, was collared by two ambulance drivers, strapped to a wheelchair and driven to the hotel in an ambulance. The other delegates from the train were herded into a large truck and carried to the hotel while uniformed German band serenaded them. It was all Al Steffes' idea.

A full page ad from the Interstate Circuit of Texas in the convention program would indicate that the Allied- Interstate feud had ended, judging by the copy which read: "Interstate Circuit of Texas is mighty proud because Allied has selected Col. H. A. Cole of Dallas as their president." However, there is a story back of it. Al Steffes prepared the copy and told Bob O'Donnell, Interstate general manager, that Colonel Cole said he would resign from Allied if the ad appeared. Whereupon, O'Donnell promptly ordered the ad to be inserted, according to the story floating around the convention.

Ed Kuykendall sent wires to each member unit asking that a representative attend the Allied Convention.

The Variety Club here is one of the most luxurious in the country and is the meeting place of the gang.

WB Sells Lineup Away From NT in 11 Mid-West Spots

(Continued from Page 1)

manager, said yesterday. Complete lineup, including Vitaphone shorts, are included in the deals, closed by Ben Kalmonson, Southern and Western sales manager.

Independents who have taken the Warner program include: Howard, Arkansas City, Kan.; Casino, Bonneville, Mo.; Cive, Brookfield, Mo.; Main Street, Chanute, Kan.; Electric, Kansas City, Kan.; Family, Kirksville, Mo.; Mary Lou, Marshall, Mo.; Ross, Mobile, Mo.; Cozy, Pittsburgh, Kan.; Vogue, Salina, Kan., and Broadway, Council Bluffs, Ia.

Senate Passes Repealer on Fight Pix Shipment Ban

(Continued from Page 1)

peal the law forbidding Interstate sale of prize fight films. Measure was passed in routine fashion without a record vote and with no opposition. It now goes to the House for action.

Witnesses at the recent hearing, including M. C. Moore, president, Southeastern Theater Owners Association, urged its passage as the ban was never enforced.

Organization of Oklahoma Buying Combine Faces Delay; Indies Favor "Go Slow" Policy

Oklahoma City—Considerable delay in the organization of the Oklahoma buying pool has been caused by failure of the plan. Last week, majority of those attending voted against organizing the corporation of the present time.

Another meeting will be held immediately after the Allied States convention in Minneapolis for further discussion of the feasibility of organizing the pool at once, it has been learned.

Stumbling block to consummation of the "one big union" plan advanced by the SAG executive board, and which was originally expected to be before the AAAA loomed yesterday when Ken Thomson, SAG executive secretary, stated that the SAG executive board is definitely opposed to a unified organization plan which would be governed entirely by paid executives, and was also opposed to any plan which would establish a single treasury.

Thomson, however, expressed hope that certain operating economies and other needed results could be effected regardless. He said that paid executive control is the only way the organization could function efficiently and without friction.

Centralization of offices and a consolidation of operations will bring about needed economies, and this can be done without loss of autonomy to the AAAA members, he said. He also stressed the need for a system of interchangeability for actors on a one-card system and a plan to eliminate duplication of dues payments when shifts are made from one jurisdictional field to another by actors.

Meetings on the "one big union" plan are continuing, it was learned, but little chance is seen for any real work to be accomplished for at least a month, as it will take that much time for the AAAA members to subscribe to the complete breakdown of their operating expenses and income.

Thomson stated that the SAG viewed the whole plan as a system of curtailting the membership in order to increase the earnings of the members, with a further reduction from the present total membership of approximately 5,800 to between 3,500 and 4,000 being discussed.

25,000 Sign Protest Against Quebec's 10% Cinema Surtax

(Continued from Page 1)

the provincial capital's 11 cinemas. Definite information as to what "was to be done" with the signatures could not be obtained, but it was thought they would be submitted to the Quebec City Council.

Theater authorities, in the meantime, reported they had received approval from local restaurants, stores and boarding houses concerning protest against the new tax. It was understood protest had been registered emphasizing the loss of trade and the "slowness" in the tourist trade here which is blamed on adverse publicity due to the theaters closing.
WARNERS MAY MAKE 2 SUPERS IN ENGLAND

London (By Cable) — Warner Bros. may make two of its major pictures, as Wallis, the production executive for the company, stated in an interview here, it is believed that this subject was discussed, and possibly a decision arrived at, in his conferences with D. E. Griffiths and Max Miller of the Warner British organization, and with Sam Sax in charge of production at Teddington.

Wallis further stated that the parent company was desirous of giving all possible help to the British company by advising on filming and, where possible by loaning stars. Otherwise, it regards the British company as self-contained. If two supers are made in England, they will, naturally, be aimed at the U. S. market.

After a stay of six weeks here, Wallis is tentatively planning a tour of Denmark and Sweden before returning to Hollywood.

Sam Sax, executive producer for the English branch, has announced that he will film "George and Margaret," the London stage success, at Teddington at an early date.

Zay Denies French Film Bill Aimed to End Duals

(Continued from Page 1)

...country, which we greatly admire and for which we have a continued prosperity," Jean Zay, French minister of national education, told The Film Daily yesterday.

Zay, who is the proposer of the French film bill now pending for action, returns to France today after a short stay by him in England.

He expressed the opinion that the French film industry needs a better organization than has existed in the past. He pointed to the improved quality of French films recently, and said that it is of essential importance from an economic as well as artistic standpoint that further development be fostered.

Steffes Folding World

Minneapolis—Al Steffes is closing his World Theater on Saturday because of a shortage of good foreign pictures. Steffes claims that Public has bought all of the outstanding pictures of the type he uses.

Defer FCC Reorg.

Washington Bar., THE FILM DAILY.

Washington—Plan to reorganize the Federal Communications Commission from legislation prepared by Frank R. McNinch, chairman of the agency, has been postponed until the next session of Congress. Senator Wheeler, who sponsored the plan, cited limited time and pressure of business at the present session.

REVIEWS OF THE NEW FILMS

"Land of Liberty"

MPFDA 137 Mins.

SPLENDID PRODUCTION CULLED FROM INDUSTRY'S LIBRARY OF GREAT SCENES IS GREAT PATRISTIC DOCUMENT

This unique production is in a class by itself, having been planned as the motion picture industry's contribution to the New York and San Francisco World's Fairs, where it will be shown daily throughout the life of both exhibitions. It has been sponsored by the Will Hays organization, and Hays himself has worked closely with Cecil De Mille to give it a production and, with the newsreel contributions, build up a panorama of the drama of American history, and the social and economic developments through the various historical eras down to the present time. It has been a herculean task. De Mille undertook the responsibility of assembling and editing the film six months ago after Will Hays organized the project. A mass of potential material was examined in Hollywood, where the dubbing, recording, cutting and physical preparation of the negative were handled. The completed production runs 14 reels. Selections are involved examining over 2,000,000 feet of film. The oldest film represented in the production is from D. W. Griffith's "America," made in 1914, showing scenes in the Revolutionary War. The most recent is from Warners' "The Bill of Rights," a short subject in their historical series. The last 14 years and matches "of scenes of one of the finest achievements of its kind the industry has ever known. For instance, one sequence covers the last day in the life of Abraham Lincoln, starting with a meeting with his cabinet. It follows through to his departure to Ford's Theatre where he was shot. The sequence was cleverly composed from "Abra-


CREDITS: Scott R. Dunlap in charge of production; Producer, Edward Finney; Director, Al Herman; Authors, Peter Dixon and Bob Morton; Screenplay, camera; Marcel M. De Picard, ASC; Editor, Holbrook Todd; Musical score and direction by Frank Sanucci.

NEW UNITED PREMIUMS OFFICES

United Premiums, Inc. has opened new offices at 336 W. 44th St. Lester S. Tobias is sales manager.

"Down the Wyoming Trail"

with Tex Ritter, Horace Murphy, Mary Brodel

Monogram

(HOLLYWOOD PREVIEW)

GOOD-TEX RITTER WRITER PACKS PLENTY OF WALLOPING ACTION

This new offering will please the Tex Ritter fans, especially the youngsters. It is packed with plenty of action. With several fist fights, cattle rustling and lots of shooting, Tex comes into strange cattle land and meets the sheriff, Horace Murphy, who is a friend of his. The sheriff gets Tex a job as a foreman of the ranch of Mary Brodel. He is accused of a murder and the sheriff, in order to prevent a lynching, puts him in jail and then lets him make his escape so that he can capture the villain, which he does. Tex saves the ranger who was kidnapped by cattle rustlers, and clears himself of the murder. Edward Finney has a monogram for Warners in this late production. The story and screenplay were written by Peter Dixon and Roger Merren. The songs, typical westerns, are pleasant and fit into the picture without any discord. The cast all played their parts adequately with Bobby Lawson, as Mary's brother, giving a nice performance.


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"Racketeers of the Range"

with George O'Brien

RKO Radio

FAST-ACTION MELLER OF THE PLAINS WELL ON SCORING WITH FEAT OF STRENGTH

A gutsy action story with George O'Brien doing his heroes and exercising his great strength in manhandling sundry bad men working for the puppet, or making the packers polish the packing houses and thus corner the beef market. In fact George picks these full-sized homies up and catches 'em through doors or windows with the greatest of ease.

There is romantic interest with Marjorie Reynolds as the willful gal from the East who has inherited her dad's independent packing plant, and her crooked lawyer is ready to sell out to the racketeers. But George knows what's what about this ramrod-tall packing plant all the racketeers are sunk and won't be able to get their cattle to market. So he takes over the plant as the chief creditor and has all the cattlemen turn over their herds for shipment. But even then the racketeers rustle the herds. Then O'Brien and his men go to the gang, and recapture the herds now piled in trucks. Just to make it even, the racketeers steal the train when the beef is loaded, and O'Brien and his boys have to do their work all over again and capture the train. Here the hero distinguishes himself as a strong man, by carrying the gangsters by one and catching 'em off the speeding freight train, finishing with the villain lawyer who has the heroine a captive in the caboose.


CREDITS: Producer, Bert Gilroy; Director, D. Ross Lederman; Author, Oliver Drake; Screenplay, sale.

DIRECTION: Good. PHOTOGRAPHY: Good.

MOMAND TRUST SUIT MOTION HEARING SCHEDULED FRIDAY

Oklahoma City—Hearing on the A. B. Momand anti-trust suit motions has been set for Friday in Judge A. P. Murrath's Federal Court for the Western District of Oklahoma.

Hearing will be on motion to dismiss by the defendants, major producers, distributors and Griffith Clinic. Both sides have previously filed briefs bearing on the question of assignability raised by the motion which will be decided by Judge Murrath at Friday's hearing.

Momand's case asks $4,500,000 damages for anti-trust violations and is in the form of similar type cases now pending in the courts.

CENSORS TO SEE "ECSTASY"

Philadelphia—The "Ecstasy" cens- sorship case was postponed until June 26 at the request of the district attorney, the State Censor board will have a special view- ing.
Enthusiasm High as Team Captains Meet with Golf Tournament Committee

(Continued from Page 1)

of those who would play with him,—Max Cohen, Si Fabian and Harold Riniker—and defined every other capt
tain to match the line-up.
Manager Bill Ferguson and Capt
ain Tom Gerety of the Metro team
simply winked at the idea, inferring
they had something up their respec
tive sleeves.
Warner Manager Mort Blumen
stock and Captain Bob Williams put
a crimp in the Ampa's lineup, calmly
announcing that Falombo, the
Warner marvel who practices once
a week and who has carried off top
honors in FILM DAILY Tournaments
time and again, this year could not
play on the Ampa team but must be
a Warnerite.

Aha! A Merger

Jimmy Cron, Captain of the
Trade Paper team, decided to merge
with Ampa in an effort to get a
strong line team.

Arthur Jeffrey, represented United
Artists, is holding out information
about his team until Monroe Green
descends from his vacation
day before the tournament.

Ted Curtis, Bill German and Dick
Brady, Captain, Manager and As
sistant Manager, respectively, of the
Eastman Kodak foursome did not
show up, each expecting the other
to represent the company.

That was the explanation offered,
but it was greeted skeptically.

Columbia Pictures will have a
team, but Captain Maurice Berg
man was too occupied with other
important matters to join the gath
ering. Jack Cohn is sitting on the
sidelines with a foursome of Old
Timers whom he intends throwing
into the match and claims that with
experience alone they will beat the
field.

Valuable Prizes

These teams will be competing for
some mighty valuable prizes.

The winning team becoming the
possessor, for one year, of that sil
er Albee Memorial Cup, with each
member of the winning team get
ning a handsome traveling bag,
donated by Ross Federal Service.
A complete set of American Seating
Co. bridge chairs will go to each
member of the runner up team.

An electric Roto-Shaver will reward
each member of the third team, two
bottles of Hiram Walker Rye each
member of the fourth team, one
bottle of Hiram Walker Rye to
each member of the fifth team and
other prizes to be awarded the 6th
and 7th teams, plus the duffer's prize
to the losing team.

The Captains, worried about get
ning the best players in their or
organization were set at ease when
told by the committee yesterday
that every player would be handi
capped. Thus it does not matter
if a player shoots in the 70's or
50's he will have a chance to win
for his team.

Attention, Esquire!

A novel feature this year for the
team competition, will be the com
petition for the flashiest dressed
foursome. Each team captain is
designating a flashy shirt, neck
chief or pair of golf shorts to be
worn by his team. Looks like this
will be the snappiest bunch of team
sters that ever trod a golf course.

We were tipped off that Bill Fer
erguson was going to have all his
players in Scotch plaid shirts and
Captain Gerety added shorts to the
list.

Marietta Honors Bosworth

Marietta, O.—Marietta College, at
its 100th commencement, conferred
upon Hobart Bosworth, veteran mo
tion picture actor, the degree Doctor
of Humanities. Bosworth re
turned Monday to this small Ohio
River community for the first time
since he was 12.
4 More British Companies to Push Large-Screen Tele

Philadelphia—British telemakers apparently little concerned with the development of large-screen motion picture theater use, four more British companies are preparing to invade the field now monopolized by Baird and Scopey.

Baird Radio is pressing experimentation, but has no immediate plans for commercialization, finding the BBC 405-line standard of the BBC a barrier. Cordes, heretofore manufacturing radio valves, is in much the same position. B. T. H. also is conducting explorations at Rugby laboratories, while E. M. I. has been given demonstrations.

Meanwhile, it is stated by Oscar Deere that Deere Circuit has placed an "omnibus order" for the installation of large-screen Scopey equipment in some six theaters within the next few weeks. Additional large-screen installations in Monseynewer houses have also been ordered from Scopey.

That Scopey proposes to match Baird exploitation of the American theatrical field is indicated by the fact that M. S. Sagall, managing director, ails short for the U. S. On this side, Baird is preparing to invade Yorkshire via GB theaters, it is understood. First installation is expected to go into the New Victoria.

Trade interest in television developments, particularly as they concern films, continues keen here. Full report on tele is scheduled at the ECA conference at Blackpool last week. The meeting may be preceded by the Television Advisory Committee's report and recommendations for the Postmaster General, as to extension of BBC transmission to provincial centers.

It is now considered fully established here that the recent U. S. trip of Gerald Cloth, head of BBC's television department, represents so much wasted effort. Cloth's primary mission was the securing for BBC tele use, it is said; it failed dismally.

The KRS is firmly opposed to the use of films for telecasts, and this is accepted as playing a part in the Cock rebuff in the States. However, two new British companies are making their reels available to the BBC.

While distributors are united in

No Claim for Television Jurisdiction Made by SAG

"No claim is made by the Screen Actors Guild for jurisdiction in the television field. It is our feeling that the question can not be settled at this time," Ken Thomson, SAG executive secretary, stated yesterday.

Thomson wants a general committee from the AAAA member unions appointed to supervise the field until such time as the jurisdictional issue can be properly determined. He listed the possibility of dual dues and proper administration as the principal reasons he did not think any final move should be made now.

Visual Education Parley Program Is Completed

Chicago—Eleventh session of the National Conference on Visual Education and Film Exhibition will be held at the Francis W. Parker School, June 10-22. Four day meetings will be devoted to addresses and showings of educational films. Program was completed yesterday.

Mayor Edward J. Kelly will de- liver the address of welcome, and Herman A. DeVry, president of DeVry Corp, will respond.

Conference Council includes: L. W. Cochran, Dr. James Bliss, Mrs. Robert M. McClure, Eleanor Mossman, and A. P. Hollis, director and chairman ex-officio.

Three of B'way's 4 New Pix Made in Eng. by U. S. Firms

British production by American companies will be highly evident on Broadway this week with three of the four new pictures opening made by American companies in the U. K. Columbia presents "Clouds Over Europe" at the Music Hall; 20th-Fox produced "Inspector Hornleigh," opening at the Globe; and "The Stolen Wife," opening at the Astor Rivoli, was made by Paramount. And the "Mr. Chips" is still packing them in at the Astor.

Samoza Sees Great Future for U. S. Pix in Latin-Amer.

West Coast bureau of THE FILM DAILY

Hollywood—Belief that U. S. films have a great future in Latin-American countries is expressed by Anastasio Samoza, president of Nicaragua, while touring the Paramount plant with Y. Frank Freeman, operations v-p.

Said President Samoza, "American pictures best meet the entertainment needs of the various Central and South American countries. We are more familiar with American life than European, and appreciate the American productions best."

CONCILIATION DEMAND IGNORED IN DOM

Toronto—Demand voiced by the newly organized Anti-Protection League that a system of conciliation boards be set up throughout the Dominion has been wholly ignored to date by both the major distributors and the circuits, it was said here yesterday by J. O. Scott, chair man of the League's Central Committee.

League wants boards with members equally split between the industries and the film exchanges and at mid-year the League would be strong enough to press for remedial legislation if such course was deemed necessary.

Principal Exchange Sues Briskman for Rental

Principal Film Exchange, Inc. filed suit yesterday in the Supreme Court against Brisk Amusement Corp. and Samuel Briskman seeking $2,500 in rentals for pictures which were to be exhibited in the defendants' Casino in Brooklyn. Plaintiffs claim defendants violated a contract by refusing to accept the films.

Reach Amicable Settlement in Mex. Union Difference

Mexico City—All union difference between the Federation and a local theater had been recently settled here in several theaters have been amicably settled, it was learned late yesterday, and differences have been concerned over the situation which threatened a serious tie up at one time.

"Spy" Gets Lat.-Am. Records

Washington—Warning report business for the Mexican-American openings of "Confessions of a Nazi Spy," reports from Mexico City show 75 per cent above normal business for the opening day, and from Panama, comes word of similar big business.

Jolson as Christie

West Coast Bureau, THE FILM DAILY

Hollywood—All Jolson has been signed to star in the role of E. P. Christy, great minstrel troubadour, in the 20th Century-Fox production. Fx which will go into production next month, will combine the talents of Stephen Foster and E. P. Christie and will contain many of the Foster melodies.

King will direct and Kenneth Macgowan will be associate producer. The story is written by Philip Dunne and John Taintor Foote.

Phillips, Cosors, B. T.-H. and E. M. I. Will Enter the Field

London (By Cable)—With American tele interests apparently little concerned with the development of large-screen motion picture theater use, four more British companies are preparing to invade the field now monopolized by Baird and Scoophy.

Philips Radio is pressing experimentation, but has no immediate plans for commercialization, finding the BBC 405-line standard of the BBC a barrier. Cosors, heretofore manufacturing radio valves, is in much the same position. B. T. H. also is conducting explorations at Rugby laboratories, while E. M. I. has been given demonstrations.

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While distributors are united in
Kuykendall and Cole Invited to Confer with D of C

(See Column 1 Below)

Intimate in Character
International in Scope
Independent in Thought

THE FIlM DAILY

NEW YORK, THURSDAY, JUNE 15, 1939

TEN CENTS

Code to be Operative With or Without Allied’s Help

TEAR UP CODE, LET LAYMEN DRAFT ONE—STEFFES

FCC Report Charges A T & T With Patent Suppression

Revised Findings Turn Spot-light on Erpi Trade Practices
MILTON F. LUNCH
Washington Bureau of THE FILM DAILY
Washington—Charging the A T & T with continuously withholding large numbers of unused patents, the FCC yesterday released its report to Congress on the extensive telephone investigation as revised and approved by the full commission.

The report goes into lengthy discussion of Erpi and the effects on the motion picture industry regarding patents after reviewing Erpi’s history since its formation. “This (Continued on Page 6)

D OF C INVITES EXHIB. LEADERS TO CONFAB

Washington Bureau of THE FILM DAILY
Washington—Seeking the views of exhibitors, Dr. Willard L. Thorp, Secretary of Commerce Harry L. Hopkins’ economic advisor, yesterday wired invitations to Col. A. H. Cole, president of Allied and Ed (Continued on Page 4)

Quebec Mayor Says Theater Tax to be Borne by Public

Quebec—Employes of the 11 local theaters closed as a protest against the 10 per cent admission tax imposed by the Municipality were told by Mayor Lucien Borne (Continued on Page 4)

Preliminary Writ Denied in “Man of Conquest” Suit

Houston—Suit for $1,000,000 damages, charging libel and asking a permanent restraining order against theshowing of “Man of Conquest,” has been filed in Harris County Dis (Continued on Page 4)

Distributors Have Nothing to Gain in Monetary Way by Code—Rodgers

“From a distributing angle, we have nothing to gain in a monetary way by the Code and our only objective is for the solution of what some choose to call the ills of the industry . . .

“The number of complaints filed in Washington discloses that there is a difference of only 10 between those filed against affiliated chains and those filed against the unaffiliated chains.”

—WILLIAM F. RODGERS, before Allied’s national convention yesterday in Minneapolis.

DISTRIBUTORS HAVE NOTHING TO GAIN IN MONETARY WAY BY CODE—RODGERS

N. Y. C. SAID TOYING WITH ADMISSIONS TAX

Those three film tennis enthusiasts, Si Seadler, Jack Levin and Louis Nizer, met with the FILM DAILY golf committee yesterday to discuss the modus operandi of the tennis tournament that will be one (Continued on Page 2)

AFA Proxy Challenges AAAA to Submit to A F of L Probe

As an outgrowth of the AAAA investigation of the American Federation of Actors, Sophie Tucker, president of the AFA has challenged the AAA, parent body of actor unions, to submit to an A F of L ex (Continued on Page 7)

ITOA Wants Aid of Stars in Bad Business Solution

Minneapolis—New York’s ITOA wants Hollywood’s stars to seek the cause of bad biz at the box-office and then find a solution.

Posing the question, “Can movie stars think?”, the ITOA, via the (Continued on Page 5)

Distributors Will Grant No Further Concessions, Rodgers Advises Allied

GE Shows Tele Models Priced at $195 to $795

Television receivers ranging from $195 for a visual attachment to $795 were demonstrated yesterday (Continued on Page 6)

Minneapolis—Admitting that the trade practice code is not perfect but that it is wanted by the majority of exhibitors, W. F. Rodgers, Metro sales chief, and spokesman for the Distributors Negotiating Committee yesterday asked for Al (Continued on Page 7)

Yamins and Sears Clash on Arbitration Clauses at Open Forum

By AL STEEN

FILM DAILY Staff Writer

Minneapolis—In the most severe indictment of the lawyers in the motion picture industry ever voiced on a convention floor, Al Steffes, North west Allied proxy in the open forum session of the national Allied convention, declared that the practice as presented

EXPECT JAPs TO TAKE 100 MORE U. S. FILMS

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Los Angeles—Although American distributors in Japan are worried about product of 1939-40 season, U. S. Circuit Court of Appeals is scheduled to be the scene of two film actions today. One is the appeals taken by Ernest W. Stimm (Continued on Page 6)

RKO Reorg. and “Lynton” Appeals Come Up Today

Intermission Bill Wins III. Senate Com’s Okay

Springfield, III.—The Senate Judiciary Committee has approved the Sandquist bill, calling for a 15 min-
The Twenty-seventh
FILM DAILY GOLF TOURNAMENT

Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY.

1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee $12.00 if paid not before June 22).

Name ____________________________

Address ____________________________

LAST THREE SCORES

CLUB HANDICAP ________________

Tennis Committee Meets For Golf Tournament

(Continued from Page 1)

of the day's important sports events at the 27th Film Daily Tournament, scheduled for the Rye Country Club, on Thursday, June 22.

Jack Levin in old time Hotel Astor, has outlined his ideas on how the tournament should be a true regulation tennis form. Nizer, Sandler and the Committee thought the idea. At least it looked good on the tablecloth where Jack made his calculations and graphs. Without attempting to explain the system, your reporter can state when translated into action on the 22nd, every tennis entrant will have an equal chance to win one of the major prices. Sandler suggested a couple of beautiful models as "ball boys" for the tennis players, but the Committee reluctantly voted against it.

Then Levin suggested that all those who wanted to play tennis mark their blanks and intimates that he might return to the U. S. to write the script and to co-star in the film with Norma Shearer.

Noel Coward for Films?

London (By Cable) — Following his arrival from America, where he sold screen rights to his short plays, "Tonight at 8:30" to M-G-M, Noel Coward is now reporting that he might return to the U. S. to write the script and to co-star in the film with Norma Shearer.

Studio Mechanics Union to Weigh Contract Draft

Special meeting of membership of Local 82 studio mechanics, will be held Monday or Tuesday night to consider new contract proposals submitted by the producers. Pact is expected to be signed by new federal legislators who will study it.

Copyright Committees Meet

Further meetings of the main and sub-committees preparing a new draft of copyright laws are being held this week. Finalized draft is expected to be whipped into shape by next week for submission to federal legislators who will study it.


during the week.

'Tarzan' Quickly Clicks

"Tarzan Finds a Son!" opened at the Capitol yesterday to the house's best biz in two months. Late afternoon attendance figures indicated business ahead of the initial week of "The Hardys Ride High."
"HELLO MAISIE!

I hear you knocked 'em for a loop in the premieres at Harrisburg and Providence. I guess you're the big box-office noise right now!"

"HELLO TARZAN!

That goes for both of us. Your big show has leaped into the hit class in its first engagements in Toledo, Wilmington and at the New York Capitol. I'll bet the gals are aching to feel those muscles, Big Boy!

M-G-M's Flash at Press Time!

Two more M-G-M previews on West Coast are sensational. "ON BORROWED TIME" and "ANDY HARDY GETS SPRING FEVER" continue M-G-M's streak of box-office hits!

TARZAN FINDS A SON!

starring the one and only
JOHNNY WEISSMÜLLER

Maureen O'Sullivan, John Sheffield, Tom Hunter, Henry Stephenson, Frances Bavier, Henry Wilcoxon, Louise Day, Sue Ann Foster, Cyril Hale - Based upon the Characters Created by Edgar Rice Burroughs - Directed by Robert Harop - Produced by Sam Zimbalist

MAISIE

The Explosive Blonde

with Robert Young, Ann Sothern, Bob Hope, Lee Hopper, Cliff Edwards

Screen Play by Mary C. McCall, Jr.
Directed by Edwin L. Marin
Produced by J. Walter Ruben

Yesterday's Capitol Opening a Riot!

COOL THOUGHTS for HOT DAYS
D of C Invites Exhib. Leaders to Confab

(Continued from Page 1)

Kuykendall, president of the MPTOA, and Commerce Dept. officials in Washington on June 21 at 10:00 a.m. This action was forecast by THE FILM DAILY last week.

Both telegrams were sent to Minneapolis where the Allied convention is in progress. Full text read: "In connection with our examination of the problems of the motion picture industry, Secretary Hopkins wishes to obtain the views of the theater owners. Would it be possible for representatives of your group to meet with the Department of Commerce officials in Washington on June 21 at 10:00 a.m?"

Commerce Dept. officials expect answers today.

Hazen and Hopkins' Aide To Confer Here Tomorrow

Deferred conference between J. H. Hazen, executive vice-president of Warners, and Ernest Tupper, chief statistician of the Department of Commerce, to be attended to take place here tomorrow, it was learned yesterday. Tupper will come on from Washington.

Meeting results from last week's visit to the capital by Will H. Hays and major company executives, for a parley with Secretary of Commerce Hopkins and his aides.

Discussion of statistical info, exchanged by the industry and the D of C is expected to highlight the Hazen-Tupper parley. A second general conference with the MPDPA provy and others in attendance is underlined to follow.

Date for the latter has not been set, but it may precede the deferred quarterly meeting of the MPDPA board of directors; in that event, the board is expected to receive a full report on the Commerce Department moves.

Credo Sets First Story

Roman Rebush, who recently organized Credo Pictures, Inc. to produce and distribute foreign language films, announces as its first production "Mirele Efros," based on the novel by Jacob Gordin. This is the first of four Jewish pictures to be produced by Credo.

Happy Birthday

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

George Bennett
Gertrude Turtchle

N. Y. C. Said Toying With Admissions Tax

(Continued from Page 1)

prepared for eventual consideration by the City Council.

Taxes would be designed to finance the city's share of the State's $150,000,000 slum clearance tec,

gram, and were authorized by measures to which Governor Lehman affixed his signature early in the week.

Mayor LaGuardia yesterday said that he would not have to impose any additional taxes this year, but left the 1940 question open. Should a municipal admissions tax be enacted, levy under the new state's law, would be at the rate of one cent on tickets up to 60 cents, five cents between 61 cents and a dollar, and 10 cents on tickets over a dollar.

Quebec Mayor Says Theater Tax to Be Borne by Public

(Continued from Page 1)

yet to return to their employ-

ers and demand that the theaters be reopened.

"Certainly the tax will not be rescinded!" Borne said, declaring that the operators are trying to make a best case of it. "The tax is not imposed on the motion picture thea-

ters but is an amusement levy to be borne by the public," he de-

clared.

Preliminary Writ Denied in "Man of Conquest" Suit

(Continued from Page 1)

district Court, against Interstate Cir-

cuit, Inc. Republic Pictures of Tex-

as, Republic Productions, Inc., and Hercust-Texan Theater Co. Plaintiff is Brig. Gen. Andrew Jackson Hous-

ton, 84-year-old son of Sam Houston, eccentric character of the film. Gen-

eral Houston claims the picture caused injuries to the memory of Sam Houston, Mrs. Margaret Lea Houston, and himself. Preliminary application for an injunction was denied yesterday.

TMAT Film Division Will Nominate Vice-President

Nomination of a second vice-presi-

dent of the TMAT union will be made at membership meeting to-

morrow night. Candidate will come from the union's motion picture di-

vision. Two representatives for the union Board of Governors will also be voted on.

Would End FTP

Washington Bar, THE FILM DAILY

Washington—House Appropriations Com-

mittee yesterday reported favorably the WPA bill, one part of which would elimi-

nate the Federal Theater Project. Final action on the measure is expected by to-

morrow.
Montague Urges Acceptance; Brandt Says ITOA Ready to Sign

(Continued from Page 1)

as not the Code he and other leaders worked on in Chicago and advocated that it be torn up and a simple method of arbitration for all industry evils be drafted.

The Distributors’ Negotiating Committee may have been sincere, Steffes said, but "I don't believe there is any sincerity in that document," he added.

Parts of it resemble the original form, Steffes continued, but after the attorneys got through with it, 'they couldn't understand what it was about.'

Steffes said he believed an effective arbitration plan in simple language could be formulated by a panel in 15 minutes.

Steffes Charges Chiseling

Prior to Steffes' remarks, Grad Sears, Warners sales chief, told the convention that there would be no chiseling on the code provisions. To which Steffes said: "The chiseling is already started." Steffes then accused exchange employees of asking higher rentals in order to offset the 20 per cent cancellation privilege.

A heated debate, over the cancellation clauses was entered into between Nathan Yamin, former national Allied prexy, and Sears. It was apparent that the two men held different interpretations of the set-up. Sears indicated that while the pictures might be cancelled, efforts would be made to get the lost revenue in some other way. He said he favored upon the 20 per cent cancellation as a means for greater selectivity, while Yamin accused him of bad faith because he claimed the clauses meant just what they said—right to cancel 20 per cent of the pictures on a contract.

Sales Execs. on Dais

Sears, Rodgers and Abe Montague at the dais and answered the questions from exhibitors. Montague said that Columbia Pictures, of which he is sales manager, was anxious to have the Code adopted. He urged exhibitors to think a long time before going after Government attention.

The open forum will be continued day as many exhibitors who had questions were unable to put them in the floor because of lack of time. Ed Kuykendall, MPTOA prexy, who was slated to talk will deliver his speech today.

Harry Brandt told the convention that the picture business was on the brink of chaos and that he was ready to do anything to promote better grosses and a better understanding. Although he said he was satisfied with the Code in its entirety, he said that ITOA was ready to sign it, as he believed it was the best that can be obtained.

Minneapolis—ITOA bid to Allied to cooperate in stamping out the dual evils is featured in a special Allied convention issue of the ITOA’s organ, The Independent.

Blas against “double trouble” says that ITOA members who run duals as an established policy concur in the belief that such policy “stinks.” “Pictures admitted as made-for-B release and for the purpose of filling the lower half of a double bill are damned by the producers before they leave the studios. The public has only to confirm the matter a little later," says The Independent.

ITOA organ continues: “We recommend that if you lock the double feature evil, the radio evil and the giveaway evil you will have brought showmanship back to this business and eliminated the bargain counter aspect. If we use the word bargain advisedly, for with the B pictures being shown, no matter what the admission price is, a patron gets no bargain.”

Lehman Vetoes Ostertag’s Employment Agencies Bill

Albany—Assemblyman E. Harold Ostertag’s measure to place recharging employment agencies under local regulation was vetoed by Gov. Herbert Lehman, who said “experience under the present law has shown that local administration alone is not effective” and that “this bill is at variance with my recommendation for state regulation.”

Bill was regarded as compromise, though its terms as to theatrical agencies were thought more stringent than other measures which had A F L support.

May Limit Night Clubs

Chicago — This city’s night life faces curtailment. In addition to an additional $700 license fee for night clubs, City Council is considering restricting the number allowed to operate.

at the present time. He advocated a few changes.

Milton Weisman, ITOA attorney, also talked in favor of the Code and arbitration setup with reservations.

Code Vote Due Today

Allied’s Negotiating Committee did not make its report to the Board of Directors as planned, but it is likely that it will be made today, inasmuch as Allied members are to vote on the Code’s acceptance at the afternoon sessions. Whether the Code will be torn up, as proposed by Steffes, is expected to be decided insofar as Allied is concerned.

Policies and resolutions will be submitted for consideration and vote, and the convention will come to a close tonight with a 100th birthday party.

The scheduled convention of the Northwest Allied unit was not held yesterday.

ITOA WANTS STAR AID IN BAD BIZ SOLUTION

(Continued from Page 1)

special Allied convention issue of its house organ, The Independent, affirms, “The amazing aspect of motion picture stars is that there are so many of them who don’t own the first thing about motion pictures.”

“While exhibitors from Coast to Coast complain of bad business, when constant finger-pointing is leveled at Hollywood, when fan magazines inflate the silly prattle of high-priced stars into pages of pseudo-scandal, when the business end of the industry is making serious plans for the future, while radio is a serious rival to films—why don’t we look at these things as confronting us, that means that a housecleaning in in order and that it’s time for stars to take an active interest in their bread and butter and help to get all the trouble,” is the ITOA slant.

Further, says the ITOA organ, “Instead of depreciating their box-office value by appearing in poor material on the radio and keeping the movie public away from the theaters, our stars should be making personal appearance tours, letting the public see them—not just listen to them. They should be showing off their glamour and beauty—not trying to project it over the air.”

File Dietrich Tax Lien

Tax lien for $142,193 was filed against Marlene Dietrich as she pledged yesterday on the Normandie. Taxes are alleged to be due from her earnings for 1936, when she made a film for the Isle of Man Corp. in England. She was allowed to sail, but her baggage was impounded by Internal Revenue department agents.

EXCLUSIVE

OFFICIAL MOTION PICTURE PRODUCERS, INC.

1441 Broadway

N. Y. C.

Cable address: Rubicam EXCLUSIVE
$1,000,000 in Japanese Films Rentals Held in Bank

Ind. ATO Loses Fight to Halt Use of Schools for Opposition to Films

Not to Be Released to U. S. Distributors for Three Years

(Continued from Page 1)

Michael Shatin, Warner Bros. manager in Japan, who arrived here yester-
day, states in a "telegraphic wire" that the Japanese Government will grant permits for importation of 100 more American films after the original agreement made between the American distributors and govern-
ment ends. The permits must be obtained from the Department of Finance.

The new law governing all phases of the motion picture industry in Japan, which was adopted by the Im-
perial Diet, becomes effective Oct. 1 and will be administered by Depart-
ment of Internal Affairs.

Shatin reported that theater grosses in Japan for 1939 exceed the same period of 1938 by about 20
per cent. He declared that the monopoly existing in Manchukuo is stronger than ever and American
 distributors have made no plans for trying to resume business in Man-
chukuo. Manchuko has about 150 theaters of which only 60 formerly played American product.

Shatin reported that "Four Women" and "The Great Dictator" are very popular in Japan and that
 Deanna Durbin continues to be a great favorite in that country.

It is understood that $1,000,000 accumulated in rentals on American films in Japan is being held in San
 Francisco branch of Yokohama Specie Bank under agreement between the Japanese Government and American
 distributors. These funds will not be released for three years, accord-
ing to the agreement.

Chi. Exchange Mgrs. Cited in Gov't's Contempt Case

Chicag—All exchange managers with the exception of Paramount's have been represented by the D. O.
J for appearances in Government's criminal contempt action against B
K and the majors, it was con-
firmed yesterday by Seymour Si-
 mon, Assistant U. S. Attorney.

Additionally, Simon said Joe Ro-
 senberg, Illinois Allied counsel; Robert Farrell of the Oriental the-
er and L. R. Armholt, Board of
Education attorney, also had been
sued.

Thurman Arnold, Assistant At-
orney General, speaking at the Uni-
versity of Chicago Law Confer-
ces, said the Boll Company "has
always preferred to adopt the posi-
tion of licensor under its patents in the non-commercialization of the Bell sys-
 tem and the licensing of the Bell sys-
 tem to manufacturers, use, and sell devices employing Bell system patents. No license has been issued for the reproduction of patents or for the reproduc-
tion of patents upon applications for the use of patents or for the pro-
duction or use of apparatus other than apparatus used in the production and exhibition of sound motion pictures and the reproduction of apparatus used in the production and exhibition of sound motion pictures and the reproduction of apparatus used in the production and exhibition of sound motion pictures and the reproduction of apparatus used in the production and exhibition of sound motion pictures. "It has not sought to build up an ownership or equity interest in the industry as an end in itself. In those instances in which it has ac-
quired an ownership interest, or a credit or position, other than those arising out of the equipment busi-
ness, the action has been for the purpose of promoting or retaining its holding on the apparatus market."

Summary of chapter on tele-
graphy states that the Bell Company "has always preferred to adopt the posi-
tion of licensor under its patents in the non-commercialization of the Bell sys-

1) The New York stock is quoted as an example of D of J procedure in handling anti-trust cases.

Small's "Columbus"

West Coast Box, THE FILM DAILY

Hollywood—Edward Small announced that he will produce "Christopher Columbus," for UA's 1939-40 line-up, beginning in the fall. Small will direct the new production under the aegis of Brian Aherne to play the title role.

WEDDING BELLS

Columbus, O.—Clint Wander, ma-
ager of Loew's Broad Theater, and
the former Joan Day, now in the East on a ten-day honeymoon.

Columbus, O.—Announcement has
been made of the approaching mar-
riage of Phil Wood, Jr. and Miss Vi-
rinia Fox on June 26. He is the son
of J. W. Wood, secretary of the Ohio ITO. Couple will reside in Philadelphia where he is associated with RCA.

West Coast Bureau of THE FILM DAILY

Hollywood—Mudge Evans and Sic-
ney Kingsley have announced that they will marry late this month. Miss Evans said that she might give up
her screen work after the wed-
ing.

Indianapolis—Emily Yucknatt, the 20th Century-Fox office staff, will be married to Herbert O. Fisher June 25. They will reside in Buffalo N. Y.

Indianapolis—Ruth Hall and Ab
Baker, booker at Columbia exchange, will be married July 9. They will spend their honeymoon touring the West.
National Code Choice Held Impossible at Allied Meet

Baird Will Demonstrate Large-Screen Television at G-B H.O. Tomorrow Night

First demonstration in the U. S. of Baird's large-screen television for theaters will be held tomorrow night at the Gaumont-British home office. Special room has been equipped for the demonstrations.

Sees No Danger to U. S. Pix in Argentine Prod'n Step-up

Native production in Argentina has advanced considerably recently, with the average cost per picture now between $40,000 and $50,000. Nat Liebeskind, manager for RKO in Argentina and South American supervisor, stated yesterday. He believes this advance in local production is a healthy sign, but that no danger to Hollywood product is present as native films play mostly in earnest consideration of the plan, with few of them making a profit.

Liebeskind believes that South American markets can not replace what has been lost in Europe at this time, and the opinion that distributors have overplayed their importance. Comedies and singing and dancing pictures are preferred to serious dramas in South America, he said.

He was here to attend the RKO convention.

Planning Film Audiences Ass'n for Great Britain

London (By Cable)—The plan for an organization of film audiences in Great Britain similar to the Associated Film Audiences of America, and probably to be affiliated with the U. S. body, will come up for further discussion here today. The organization, which was suggested by, and has the support of, Cedric Belfrage and Sydney L. Bernstein, is to be pushed forward in provincial cities and in Scotland, Ireland and Wales.

Proposal was made in the belief that the British public is eager for more democratic films, and that it is necessary that audiences have a voice in what films the producers make. Membership on this side of 100,000 is predicted.

and distributors to do that which is economically unsound.

“Future at Stake”

In closing Rodgers asked for earnings and sound balance sheets, asserting that “your future is at stake in proportion to ours.”

Asserted the Metro exec.

“I have no patience with those who sit on the sidelines and constantly attempt to destroy the structure which is not only profitable to all, generally speaking, but in addition, there is distinct public service to this entire nation. We would not stand before you today and advocate the adoption of the Code if I did not think it would help you solve the problems.”

DeMille Troupes

West Coast Bar,—THE FILM DAILY

Hollywood—Cecil B. DeMille turned the page of a 10-week feature, tracing the development of the industry.

Donning his directorial boots and riding brooches, the veteran Paramount producer-director posed with the historic camera that filmed his first picture, “The Squaw Man,” in 1913.
for Seat Selling Effectiveness at Low Cost...

you must use NATIONAL SCREEN TRAILERS...consistently good for almost twenty years...

you must use NATIONAL SCREEN TRAILERS reaching a hundred percent audience at every performance...

you must use NATIONAL SCREEN TRAILERS with their double selling values...appealing through BOTH the printed word and the spoken word...

you must use NATIONAL SCREEN TRAILERS reaching more people, selling more seats at lower cost than any other advertising you can buy...
GUT-Hoyts Deal Affects More Than 200 Aussie Houses
(See Column 2 Below)

Intimate in Character
International in Scope
Independent in Thought

THE daily

NEW YORK, FRIDAY, JUNE 16, 1939

TEN CENTS

Warner Bros. Disposes of Holdings in Transamerican

ALLIED SPURNS CODE; NO FURTHER NEGOTIATIONS

Distrib. Position on Code Awaits Leaders' Return

May Negotiate with Allied
Members as Individuals,
It is Indicated

Minneapolis.—A formal announcement as to what position the distributors will take in the matter of a Trade Practice Code will not be made until after the industry leaders return to New York, W. F. Rodgers said last night. Rodgers originally planned to make a statement on the situation immediately after Allied rejected the Code but later changed his mind.
One thing is certain, he said, the distributors will have nothing more to do with Allied. He indicated that
(Continued on Page 3)

AIR LINER CRUISE
AS TOURNEY PRIZE

Gather round, golfers, while we spill the news of a most amazing prize that has been donated to the already handsome list of prizes and trophies for THE FILM DAILY Golf Tournament next Thursday at Rye Country Club.
Robby Robinson, local representa-
(Continued on Page 8)

Jack Berkowitz Turns Back His Republic Franchises

Jack Berkowitz, president of Rep-
public Distributing Corp., of upper New York, and Republic Pictures Corp., of Michigan, yesterday an-
nounced that due to the pressure of other important business affiliations that he has turned back his franchise
(Continued on Page 3)

$600,000 Payment Ends
All-Continent Corp. Suit

Atlantic City—Suit against the All-Continent Corp., brought by Hiram W. Steelman, trustee for the bankrupt estate of William Fox, was ordered dropped yesterday in
(Continued on Page 3)

New Soviet Pix Car
Moscow (By Cable) — Ivan Grigorovich, former executive secretary of the Council of Peoples' Commissars, has succeeded Dmitry Dukelsky as head of the Soviet film industry. Dukelsky leaves his post at his own request.

OVER 200 THEATERS
IN GUT-HOYTS DEAL

Greater Union Theaters and Hoyts circuit in Australia are to be merged for all operating purposes for a 20-
year period under the banner of General Theaters Corp., which will serve as a management organization for both theater chains, handling all business affairs and buying product, it was announced yesterday by Norman B. Rydge, GUT chieftain. Plans
(Continued on Page 8)

Extensions Again Granted
in Ohio Taxpayers' Suits

Columbus, O. — For the second time extensions have been granted in the taxpayer's suits against the State Tax Commission challenging its authority to exempt film rentals from sales tax. An answer was to have been filed by yesterday, but
(Continued on Page 6)

Catchings, Clark and Rosenberg Buy Warners' Interest in Transamerican

Television Improvements Demonstrated by Philco

With Dr. Alfred F. Murray, company's chief teie engineer, describing the changes, two tele receiving improvements were demonstrated yesterday by Philco. Philco engi-
(Continued on Page 3)

Report Says Provisions of Draft Not in Accord with Members' Views—Distribs. Won't Negotiate with Allied Again, Says Rodgers

By AL. STEEN, FILM DAILY Staff Writer

Minneapolis—Allied yesterday rejected the proposed trade practice code at the closing session of the organization's tenth annual convention. The rejection was made in a report by the Allied negotiating committee which was read by Col. H. A. Cole, president, who pointed out that the provisions of the draft were not in accord with the members' views.
W. F. Rodgers, who was key man in the preparation of the Code, stated following the rejection that the distributors centered again would negotiate with Allied as an organization.
The grounds on which the Allied
(Continued on Page 3)

DECISION ON "LYNTON" APPEAL IS RESERVED

The Circuit Court of Appeals reserved decision yesterday on the appeals of Metro-Goldwyn-Mayer Pictures Corp., Metro-Goldwyn-Mayer Distributing Corp., Loew's Inc. and Culver Export Co. from an award of $532,000 against them to Edward Sheldon and Margaret Ayer
(Continued on Page 8)

D of C-Exhibitor Leader
Conference Date Uncertain

Washington Bureau of THE FILM DAILY
Washington—Date of the confer-
ence between the Commerce Depart-
ment and exhibitor association spokesmen is undecided following
(Continued on Page 6)

Three Pensacola Parks Start Free Film Show Policy

Pensacola, Fla.—This city's three public parks went into a free film entertainment policy of features and
(Continued on Page 8)
**FINANCIAL**

**NEW YORK FINANCIAL NET**

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**NEW YORK CURIK MARKET**

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| Sonotone Corp. | 17% | 17% | 17% | 17% |
| Technicolor | 18% | 18% | 18% | 18% |
| Trans-Lux | 1% | 1% | 1% | 1% |
| Universal Corp. | 1% | 1% | 1% | 1% |
| United Press | 1% | 1% | 1% | 1% |
| N. Y. OVER-THE-COUNTER SECURITIES | | | | |

**SAFETY LLOYS**

**FILM STORAGE CORP.**

Storage by Reel or Vault

729 Seventh Ave.

New York City

Bryant 5-5600

**SECURITY**

**ALONG THE RIO**

**WITH PHIL M. DALY**

- Sales and booking forces at Universal’s Big “U” Exchange in New York will meet at the Hickory House toonie...to celebrate the promotion of Leo Abrams to the position of short subject sales manager for the company...Abrams was branch manager for the past ten years...among those who will attend the party are: District Manager A. J. Herman, Big “U” Sales Manager Max Cohen, Office Manager Nat Goldberg...Salesmen Jules Liggett, Harry Furst, Ben Price and Phil Winnick...also head booker Sam Phillips and bookers Leo Simon, Jimmy Cummings, Harold Weisenthal and Jimmy Bello...David A. Levy, a former M-G-M branch manager, will succeed Abrams as head of the Big “U” Exchange.

- **LOOKS like the new producing output of Domino Productions...as seen in the Negro market "in Straight to Heaven..." a comedy-drama with Nina Mae McKinley, Jack Carter and Jackie Ward in leading roles...the latter is a ten-year-old who is being touted as a colored Bobby Breen...Arthur Leonard, who directed it, was formerly casting exper at Warners Brooklyn studio...Bud Freeman and Cyrus Wood, Jr., who did the script, were writers on the same lot...George O. Walbridge, general manager for the concern, will attempt to produce extra for exhibs. handling strictly Negro product, and also of a quality that will secure booking in a percentage of white houses.

- For the first time in its history, the "Only Human by Candid" ran a story in the Daily Mirror for three consecutive days...the honor went to little Gloria Slice, daughter of that famous photographer, Jimmy...on her war experiences in Spain.

**Report Movietone Cameraman In Arrested By Japs**

Arrest of Eric Mayell, Movietone cameraman, in Tientsin, China, by the Japanese Army was reported by cable yesterday. Mayell is said to have been arrested for attempting to take pictures of Japanese soldiers when the blockade against the international settlement in that city became effective.

**7% Westinghouse Bonus**

Based on increased earnings in May, April and March, employees of Westinghouse Electric and Manufacturing Co. will receive a wage adjustment payment of seven per cent this month, compared with five per cent in May. The payment will be distributed among employees who receive a monthly wage of $90 or more. The wage increase will become effective on June 1.

**Optical Corp. Suing**

A suit was filed yesterday in New York Supreme Court for an injunction, an accounting and damages, by Optical Development Corp., manufacturer of "monotone viewing filters," against Burleigh Brooks Inc. Optical will apply to the Supreme Court today for a temporary injunction pending trial.

**Para. Chi. Exchange Manager Cited in Contempt Case**

Chicago — Subpoena was served yesterday on Manager Donahue of the Paramount exchange, completing the Government’s list for criminal contempt trial, against D & K and the majors, set for June 22. Robert Wright arrives tomorrow from Washington to participate in case for the Government.

**Pokrass Rites Sunday**

Samuel Pokrass, 20th-Fox composer and lyricist, died yesterday at Roosevelt Hospital. Mr. Pokrass, writer of music for many pictures, was born in Russia, 45 years ago. Funeral services will be held Sunday at Park West Memorial Chapel, 115 W. 79th St.

**Pathé $1.75 Dividend**

Board of directors of Pathé Film Corp., yesterday declared the regular quarterly dividend of $1.75 per share on the $1 convertible preferred stock, payable July 1, 1933 to stockholders of record June 23, 1933.

**Ben Cohen Reconvenes**

Detroit—Ben Cohen, circuit operator, has just recovered from the infection which followed appendi- sion last fall.

**COMING AND GOING**

NORMAN B. RYDGE, Greater Union Theater exec., leaves tonight for the Century. Will call Wednesday on the Mariposa for Australia.


SOL SACKS, southwestern district manager for RKO, C. W. ALLEN, manager of RKO's Dallas branch, V. W. ADWELL, VERNON ADAMS, C. J. WHEELER, J. E. HUEY and R. E. HELM will call from RKO for two weeks in New York to attend RKO sales convention.

JOSEPH BERNHARD, WB v.p. in charge of theatres, HERMAN MAIER, chief of construction, HEN. MAJ. NATHAN LEVINSON, head of the sound department, FRANK CAKILL, JOHN TESE- SON, architect, SAM GOLDER, WILLIAM GOLDSMITH, I. J. HOFFMAN, HARRY GOLDBERG LEONARDO SCHLEISINGER, CHARLES RENNEN, HARRY ARMSTRUCH, DREW EBERSON, H. I. SWARZ, MARTIN BENNETT, LIEF HEARD, E. NILSON, and JOE HOLMAN attend the opening of Women’s new Washing- ton theater, The Kennedy, last night.

MRS. TYRONE POWER, SR., mother of the movie star, arrived in New York from Hollywood yesterday and is staying at the Waldorf-Astoria.

JACK GLENN, March of Time director, returned to New York yesterday after the three months work on a M of T in Cuba in several of the Southern states.

ARTHUR ARCE, v.p. of S.O.S. Cinemas Supply Corp., and head of its export department sails on the S. B. Sorinique next Thursday to Paris, London and Bermuda, returning via the Dominican Republic and Jamaica.

LOUIS HYMAN, distribution head of S. Curschman’s projection department of Hollywood Theatre Co., leaves New York to attend the RKO convention.

MILTON LARAZUS is in Hollywood looking for film for a foreign play, “Once Upon Night,” which Lee Shubert will produce or Broadway in the fall.

WALTER BRADFORD of Para’s publicity de- partment, leaves Hollywood next Tuesday for Miami to handle the publicity campaign on the Fleischer cartoon feature, “Gulliver’s Travels.”

SHIRLEY TEMPLE has returned to the 20th-Fox studios from her extended Hawaiian vaca-

SAM WHITE, Para. associate producer, is en route from New Orleans where he sails for a West Indies vacation.

JOHN FORD, BARD BOND, HENRY KING and JAMES WYLER are in Hawaii attending sound recording conferences with Erik triumph.

HOMER DUDLEY and CHARLES VEDERSON of RKO are in Haiti looking into the possibil- ity of opening a base for air mail service to Haiti from New Orleans.

EUGENE LORIE, French film set designer, is here on a visit.

**THE THEATRE**

"Hour of Pleasure"—Adolph, Times.

**WHAT A LIFE**

with EIZA STONE as Henry Aldrich

MANNFIELD, W., 47th St. MTA, West. and Sat.

Call 4-6646

"A MUST, GO ENJOY IT!"

Walter Winchell

Comedy Face with Music

**MUST LOVE SOMEONE**

with LAINES BENNET

VANDERWILT, W., 48th St.

Eve, 8-10, Mon., Wed. & Sat.

Air-conditioned.
Some Allied Members Favor Fair Trial of the Code

Arbitration 90 Per Cent of Trade Practice Code Says Kuykendall, Advocating Trial

Minneapolis—Ed Kuykendall, president of the MPTOA, reiterating the opposition of his exhibitor organization to government regulation of the picture industry, went on to say, after the Allied convention's rejection of the distributors' Trade Practice Code, that the arbitration sections represented 90 per cent of the Code, and that, while he, personally, thought the rules were too restricted, he believed that a trial would be the best step to pursue.

Television Improvements Demonstrated by Philco

(Continued from Page 1)

neers have eliminated the "blemish" common on many tubes and have also developed a flat-face, wide angle picture tube in place of the generally used curved tube. Pictures on models ranging in price from $115 to $425 were viewed and were generally regarded as comparable to those offered by companies which have introduced competitive sets.

Changes, it was stated, are due to an "ion trap" into which "undesired ions" are hurled, while the desired electrons stream along another channel to form the pictures. It is also claimed that the flat-face tube will afford viewers an opportunity to witness a picture "from almost any angle without distortion."

$600,000 Payment Ends All-Continent Corp. Suit

(Continued from Page 1)

return for payment of $600,000 by Fox's family. Action charged that All-Continent was created with $7,000,000 of Fox's assets and transferred to his wife and two daughters.

WB Promotes Summers

James D. Summers, supervisor of checkers for Warner Bros. New York Exchange, has been appointed as personnel manager of the company's theater zone in Chicago and Milwaukee, by Ralph W. Budd, Warner Bros. personnel director. Summers, who will headquarter in Chicago, assumes his new post Monday.

Would Leave Door Open

H. M. Richey, RKO district manager of exhibitor relations, advocated that the door should be left open, pointing out the fact that an effort had been made to work out an agreement aligned well for the industry.

Others who spoke and asked for further consideration of the Code were Neil Agnew, Paramount sales manager, William Sussman and William C. Gehring, 20th-Fox executive.

Their efforts, however, were futile before they started as Allied's stand was determined prior to the meeting.

Complete B & K Audit

Chicago—The M. A. Morrison Co. has completed its independent audit of Balaban & Katz books for Mrs. Sylvia Diamond of New York City, holder of a common stock who recently asked for such an audit. There are no stockholders suits pending against B & K. Ernest Upton, comptroller for the company, states.

Binyon to Direct

West Coast Bar, THE FILM DAILY

Binyon, noted authority on crime and adventure, has joined The Binyon Originals on Film and is now producing and directing. He is known for his original story, "The Elegant Mr. Word," which was recently made into the film, "The Stolen Letter." He is currently working on a new project for the company's upcoming schedule.
Laughter is music to the ears of any showman! Give your patrons an excuse for breaking into gales of merriment! Give 'em this grand comedy about an eyeful from Minnesota who sets her not-so-simple heart on gay Paree...and gayly gathers four boy friends who'd give anything to take her there!
Opening
RADIO CITY MUSIC HALL
JUNE 22nd

Melvyn DOUGLAS ★ Joan BLONDELL
WALTER CONNOLLY • ALAN CURTIS • JOAN PERRY
Screen play by Gladys Lehman and Ken Englund • Directed by ALEXANDER HALL
A COLUMBIA PICTURE
tending that the plan was unfair as to debenture holders and should be reversed on four separate grounds. Nathan Rosenberg, counsel for the appellant, argued that (1) RKO was a "wholly solv
vent corporation with assets of $13,000,000 and that its financial condition and earnings were such
that there was no justification for reducing the holdings of debenture holders; (2) that if the plan de
prives debenture holders of their debentures and substituted preferred and common stock, that the holders
must receive the "indubitable equivalent"; (3) that Section 77-B of the Bankruptcy Act under which the plan
was formulated violates the Fifth Amendment of the U. S. Con
stitution, and (4) that the preferred and common stock gives to substituted
holders a book value of less than one-half the value of the debentures.

H. Cassel & Co. are holders of $217,000 worth of debentures with interest due for seven years. Ro
senberg stated the plan will deprive the debenture holders of their sec
urity. Rosenberg had not completed his argument when Court recon
ceded for the day.

The Court refused to allow George L. Schine to file a brief in support of the plan, remarking that it had already 200 pages of briefs to read.

Hamilton C. Rickaby, attorney for Atlas Corp., proponent of the plan, was rebuked by Presiding Circuit Judge Learned Hand for filing three briefs. Judge Hand remarked that the latter's "force paper down our
throtts."

Loew's Also Duaing

Columbus, O.—Loew's Broad Thea
teres, one of the bills today
t following the lead of local RKO houses.

RKO WHOLLY SOLVENT, GASSEL & CO. CLAIMS

Reviews

"Daughters Courageous"
with Claude Raines, John Garfield, Priscilla Lane

Warners
107 mins.

SHOULD SLAY THE FEMMES EVERY-
WHERE WITH HIGH-VOLTAGE HEART
APPEAL IN FAMILY STORY.

A production with a high voltage of
sentimental and romantic appeal, written to
charm the American women of all ages from those of high school age experiencing
day-dreaming fantasies to middle-aged housewives or B.O. Slam. It's a lollapalooza for turning
on the weepy stuff and the heart-throbs and all those emotional quivers that get the
female vote. Offhand we would say that it will be a gala holiday for the ritzy dames and the middle class ladies and the work
women. Whatever is the reason for the revision that is alternately shedding tears of joy, and pity as they follow the careers of four lovely youngsters and their sweethearts, who face varying fortunes in their heart affairs with the men of their choice. This basic formula of "Four Daughters" is further enhanced by employing a large percentage cast that made last year's daughter classic so popular. There the plot similarity ends. This family has a father, who returns after twenty years of wandering the earth to find mother on the verge of marrying a
steadfast-guy and gorgeous business man in the home town. The four daughters approve. The return of the prodigal father disrupts all their plans. But he proves to be such a charming fellow, that soon he has all the daughters under his spell, and rooting for him. He also has made friends with a son of a Portuguese fisherman, and a young man not approved by mother but who fascinates the youngest daughter be
cause of his embattled position as he scoots his duffel bag and is automatically ad
mitted to the family. The youth and the returned father realize they are both more or less outsiders from a well ordered society and will have nothing to do with their non
conformist attitude to the respectable order of
things. They are both cursed with the wanderlust, and so they both desire to
realize that home life and a warm radiador and radio set are not for them. So father goes wandering out into the world still taking the fisherman's son with him. While mother is being betrothed to the reliable and steady business man and other daughters getting ready to follow suit by plighting their throats to steady-going boys of the home town. The shrewd manipulation of this overly sentimentalized theme lifts it into the top bracket of entertainment for fam
ces that can't miss. It has all the heart-rug world-shaking stuff of modern romance, and it's super-super for the parts they have to play. Claude Rains immense as the wandering dad with charm-plus. John Garfield a strong counter with the modish mannerisms of a different demeanor that gets the younger
daughter who is fed up on "nice boys." Priscilla Lane as the girl with the wide
strong, is a joy to watch. Fay Bainter as the mother wears very well. Rosemary

Extensions Again Granted in Ohio Taxpayers' Suits

(Continued from Page 1)

Aubrey Wendt, Attorney General's
staff, was granted a continuance un
til July 1.

Indications now are that the two
suits will not come to trial in the
Franklin County Court of Appeals.

It is not understood that the defense will
contend that taxpayers suits are il
legal—this on July 1, judges will decide upon points
involved in this demurrer, and in event they rule the suits are valid the defense must file an
answer preparatory to hearings at the fall
session of the court.

D of C-Exhibitor Leader
Conference Date Uncertain

(Continued from Page 1)

receipt of a telegram yesterday in
response to invitations sent by Dr.
Thorp. Ed Kuykendall, MP'TOA,
wrote his application for the proposed June 21 date stating he
would be glad to come but the
Al
to-Prevent, Col. L. A. Cole, wired
Dr. Thorp it would be impossible for a representative of his group
to be here before June 26.

The matter rests there at present, but it is expected the date will be
deferred until both groups can meet at
some time.

Fox Price Cut In Detroit
Fails to Hurt Michigan

Detroit — With business at the
Michigan Theater continuing far, no
price drop there is expected, despite
the cut at the Fox two week ago, now playing a dive under the Mich
igan. As long as the Michigan holds
prices up, no general price break in the
city is likely.

Exhibitors, seeking relief on film
rentals, have made a few individual
agreements with exchanges, but no
change in the system has been made, and only the more out
standing cases are being given any
relief whatever, it is understood.

Lane, Lola Lane and Gale Page round out the other daughters, and the four girls working together have really overwhelmingly
eye and heart appeal. Director Curtiz has
turned in a production that can best be
described as Saxatolian. Four of 'em, and all winners, these daughters. Selling angles:
Names—Claude, Rains, Fay, Priscilla.

CAST: John Garfield, Claude Raines, Jet
tree Lane, Fay Bainter, Priscilla Lane, Road
mary Lane, Lola Lane, Gale Page, Donald
Crisp, May Robson, Frank McHugh, Dick Foran, George Hombert, Burton Chill

CREDITS: Producer, Hal B. Wallis; Asso
ciate Producer, Harry Blamstein; Director, Ur
Curtiz; Authors, Dorothy Bennett, Irving White; Screen play, Julius and Philip Ed
Nimrod; Camera, James Wong Howe; Ed
itor, Ralph Dawson.

DIRECTIONS: Very good. PHOTOGRAPHY: Excellent.

WB DISPOSES OF ITS
TRANSAMERICAN STOCK

(Continued from Page 1)

senberg who formed the "syndicate" buying out the picture firm.

Warners' holdings in Tran
samerican, according to notices filed, with the SEC amounted to 65 per cent of the stock and this interest has been bought out. Fox company had backed the organization for several years and has been unofficially re
ported as having nearly $500,000 invested in TBT.

Transamerican officials indicated last night that important expansion plans would be put through immedi
ately.

Catchings has been identified with Warners and Muzak. Clark was with WLW until the organization of Transamerican. He is president of the concern while Rosenberg is vice
president.

Warners Report Dissolution of Penn. Ave. Corp. to SEC

Washington Bureau of THE FILM DAILY

Washington — Warner Bros. pic
tures has filed report with SEC stating that the Pennsylvania Ave. Cor
p. was dissolved May 16 and all stock of Sunset Bowling Center was
purchased May 17.

An agreement dated May 29, making an agreement between Warners and the North American Co. of April 1, 1938 pursuant to which Warners acquired 50.1 per
cent of stock of Associated Music Publishers, Inc., was reported.

Two British corporations have con
tributed additional capital reducing interest of Warners to 40 per cent of SEC was told. By agreement War
ners has agreed to transfer to Asso
ciated Music Publishers all common and preferred stock of Transamer
ican Broadcasting & Television Corp. in exchange for $100,000 par value of preferred stock, and
Associated Music Publishers. Warn
ers is relieved of all present and fu
ture obligations under the 1908 agreement and relieved of obligation to contribute further capital to Transamerican Broadcasting & Tele
vision.

STORKS!

A seven pound son was born to Mr. and Mrs. Hal Danson yesterday at 8:00 a.m. in the Harris
don, Medical Center. Danson is con
nected with Paramount. Cigars were dished out to the Paramount publicity crew by the proud father while the mother is doing nicely, thank you. Yes, it's Hal's first.

Lillian Mayers, wife of Archie Mayers, general sales manager of Pictures, gave birth yesterday to a six and one-half pound baby girl at Beth Israel Hospital.

Happy Birthday

Best wishes from THE FILM DAILY

to the following on their birthdays!

JUNE 16

Barry Norton
Oscar Munson
William B. Davidson
Norman Kerry

JUNE 17

William K. Howard
Lupino Lane
Philip Lessor
Phil McCullagh

JUNE 18

Louise Fairends
Kathryn Michin
Francis Anthony
Ralph Bellamy
Joan Benay

JUNE 19

Jeanette MacDonald
Ivan L. Lebedoff
Bruce Calhoun
H. Perkins

TOE EVER}
DECISION ON "LYNTON" APPEAL IS RESERVED

(Continued from Page 1)

Barnes for alleged plagiarism of their play, "Dishonored Lady," in the German Lloyds and for a further award of $85,000 given to O'Brien, Driscoll & Rafty as attorneys for Sheldon and Barnes.

An appeal was also taken by Sheldon and Barnes, who claimed the award should have been $587,000 originally granted by Special Master Gordon Auchincloss.

John W. Davis, onetime Democratic presidential candidate, who argued for M-G-M, claimed the pivotal question, which he said "was interesting and important" to the film industry, was whether or not a successful plaintiff is entitled to all the profits of an infringing picture or only, as Metro contended, those which were traceable to the infringing material.

Davis branded the award as "unjust" and "shocking," stating that the scenario plays but a subordinate part in the success of a picture and that a fair estimate would have been 10 per cent of the net profit, or $85,000. He also attacked the method of computation of allowance for expenses made by the Special Master. Davis contended that an expert could have reasonably computed the actual amount of the infringing material and argued that the court had granted an apportionment.

He alluded to the $85,000 given for film rights to "Re- union in Vienna." $50,000 for "With a Woman" and 10 per cent of the gross received by Sir James Barrie for "Peter Pan."

Davis concludes by saying that Sheldon and Barnes, stating that there never had been any case where profits have been apportioned. If the Court was to allow experts to compute the value of literary property in a picture, it would force authors, he said, to sell at the film companies' prices because the companies otherwise could plagiarize material, knowing that in any event they would not be responsible for more than the actual percentage value. This rule would place authors at the mercy of producing film companies, Driscoll concluded.

Father Duffy Pix
West Coast Bureau of THE FILM DAILY
Hollywood—Darryl F. Zanuck yesterday announced that 20th Century-Fox would take over the loss-making project entitled, "Father Duffy of the Fighting Sixth-Nineteenth Infantry." Written by Francis P. Duffy, Chaplain of the 165th Regiment, the Old 97th during World War.

Para. Signs Sandrich
West Coast Bureau of THE FILM DAILY
Hollywood — Mark Sandrich has been signed by Paramount to a long term producer-director contract. His first assignment under new contract will be to produce and direct "Buck Benny Rides Again" starring Jack Benny. Rochester (Eddie Anderson) will be cast.

Italian Film Year Book Debuts in German as Reich Compilation; Duce's Son Assists

Looks as though the Italian pix industry is heading for thorough Nastification. At any rate, the famed film Almanac, compiled by Reich and published in German at Innsbruck, Germany, is being distributed by R. Rolando Dal- Punzo, Vittorio Muscinelli, Il Duce's son, is credited as collaborator in the preparation of the volume.

Air Liner Cruise Prize For Golf Low Net Winner

(Continued from Page 1)

U.S. demands further bill of particulars from U.S.

(Continued from Page 1)

on next Tuesday, June 20, at 10:30, Edward C. Rafferty, U.A. attorney, submitted an affidavit with the demand in which he asked the Court to either force the Government to connect UA with the alleged conspiracy, or to force the Government to discontinue the suit against the company.

The demand carries with it an alternative request that the complaint be dismissed for failure to serve process.

Examinations of Harry Muller, Rafferty, Paul Lazarus and Jack Schaffer conclusively show that UA has taken no part in the practices complained of by the Government, Rafferty said.

Laboratory Workers Union Closes Contract with Mecca

Local 702, laboratory technicians' union, has negotiated a contract with Mecca Lab., past being signed yesterday. Clauses cover wage increases, closed shop, vacations and overtime pay. Negotiations are also being carried on with Producers Lab., Warner Cellulose and Malcom. It is expected that a strike will be called at Producers' Lab, unless negotiations are concluded in the near future.

Quebec Labor Council Asks 3-Mos. Surtax Suspension

Quebec — Closing of cinemas was discussed last night at a session of the Federated Trades and Labor Council of Quebec and Levis which adopted a resolution instructing its secretary to write to the municipal authorities of Quebec and ask them to suspend the ten per cent surtax till Sept. 15 in order that during the interval a compromise might be arrived at.

Rotkis to Celebrate

Their silver wedding anniversary will be celebrated by Morris J. Rotker, charter member of Local 306, and his wife. Rotker, active in union affairs since the Local was organized, has been in the union post and is now the president of the Projectionists Square Club. Albert Gordon, chief club postmaster, M. M. Fertig, transit commissioner, and County Judge L. W. Patterson will attend as well as a number of other civic exes, union officials and friends.

OVER 200 THEATERS IN GUT-HOYTS DEAL

for the merger were exclusively disclosed in Film Daily Amusements.

Rydge stated that approval of the boards of both organizations was necessary before the deal could be made final, but that no hitch is foreseen. Merger will effect a combine of over 200 houses all told. GUT operates or owns 60 theaters, Hoyts operates or owns 120 houses and the Dan Carroll interests, which will be affiliated with the organization, through the operating interest of GUT in the chain, add another 20 theaters to the combine.

It is expected that the Snider-Dean circuit, which operates in close conjunction with Hoyts in many locations, will also be included in the setup for all practical operating purposes.

Profit from all major companies and Republic and Monogram will be available, insuring against any product shortage. Rydge expressed the hope that the extra efficiency in operations would result and a general harmony in the industry would result.

Rydge leaves New York today for the Coast, returning to Australia on the Mariposa, which sails Wednesdays.

Three Pensacola Parks Start Free Film Show Policy

(Continued from Page 1)

shorts for the summer this week with states right product originally made and served by an indie exchange out of New Orleans. The opening bill was "Cock of the Walk" and "Brain Busters of Baseball," both short, at Bayview Park, which will present two programs weekly, Baylies Park and Seaside Park, followed into the film policy in midweek.

A newspaper story announcing the film programs indicated that the park management had business meetings with major exchanges in New Orleans who had refused to rent films unless admission was charged. The story, however, did not say that major product continued to be unavailable and that only deals to date had been made through Atlantic Pictures, an indie exchange in New Orleans, whose management makes no bones about the fact that it will serve parks.

New Orleans—Both Audubon and City parks resumed their summer policy of free films on Sundays and Wednesdays this week. Short subjects only are shown.

Fleischer's 'Gulliver'

Miami, Fla.—Sam Parker of Miami has been selected from some 500 applicants to paint and speak for the animated drawings of "Gulliver" in the feature-length cartoon now under way in the Fleischer Studio.

ITOA MAKING BID FOR NATIONAL EXHIB. LEADERSHIP

Depinet Will Reveal RKO Lineup at Convention Today

Schaefer Welcomes Sales Forces; Levy to Discuss Policy Tomorrow

Highlighted by the announcement of the 1939-40 lineup, scheduled for the afternoom session, RKO Radio's seventh annual and fourth international sales convention opens today at the Westchester Country Club, Jules Levy, general sales manager, presiding.

Preliminary program will be disclosed by Ned E. Depinet, vice-president, and will be followed by distribution of the announcement book prepared under supervision of Depinet. (Continued on Page 9)

COL. PLEA FOR MORE PARTICULARS WEIGHED

Federal Judge John W. Clancy reserved decision Friday on application of Columbia for an order directing the Government to file a pending III. Truck Bill seen as threat to films

Springfield, III.—Thompson-Lohrmann truck bill, which has passed the Senate and is now before the Admission Tax Renewal Action Slated This Week

Washington—Admission levy renewal, part of the "nuisance" taxes, which are hooked up with the cot. (Continued on Page 4)

DOMESTIC

ALLED CONFAB: Despite appeals for a fair trial by W. F. Rodgers, Austin Keough, H. M. Richkeley, Neil Agnew, William Sussman, and William C. Gehring, flat rejection of the proposed Trade Practice Code by Allied, highlighted the three-day Minneapolis meet ended Thursday eve. Report of the negotiating comm. (Continued on Page 12)

Distrib. Decision to Pass Along New British Taxes, Heavy Blow to Exhibs.

Motion to Dismiss in Momand Anti-Trust Case Overruled

Oklahoma City — Motion by the defendants to dismiss the Momand anti-trust suit against Griffiths and the majors was overruled by Federal Judge A. P. Murrah. The defendants (Continued on Page 4)

FOREIGN

ENGLAND: Minor revision of British Budget Bill as regards films were announced by the Chancellor of the Exchequer.

SPAIN: Revival of motion picture business in Spain is indicated by Reginald Armour, European G. M. for RKO, who stated on his arrival, (Continued on Page 12)

Brandt Raps Allied Leaders, Offers ITOA's Services to All Exhibs.

ITOIA, in a week-end statement issued by Prexy Harry Brandt, castigated Allied and its leadership, asserting "the MPTOA can hardly be classified as a proper organization to represent independent exhibitors" and made a frank bid for national exhibitors' leadership "until the time comes when a truly national independent exhibition organization is formed which will represent its members faithfully and not merely reflect the views of a handful of its leaders."

ITOIA, said Brandt, "has accepted the code with the provisions that several clauses in the arbitration setup will be changed on our counsel's advice' and "we will act and aid any independent exhibitor who wants to accept the Code as the best this industry has offered at the moment for working out a solution."

"Ted" Williams Resigns as Educational, GN Exec.

Resignation of Theodore R. "Ted" Williams as director and treasurer of Educational and as treasurer of Circuit Court Reserves in Three RKO Plan Pleas

Decision was reserved Friday by the Circuit Court of Appeals on the appeals taken from the decision of
**The Financial**

**Quotations as of Saturday**

**NEW YORK CITY OFFICE**

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**NEW YORK CUB MARKET**

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| Technicolor       |      |     |     |
| N. Y. OVER-THE-COUNTER STOCK MARKET |
|                  |      |     |     |
| Paths Film pfd.  | 99%  | 100 |     |
| Fox Thea. Office Byed. 1st 46 |

Subpoenaed Essanay Duo

Chicago — Emil Stern and Eddie Silverman, Essanay Circuit owners, have been subpoenaed for appearances in the government's contempt case against B & K and the majors, June 22.

**The Broadway Parade**

Picture and Distributor

**Whippet, Mr. Chips** (Metro-Goldwyn-Mayer) — 4th week. 
**Young Mr. Lincoln** (20th-Century-Fox) — 3rd week. 
**Roxy Juaraz** (Warner Bros. Pictures) — 3rd week. 
**Invitation to Happiness** (Paramount Pictures) — 3rd week. 
**Tarsan Finds a Son** (Metro-Goldwyn-Mayer) — 3rd week. 
**Clouds Over Europe** (Columbia Pictures) — 2nd week. 
**Stolen Life** (Paramount Pictures-Orion) — 2nd week. 
**Mona** (RKO Radio Pictures) — 1st week. 
**Palace** (United Artists) — 1st week. 

**FOREIGN LANGUAGES**

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<tr>
<th>Country</th>
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<tr>
<td>Argentina</td>
<td><em>Amapolita</em> (Amkino)</td>
<td>Bata Shoes (Los Disparados de St. Angul) (Col. Pictures)</td>
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<td>France</td>
<td><em>The Crisis</em> (a)</td>
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**FUTURE OPENINGS**

Man About Town (Paramount Pictures) — June 28
Daughters Courageous (Warner Bros. Pictures) — June 28
Strand (Paramount Pictures) — June 23
Roxey S. C. Tidal Wave (Republic) — June 22
Cinema Inn (Paramount) (a) — Terrill
**Masie (Metro-Goldwyn-Mayer)** (c) — Capitol
Good Girl (Pathe) (a) — Music Hall
The Sun Never Sets (Universal) — June 22
Najdy (Monogram) (a) — Warner Bros. Pictures
*Lenin in 1918* (Amkino) (c) — Cameo
Kameradschaft (Gall Lil Film) — June 20

(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

**AFM Names New Exec. Com. And A F Of L Delegates**

Kansas City — New AFM Executive Committee will have as U.S. representatives Byron N. Spectro, A. C. Hayden, Chauncey A. Weaver, and J. W. Parks while Walter M. Mudech will represent Canada.

**J. E. Grainger Completes Contract With Universal**

Hollywood—Producer J. Edmund Grainger completed his contract with Universal Friday and leaves the lot. Grainger will announce a new affiliation when he returns from vacation. He has been with Universal for past six years and during that time made over 50 pictures for them.

**J. E. Grainger Completes Contract With Universal**

West Coast Bureau of THE FILM DAILY

Hollywood—Producer J. Edmund Grainger completed his contract with Universal Friday and leaves the lot. Grainger will announce a new affiliation when he returns from vacation. He has been with Universal for past six years and during that time made over 50 pictures for them.

**Loew Stockholders' Suit In U. S. Court Dismissed**

Federal Judge John W. C. Clancy dismissed a Loew Stockholders' suit brought by Mannes Fuld and Norman Wolf against Loew's, Inc., and its officers and directors because of the action of the board of directors. The plaintiff, who consented to the dismissal, announced that they would file a new suit in the N. Y. Supreme Court.

**Filled, Murray to Tour**

Designed to effect an even closer cooperation between its Home Office Departments and Exchanges, Universal has scheduled James Jordan, Contract Department Manager, and Tom Murray, Branch Operations, as Assistant to William Stoluy, for a series of visits to the various branches.

**“Liberty” Twice Daily**

“Land of Liberty,” film industry world’s Fair film will be shown twice daily at 2:15 and 5:30, except Fridays. On Saturdays, Sundays and Wednesdays, beginning July 5, Monday and Wednesdays at 2:15 and 5:30. Showings will be in the U. S. Building.

**Chick Webb Dead**

Baltimore—Chick Webb, 30, Negro band leader, died Tuesday in Johns Hopkins Hospital following an operation.
ALONG THE RIALTO
WITH PHIL M. DALY

- - - A GREAT "Good Neighbor" speech was made by Will Hays......at a reception in honor of the American motion picture industry was sponsored by Teatro al Dia, the Quigley Pan-American publication.

- - - ON behalf of the film industry, the message of Hays went out on the short wave hook-up to every Latin American country through the international stations of CBS......his words were so appropriate at this time of international tension, that it might be well to record some of his phrases here......the words of a leader of an entertainment industry which we consider to be a tremendous power in building good-will with our neighbors of the great Latin-American countries......

- - - SOME of the cogent statements of Will Hays......"Motion pictures in their portrayal of life speak a universal language......I like to think they do their part to bring us closer together and better understanding......They portray human emotions and problems that are common to us all......Those who laugh and cry together are united in a pretty solid relationship......Any strife or turmoil which may arise in other parts of the world emphasize the significance of the neighborhood of the Americas with our common interests."

- - - THOSE sentiments were applauded by several hundred guests gathered at the beautiful Chilean Pavilion at the World's Fair......and were no doubt applauded by Latin-Americans throughout the southern America who heard them over the short wave facilities......and so, on behalf of those Latin-American neighbors we might be permitted to say......Senior Hays: Bien merecidos los aplausos por sus palabras tan simpaticas......Hasta la vista......

- - - OTHER speakers on the Latin-American hookup included Senator Rodolfo Michels, Commissioner General of Chile to the World's Fair......Martin Quigley......Alban Mestanza, editor of Teatro al Dia......the perfect host to the guests representing all the Latin-American countries and the United States, including some film moguls and gals, were Luis and Carlos Nagel, directors of the Chilean Pavilion......they poured Chilean wine by the gallon......and what wine that Chilean wine really is!......

- - - WORLD premiere of RKO Radio's "Career" will take place at Des Moines on July 2......in which two new discoveries of Jesse L. Lasky's first "Gang of Hollywood" talent quest make their debuts......Des Moines was selected because of the film's Iowa setting......from Hollywood will come a galaxy of stars including Anne Shirley, Edward Ellis, Leon Errol, Janet Beecher, Raymond Hatton, and the new starlets selected by the "Gateway" contest, Alice Eden and John Archer......

- - - CLIMAXING the festivities leading up to the premiere of "Career" on the Paramount and Orpheum theaters......there will be a movie ball held in two outdoor dance pavilions......and at the Shrine Auditorium there will be a final "Gateway to Hollywood" broadcast......at which Jesse L. Lasky will reveal to millions of listeners on the CBS Coast-to-Coast broadcast, the identities of the boys and girls selected in the second "Gateway to Hollywood search......

BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:
JUNE 19
Mildred Webber
Jimmie Carrier
Bea Saxon

DATE BOOK

Today: RKO Radio sales convention at Westchester County Club, Rye.
June 20: Para. stockholders meeting.
June 21: 20th-Fox sales convention, Port-of-Spain, Trinidad.
June 22: Film DAILY Golf Tournament, Rye Country Club.
June 25: Capitol District Warner Club outing, Tender Lodge, Bedford Lake.
June 25-30: CEA annual convention, Blackpool, Eng.
June 29: Dayton Variety Club outing, Ebbets Grove.
July 17: Clyde Eckhart silver anniversary dinner, Cozino Room, Congress Hotel, Chicago.
Oct. 16-19: SMPJE Fall convention, Hotel Pennsylvania.

Stewart Warner to Show 28-Tube Tele Receiver
Chicago—Sales convention of the Stewart Warner Co. opens today at the Edgegewater Beach Hotel, J. S. Knowlson, chairman of the Board, P. A. Hiter, vice-president and general manager will speak. L. L. Kelsey, general manager radio and television department will preside. The 26-tube Stewart Warner television set will be demonstrated via the facilities of the Chicago Zenith experimental station.

N. O. Adv. Film Hissed
New Orleans—Advertising film plunging a local jewelry store in connection with skating shots was hissed at Mort H. Singer's downtown Orpheum by the audience Friday night. Orpheum occasionally runs in commercials between shorts.

Museum Cartoon Showing
Museum of Modern Art Film library will show 22 films in a survey of animated cartoons and puppet films, Tuesday at 2:30.

WEDDING BELLS

Miss Billie Simons of the Universal Home Office staff, was married to Joseph Wright, Sunday night at Temple Zion, the Bronx. The couple will spend their honeymoon on a two weeks' motor trip during which they will visit, Canada, Ausable Chasm, Vermont and the Berkshire Mountains.

Pittsburgh—C. J. Latta, district manager for Warner theaters in the Pittsburgh zone, has announced the engagement of his daughter, Miss Peggy Latta, to William P. Diebold, who is a graduate of Valley Forge Military Academy. The wedding will take place this summer.
Nizer Analysis of Trade Practice Code
Will Start in THE FILM DAILY Tomorrow

Analysis of the pending Trade Practice Code by Louis Nizer, leading film attorney and member of the committee of law firms which will consider the plan of the New York Film Merchants' Association, was filed in THE FILM DAILY, written for easy understanding in non-legalistic language, the analysis is designed to clear the provisions of the Code.

Circuit Court Reserves
in Three RKO Plan Pleas

(Continued from Page 1)

Federal Judge William Bondy, approving the RKO veorg. plan. The Court evinced interest in the appeal of H. Cassel & Co., brokers holding $217,000 in RKO debentures, and contention of its attorney, Nathan Rosenberg, that the plan was unfair and unconstitutional because it deprived debenture holders of their liens on substituted preferred stock.

The Court seemed to feel that the Atlas Corp., plan's proponent, must show that an equivalent assurance of security and dividends have been substituted. Hamilton C. Rickaby, attorney for Atlas, faced a number of questions in reference to this. He pointed out the RKO plan was fair, as was evidenced by the fact that 80 per cent of debenture holders had voted for its approval.

C. Frank Reaves, attorney for the appellants, Copia Realty Corp. and Fabian Operating Corp., contingent creditors and landlords to the Trust Co., and RKO subsidiary, asked for protection of their claim of $130,000 by the freezing of funds in escrow. Judge Learned Hand was not inclined, from his remarks, to seriously consider this argument.

Finally, John S. Stover, attorney for Ernest W. Stirm, who holds 1,284 shares of Class A stock, raised the contention that Stirm, as the only party to the agreement at the time of the merger, was entitled to special consideration. He accused Atlas of acting in bad faith and as a shield for the activities of RCA.

Admission Tax Renewal
Action Slated This Week

(Continued from Page 1)

porate tax revision legislation, is scheduled to reach the floor of the House today or tomorrow, having been reported out by committee. Sponsors hope to pass the measure on to the Senate finance committee by the middle of the week. "Nuisance" taxes would be renewed for two years.

Motion to Dismiss in Momand
Anti-Trust Case Overruled

(Continued from Page 1)

were given until Sept. 1 to answer. Momand's suit asks $4,500,000 damages, alleging anti-trust violations, and is the oldest film anti-trust suit in litigation.

Ramova to Reckas Circuit
Chicago—The Ramova theater has sold to the Harry A. Reckas circuit for $130,000.

Baird Demonstrates Its
Large-Screen Television

(Continued from Page 1)

nessed the home office of RCA telecasts on 12 by 9 foot screen. Demonstration was the first Baird showing to be held in America, although the Gaumont British subsidiary has been showing similar affilations in London theaters for more than a year.

Although negotiations are being conducted to install the apparatus in New York theaters, Ian C. Javal, commercial director of Baird, stated that no financing arrangements have been made as yet. Javal indicated, however, that many non-theatrical for educational and exhibition purposes are being considered. Such uses would be, it was stated, in community centers, such as church halls, schools and other similar institutions.

Showing Friday was held in a small projection room at the GB of Life seating 40. Pictures, a regularly scheduled NBC-RCA live telecast with Cobina Wright, Jr., emceeing. Marie Eve and George Lloyd, club entertainers, Jack Cole's East Indian dancers, a male quartet and "Family Hour" a sketch, were presented. While the entertainment varied from interesting material to what might be forgivingly termed an unspirited playlet, the clarity of the picture as well as the novelty caused the audience to focus full attention on the screen for the hour. A "Tele-Topic" newsreel showing pictures being employed in telecasting a baseball game recently, also lent novelty.

Although Baird is using 20 by 15 foot pictures in England, the size of the projection room made it necessary, it was said, to use the smaller pictures. Pictures were clear and sharp, not as sharp, of course, as modern motion pictures, but superior to much home film entertainment and probably superior to theater entertainment of 15 or 20 years ago. Shadow or dark effect in the two upper corners were noticeable but did not materially detract from the entertainment values.

"An intensely bright picture is produced on a fluorescent screen with the projection cathode ray tube," John Reo, Baird engineer, explained. The projector is then projected onto the screen by means of a lens of special design." The projector housing the tele equipment was placed in the center of the floor well away from the screen, while the audience was seated back of the equipment.

First Full Hour Tele Show
To Be "Pirates of Penzance"

Television's first full hour program, the "Pirates of Penzance," with Margaret Daum and Ray Ward, was presented.

ITOA BIDS FOR NAT'L EXHIB, LEADERSHIP

the problems besetting theater operation.

Brandt struck out challengingly on the general charge that his Allied colleagues "are interested merely in fighting, regardless of the cost to Allied members or the outcome of such futile actions."

Said Brandt:

"Exhibitors were asked to attend the Allied convention in order to express themselves on whether the code should be accepted and acted on in the matter. The Allied leaders, however, in a star chamber session, rejected the code even before the vote was taken. I mean which shows the respect they have for the opinion of Allied's exhibitor members. My suggestion that secret ballots be sent to every independent exhibitor in the country to allow them to vote on the code's rejection or acceptance was entirely dispensed with. It was much too honest and direct a method."

"The open forum in Wednesday was no open forum at all. Steffes, Cole and Yamin spoke their pieces, but only two or three of the rank and file of Allied members asked a question of the distributor representatives regarding the code. I could only believe that either the Allied members could find nothing wrong with the code or that they were afraid to state their approval of it in the presence of Allied leaders."

"But the oral statement that if the Allied leaders were given everything they demanded in the code, they wouldn't sign it. That belief was strengthened in Minneapolis. "Since the ITOA will sign the code, the MPBOX can hardly be classified as a proper organization to represent independent exhibitors; since Allied's officers have shown a disposition to reject anything offered them regardless of the code. They will do their members whatever the ITOA offers it counsel, and its offices to the exhibitors of America until the time comes when a truly national independent exhibitor organization is formed that will represent its members and not merely reflect the views of a handful of its leaders."

VFW Honor Warner

West Coast Box., THE FILM DAILY—Hollywood—Harry C. Warner was presented with the Gold Cross of Malta by a Veterans Administration group. The convention which opened here yesterday in honor of the patriotic pin W8 is producing.

Heatherton in the leading roles, will be telecast tomorrow from 8:30 to 9:30 p.m., EDT, over the NBC station W2XS. It will also mark American television's first operetta venture.

The "Pirates of Penzance" will be the first evening studio program to be telecast on the new NBC television schedule, which will increase programs for home viewers to ten hours weekly. The Balaban & Katz "Temperate Reporter" on the stations.

B & K Using Radio

Chicago—In a new tie-up with radio. Balaban & Katz theaters here have contracted with WNDJ and WJJD for daily spot announcements plugging air-conditioned comfort at the theaters. All B & K houses will run daily trailers advertising the film stars plus air-conditioning. A WGN Radio network, will have the film stars plus air-conditioning.
HOW THEY SOLD TICKETS
in Harrisburg and Providence!

'Promote! Exploit! It's a daisy!
Everybody's crazy about M-G-M's

Maisie
THE EXPLOSIVE BLONDE
HERE'S YOUR CAMPAIGN!

It's a pleasure to promote! And the picture will back up all your promises!

BELOW: Personal columns, street stunts, teaser ads. Every idea is one you can easily duplicate!

ABOVE: Teaser rack cards all over town!

Put them all together they spell

MAISIE
SRO
Gay crowds became pay crowds in big Harrisburg and Providence hit engagements!

Everybody Wanted to Know—WHO IS MAISIE?

NEWSPAPER PUBLICITY AND ADVERTISING: Commencing two weeks in advance, when the picture was booked, the columnists of the three daily newspapers, the Patriot, Evening News, and Telegraph, started kidding "MAISIE" in their columns, and have not missed a single day until the regular advance stories commenced. "MAISIE" sent the columnists flowers, candy, arm-bands, and other gay presents, all of which were acknowledged in the columns in a good-natured joshing fashion. On Thursday, Friday, Saturday, before opening, personalities were used in the papers, seeking information as to the whereabouts of a girl named Maisie, known as an explosive blonde, and asking that readers telephone Slim, at the theatre number. The theatre cashiers report that they actually received up until Saturday night 76 telephone calls offering to help in response to these ads. Commencing Monday before opening Maisie replied in these personal columns that she had seen Slim's ad and would meet him at Loew's Theatre on Thursday (the opening day of engagement).

Comminging with the first ad, on Saturday before opening, the Harrisburg Telegraph started a contest asking readers to read the ads in the series and write their opinions of them for cash awards, stating that it is a brand new picture and that the picture company is anxious to know if they are the kind that will make people want to see the picture. This contest runs until after the opening day.

The advertising campaign commenced Saturday before opening, with a 2 column by 4 inch teaser ad, and builds up to the opening.

The newspapers are giving ample space, stories and art in their regular picture columns.

KIDDING THE TITLE: A campaign was started by the employees of the theatre, school children, etc., in fact everybody with whom we could get in contact, by telephone or otherwise, to make a nickname of "Maisie."

STICKERS: 10,000 stickers, bearing the legend "Who Is Maisie?" were used on lamp-posts, buildings, fences, telegraph poles, etc.

BUMPER STRIPS ON AUTOMOBILES: 50 of these were used on the Harrisburg taxicabs. First time used in over a year.

"MAISIE" BAGS: Ribbon-bags were worn by the cashiers and ushers of the theatre and the clerks of Murphy's Dime Store, commencing a week in advance.

NEWSSTAND DISPLAYS: For fifty news-stands in Harrisburg the attendants were furnished with sun helmets, also paper-weights the size of bricks, and red wooden chairs—all with "Maisie" ad. Newsstands are on street corners, and the chairs are placed so that legend on back can be read by pedestrians crossing the street and by automobilists in passing; also the fronts of the backs are lettered, so that if attendant is standing legend can be read there also. It is submitted that this is a humane stunt in this weather, and that the news-stand attendants have been told of it with eagerness and appreciation.

TIME-HONORED SUNDAE: No campaign is complete without a sundae named for the picture, but look at the coverage they get. In Rolle's Restaurant, on Market Street (main shopping street), which is having a "Maisie" sundae, streamers announcing it are placed at the soda counter, and also in every booth on mirrors (the tables are in booths), on the walls of the restaurant, and on the menus. Murphy's Dime Store also has a "Maisie" sundae.

LETTERED NAPKINS: Rolle's Restaurant is distributing 10,000 napkins with legend.

COOL WINDOW CARDS: 100 cards, 14x17, placed in windows, bearing the legend, "It's comfortably cool at Loew's. It'll see you Thursday, 'Maisie.'"

WESTERN UNION BOYS DELIVERING POSTER: Five Western Union messenger boys, carrying hand-lettered posters, 30x40, with strip across top reading "Deliver to Loew's Theatre", are riding on buses, street cars, and walking on main streets, for four hours a day, commencing Monday before opening.

MAISIE ON BICYCLES: Six girls on bicycles, each with a letter of the title on her back, rode up and down main streets of town day before and opening day.

MAISIE WITH CUT-OUT LETTERS SIX FEET HIGH: Six girls, dressed in shorts, each carrying a cut-out letter six feet high, in single file, patrolled main streets of town, day before and opening day. "MAISIE!" "KISS FROM MAISIE-'" MAISIE!" will blot your cares away," etc., and are being distributed in office buildings, stores, and in the buildings on "Capital Hill" (State employees).

TRICK FOLDERS: 10,000 small oblong folders, with front bearing legend "What I Know About Men, by MAISIE," two center pages blank, and playdate on back, are being distributed, and enclosed in post-office boxes, and of one of the stores.

GROCERY BAGS: 10,000 of these bags, imprinted, are being used by the Isaacman Brothers Grocery Stores. These stores have a tremendous circulation.

THE OLD RED SPOT CARD: Cards bearing the legend (containing red spot in center) with word "CONFIDENTIAL" at top and rest of lettering—"If this spot turns black, see your doctor at once. If it does not, see 'MAISIE,' etc. 10,000 of these are being distributed in every conceivable place.

BENCH IN FRONT OF THEATRE: A bench is being placed in front of theatre, two days before opening, with boys sitting on it and large sign on the back, bearing the legend "We Are Waiting to See 'Maisie,'" etc. The bench was borrowed from the Park Commission. The boys will be extra ushers.

GIRL WITH SUITCASE: Blonde girl, in shorts, carrying suitcase, with the legend, "I'm 'Maisie', the explosive blonde, on my way to Loew's Theatre," will patrol the downtown streets for several hours the day before opening.

GIRL IN BED STUNT: This is the honey of them all. Arrangements have been made with Kate's Furniture Store to have a window furnished as bedroom. In the bed will be a blonde girl, apparently asleep; on table beside her will be a clock, while poker games are visible. When the clock strikes one o'clock, she will awake. She will sit up and say: "This is 'Maisie.' When will she awaken? Step inside and make your guesses. Fifty coming nearest will receive passes to see 'Maisie,'" etc. The police will let this stunt ride until it blocks traffic too much. It will be done the afternoon before the opening of the picture.

RADIO BROADCASTS: Loew's Theatre conducts a daily broadcast in the morning, at nine-thirty o'clock, over Station WHP. "MAISIE" has been "bugged" on this, commencing over a week in advance.

Station WKBO conducts a "man on the street" broadcast, Monday, Wednesday, Friday. "MAISIE" was used on this broadcast on all three days last week, and will be used again the three days of this week.

Paul Walker, columnist of the Harrisburg Telegraph, conducts a daily newscast, on Station WKBO. He has been kidding about "MAISIE" on his broadcast for over a week.
Jungle float, with live chimpanzee atop elephant is part of the big showmanship splurge in New York. Extra ad space, flash theatre front; and big, live-wire campaign launched a hit show in gala style!

CROWDS HAIL
THE NEXT
BIG M-G-M SHOW!

"when you roll up the sleeves you roll up the grosses!"

Boys, there's profit in promotion! And I've got the shows for you! After "MAISIE" there's "TARZAN FINDS A SON", the greatest Tarzan show ever made. And wait till you see "ON BORROWED TIME," and "ANDY HARDY GETS SPRING FEVER" (just previewed! A honey!) Remember this: when your box-office needs a friend depend on The Friendly Company!
On the Program as RKO Radio Opens Rye Convention


(Continued on page 11)

RKO Conventionees Answering Roll Call

Comin' Through the Rye With RKO

BY JACK HARRISON

SOUTHEASTERN District Chief Hubert Loyd, is proud and fl irky about his office where rich carpets, velvet drapes, venetian blinds and subdued lights abound.

A. M. Avery of Memphis has a secret system of caring for exhibitors' babies while he sees them pictures. He won't divulge it.

Russ Brentlinger of Indianapolis swings a mahogany desk and is said to seldom be in tiger land with the petel.

Lou Padof of Detroit is again walking the straight and narrow path by rejoining RKO after having resigned to become an exhibitor.

Ely Epstein of Philadelphia is known as "Bulldog" because he never lets go regardless of any assignment he gets.

John McFadden of Philadelphia got himself a carload of paint to decorate his home and then found he had no time to do the job and close his remaining possibilities. Go to McFadden for paint.

Emrie Whelpley of St. John is a great lover of the woods and a real maritiimer.

Mark Raymon of St. Louis is sporting a new mustache.

Ralph Olson of Omaha is one of the "I'm reducing" clan.

Branch manager Harry Woofle of Winnipeg once wore the red of the Royal Mounted.

Hobbies of Frank Fuller, Salt Lake City, golf, ping-pong, pink lemonade.

This is convention number one for Al Mabey of Salt Lake City.

Jimmy Lewis, Kansas City, is one of the convention beneficiai.

Bill Wolf of San Francisco likes to chase the little white pill around and around.

Now that Revo Branom of Charlotte has been assigned mountain territory, he no longer carries pills for dizzy spells.

They say the condition of the unlicensed exhibitor upon which Sherman Fitch of Sioux Falls cinges indicates his disposition for the day.

Nickie Goldhammer of Minneapolis makes his own movies—and starts in some of 'em.

Sometimes Leatherneck Bob Wolff, New York, is a hale and hearty, agony quartette.

Phil Hodes, New York, is so much of a gardener that he once planted a blank contract and two months later dug it up with a signature on it.

Roland on as RKO to the Westchester Country Club for the four-day sales convention. Registering from the home office, studio, companies reeling through RKO and the RKO theatrical setup were:

HOME OFFICE: Prexy George J. Schafer; Vice-presy Ned E. Detjen; General Sales Manager John Levy; S. R. McCormick, director of advertising and publicity; A. A. Schubart, mgr. of exchange operations; C. E. Smith, Western and Southern sales mgr.; E. L. McKevy, Eastern and Canadian sales mgr.; Harry Michelson, subjet sales mgr.; W. A. Clark, treasurer; W. V. Derham, comptroller; W. J. Merril, assistant to the President; Sid Kramer, mgr. print and negative dept.; Harry Gitlin, editor of "Flash"; James Clark, ad salesman; G. E. Youngman, asst. sec.; W. J. McShea, asst. mgr. of exchange operations; John Farmer, executive; Harold Houdex, director of research; Lou Goudreau, purchasing agent; William Mallard, general counsel; Leon Bambarger, sales promotion mgr.; Dave Strenuf, art director; Arthur Willi, Eastern talent scout; H. M. Ricket, director of exhibitor relations; George Munchini, asst. secy.; Rutgers Nelson, publicity mgr.; Ben Gromms, dept.; E. J. Smith, contract dept.; Ralph Roland, publicity dept.; R. A. Anderson, RKO Publicity News; Lou Miller, contract approval for West and South; W. E. Dahler, contract approval for Eastern U. S. and Canada; William Kerr, circuit contact; Phil Barcella, asst. to Jules Levy.


H. O. TRAVELING REPS.: W. A.
Trial of the AFA on July 10 will be conducted by alternates who will replace the original investigating committee which sifted charges and handed in to the AAAA the report that charged the actors union with misconduct, it was learned.

Decision on this action was made by the original committee, with all members having now withdrawn from the investigation. It was stated that the committee felt it might be charged with prejudice if it conducted the trial.

 Possibility of the AFA withdrawing from the AAAA and the A.F. of L. was scoffed at yesterday by sources close to the situation. It was pointed out that since no inter-changeability agreement exists with the CIO, any withdrawal of the AFA would virtually mean the end of the union as its members would be barred from stage, screen, radio.

Mass meeting of AFA members has been called by Sophie Tucker, president, for midnight tonight at the Edison Hotel. Officers will request a vote of confidence and refuse charges brought by AAAA.

Eddie Cantor on Saturday confirmed he had resigned from the AFA council.

War, Peace and Propaganda (March of Time)
RKO Radio 19 min.

Too Sketchy
An attempt to show the British preparations for war and the strenuous efforts they are making to carry favor with the United States. This rather mixed motivation fails to produce a reel that carries any particular conviction. It rates as interesting as the average newsmagazine that throws in a lot of more or less related clips in order to build up a release. First is shown the British buildings at the World's Fair. Then the tour of King George VI and Queen Elizabeth is described by the Institute for Propaganda Analysis, showing England efforts to win over the American people to their point of view. This general idea is followed in a series of European scenes, attempting to demonstrate how Allied is back some of the smaller countries. The British armament program is touched upon, L is all too sketchy, vague, and disconnected to impress as a worthwhile document of current world events.

“Old Glory” (Leon Schlesinger)
Slirring Entertainment Warner Bros. 10 mins.

Leon Schlesinger’s “Old Glory,” a “Merrie Melodie” subject, the first patriotic cartoon yet screened, is stirring entertainment. Into its 10 minutes it packs much of historical significance—the Declaration of Independence, Paul Revere’s ride, the Spirit of 1776, the Constitution of the United States, pioneers venturing to the West and an excerpt from President Lincoln’s Gettysburg address. “Porky Pig” rebels at learning the Pledge of Allegiance, but when “Uncle Sam” appears and impresses him with the deeds of the country’s early day patriots, “Porky” feels ashamed and hurries to memorize the pledge. Charles M. Jones handled the direction. Robert McKimson, animation, John W. Burton technical supervision, Carl W. Stalling musical direction and Milton Franklyn musical arrangements. John W. Deering was the narrator, and the Paul Taylor group was used for the vocal chorus.


For no reason at all, Benchley quits his office early and goes home to give the little woman a surprise. He does. She has a bridge party on. And hubby is only in the way. He sneaks up to his room. Junior is also up there, disgusted with the house full of chattering dames. Benchley sneaks down to the cellar, and gets himself potted on some home brew on the shelf. He is hangin’ everything around so the ladies can’t play bridge upstairs. Then as the misus is getting ready to go down to the cellar as her guests make dirty cracks, in rushes Benchley dressed in an Indian masquerade costume, brandishing a tomahawk and whooping, scaring the wits out of the ladies.

“Four Your Convenience” (The Color Parade) Vitaphone 10 mins.

Modern methods of doing things for your convenience. The first shows a Bowery specialist painting black eyes so that the victim looks perfectly respectable. Then the proper pagers. The second is a subject of great interest, modern coffee preparation, with a home equipment that permits the morning’s java to be roasted fresh right from the green beans. The final sequence shows the ladies how to keep slender with a home reducing apparatus.

New Rep, Pact for Wayne
West Coast Bureau of THE FILM DAILY Hollywood—Republic has signed John Wayne to a new long-term contract whereby he will make five big pictures a year, first of which will be “Wagons Westward” which starts in September after Wayne’s loanout to RKO.

James Mulhauser Dead
Hollywood—James Mulhauser, veteran scenarist, died of a heart attack.

Shaw and Wells
London (By Cable)—George Bernard Shaw and H. G. Wells are among members of the Board of Directors of Screenwriters’ Ass’n. A. P. Herbert is president, Beverly Sills, of Mal-Cen, Is Hay Booth and Lord Gorell are other directors. The executive committee members are the following: Leslie Altman, Sidney Gilliat, Margaret Kennedy, Anthony Kimmins, Dudley Leslie, Angus MacPhail, Capt. J. O. C. Orton, Bryn Wallace, Wolfgang Windheim, Ross Williams, Frank Launder (secretary) and Roger Burford (treasurer).
"Clouds Over Europe" by Laurence Olivier, Ralph Richardson

Columbia

78 mins.

LIGHT COMEDY TOUCH IN SPY MEL- 
LER DISTINGUISHED BY FINE WORK OF 
RALPH RICHARDSON.

A very bright and lively melodrama done in 
British studio with a competent cast, 
the treatment being on the comedy side 
when the heavy heroes are not in order. 
Hence it makes a nice bit of summer fare, 
due mostly to the deft comedy touches of 
Ralph Richardson. As a major in the British 
Intelligence Service, he is on the trail 
gang of international spies who are out to 
get the mechanical secret involved in a new 
British military plane. One or two have been 
known to slip off the edge of the planes 
when he enters the case. He is assisted by Laurence 
Olivier who is one of the flyers at the 
plant that is constructing the planes. Olivier has 
a theory that spies are in back of it, and 
proves he is right when his plane is brought 
down by a powerful secret ray of the spy 
operating from a vessel off the coast.

There is a terrific battle as Olivier 
and his gang of flyers take over the 
enemy vessel and Richardson is 
able to destroy the plane in 
time to clinch the victory. This gives 
him little idea of the real worth of the film 
as entertainment, which is contained 
in the light and airy action of 
the man who is always doing the unexpected thing, 
and doing it in a way to bring a laugh. 
Laurence Olivier is very much misused.

Valerie Hobson is rather stereotyped. 
Selling angles: Exciting spy drama done with 
light comedy.

CAST: Laurence Olivier, Ralph Rich-

ardson, Valerie Hobson, George 
Curtis, George Merrill, Gus 
McNaughton, David Tree, 
Sandra Storme, Hay 
Petrice.

CREDITS: Producer, Irving 
Ausher; Director, 
Tim Whelan; Authors, 
Brook Williams, 
Curtis Whitingham, 
Arthur Wingrave; 
Screen play, Ian Dalrymple; 
Cameraman, 
Harry Stradling; 
Editor, Hugh Stewart.

DIRECTION: very good. PHOTOGRA-
PHY: good.

"Three Texas Steers" by John Wayne

Republic

59 mins.

LIVELY ADVENTURE WITH THE 
THREE TEXAS STEERS DELIVERING PLENTY OF 
THRILLS.

One of the Three Mesquites adventures, 
with the boys this time coming to the 
rescue of Circle Land, who has inherited 
a circus, and also a ranch in the Mesquite 
country, alongside a ranch that the three 
buddies own. A gang headed by their 
really business manager has succeeded in 
getting a mortgage on the ranch, knowing 
that the State is planning to build a dam 
on the site. The big excitement comes when 
one of the Mesquites drives one of Nan-

ny's crows in a horse racing and wins 
the stake that enables them to pay off the 
entire debt. There is a lot up to the credit 
of the series, and carries a good percentage 
of thrills.

CAST: John Wayne, Ray Corrigan, 
Max Terhune, Carole Landis, 
Graves, Roscoe Ates, Collette 
Lyons, Billy Curtis, Ted Adams, 
Blanche Dyon, David Sharpe, 
Harold Lang.

CREDITS: Producer, John 
Byron; Director, 
Alfred L. Werker; 
Screenplay, 
Joseph Losey; 
Cameraman, 
Alfred H. Sweeney; 
Editor, Robert Sturges.

DIRECTION: very good. PHOTOGRA-
PHY: excellent.

New Device For Uniform 
Motion in Sound Drives

A patent has been allowed to 
Leo Devan covering a novel means 
of obtaining uniform motion which 
particular advantages in driving 
record sound films on record or 
disc. In place of the usual gears 
for transmitting rotary motion, 
there are smooth rimmed rotated 
elements which are treated in a 
specific manner producing a 
remarkable frictional engagement 
without tooched gears, but free of 
the irregularities caused by the 
letter.

George H. Callaghan, joint owner 
with Devan will market this patent.

WFIC to Meet Tomorrow

Chicago — Next meeting of 
the newly formed Women's Film 
Industry Club of Chicago is 
scheduled tomorrow, at the 
Orlin Hotel. Officers, elected at a 
recent meeting, include: 
President, Mildred Jeflicker; 
Vice-Pres., Eliza Elwood; 
Sec.-Treas., Mildred Davidson; 
Committee heads are: 
Freda McComb, 
Jenny Lee; Sarah 
O'Sullivan; Pearl 
Frale, Grace 
Morley; Ame 
Carter, 
Carrie 
Lang; Mabel 
Simpson, 
Grace 
Wells; 
Walter 
Sherlock, 
Grace 
Brown.

De Rochemont Entertains 
RKO Radio Conventioners

The March of Time gave a dinner 
Friday night in the Cloud Club atop 
The Oldsmobile Building for all 
RKO Radio foreign representatives here 
for the company's Convention. 
Producers de Rochemont 
and Waligorski of the 
March of Time also gave a cocktail 
party at the Beach Club of the 
Westchester Country Club last night 
for the RKO Radio execs, branch 
mangers and salesmen.

"Inspector Hornleigh" with Gordon Harker, Alastair Sim

20th Century-Fox

61 mins.

SUSPENSE MURDER MYSTERY HAS 
STRONG AND ORIGINAL PLOT AND FINE 
ACTING.

A nicely paced murder mystery from 
The British studios is distinguished by a 
very intelligent and suspenseful plot and an 
excellent cast throughout. Gordon Harker 
is most competent as the inspector who finally 
uncovers the murderer who has perpetrated 
two killings after his first before the law 
catches up to him. The plot involves the 
stealing of a leather brief case containing 
valuable data on the budget belonging to 
the Exchequer. There are four apparently 
involved, and word of them is killed. It 
looks as if the fourth has done away with 
them to protect himself. But here the 
author fools you, for it is someone entirely 
other, a man with a hidden job, and really looks and acts like a police inspector.

CAST: Gordon Harker, Alastair Sim, Miki 
Hood, Wally Patch, Steve Gerag, Edward 
Underdown, Hugh Williams, Gibb McLaugh-
lin, Donald Adam, Elliot Makham.

CREDITS: Director, Eugene Ford; Author, 
Bryan Wallace; Screen play, same.

DIRECTION: very good. PHOTOGRA-
PHY: okay.

Adventograph Introduces 
New Model for Salesmen

Louisville, Ky.—J. Kenfield Mor-
ley, president of the Adventograph 
Corp., manufacturers of Flolite con-
tinuous projectors, announces a new 
portable model continuous projector, for 
use by salesmen. The mechanism, screen and 
unit are contained in a light portable folding case, 
weighing less than 50 lbs. The entire 
mechanism is made of aluminum, 
as well as the metallic parts of the 
cabinet.

Morley will attend the 
Advertising Federation of America 
Convention in New York this week, 
and will also hold a number of 
distributor meetings in the 
Eastern area. E. W. Hanley, distribution 
manger, Newton Wagner, Eastern 
representative, Charles O'Conell, 
Northern representative, are other 
executives who will accompany Morley. 
King Cole's Sound Service, Inc., 205 E. 26th St., New York City, 
is the distributor in the New 
England states. Flolite is now operating 
in the Hall of States exhibit at the 
New York World's Fair.

Censors Okay French Pix

The New York State Board of Cens-
ers have passed in its entirety "The 
End of a Day," French production 
recently imported by J. E. Lopert of 
ﳉal's Films, Inc. Pix will be 
released here in the Fall.
more specific bill of particulars in the equity suit. Decision was also
reserved on a further request of Columbia that the complaint be dis-
missed against them and for an ex-
tension of time to answer. Louis D. Frehligh, represented Columbia
and Paul Williams, Special Asis-
tant Attorney General, acted for
the Government.
Frehligh said that the first bill
filed had been completely unsatis-
factory and that unless the Govern-
ment was more specific, Columbia
would have to approach 18,000 the-
ater owners to prepare for trial. He
pointed out that although Col-
umbia was organized in 1924, it
is accused of entering a conspiracy
between 1918 and 1930. The only
details given in the previous bill,
Frehligh argued, referred to 18 the-
ater owners in Texas and had been
used by the Government before in
securing a decree there.
Frehligh contended that each local
incident added to nation-wide vi-
lations and that, at present, it was
possible to point out the Texas
violation. He hinted that the D of
J was going to examine the books
and records of the company later
on, as an aid to securing evidence.

Pending Ill. Truck Bill
Seen As Threat to Films
(Continued From Page 1)
House, is causing concern among
film carriers and exchanges serv-
ing Illinois, outside of Chicago. Bill
would prevent trucks from using
main highways of the state on Sun-
days and holidays. Carriers are
worried about possibility of being
shunted to secondary roads on those
days and not being able to keep up
pick-up and delivery schedules. Ex-
changes are concerned with a pos-
sibility that they may need extra
prints in the event the trucks are
slowed down. Film interests hope
to be counted the measure in the
House but proponents claim the bill has
a good chance of going through.

Ethel Merman Guesting
Ethel Merman will be guest on
the “For Men Only” show tomorrow
over NBC’s Red network.

Duffy Stories Clash
West Coast Bar, THE FILM DAILY
Hollywood — Case over story material
is seen in announcement that 20th-Fox
plans a story on the life of Father Duffy,
as Warner and O’Brien are doing, in two
weeks, on “The Fighting Sixty-
ninth.” O’Brien playing the
priest. 20th-Fox claims priority on the
subject, although Duffy insisted that their
picture would reach the screen first.

DOMESTIC
(Continued From Page 1)
mittee, read by Col. H. A. Cole,
turned down the code on the grounds
that it did not remedy alleged major
violations. The draft did not
representations made by distributors
in earlier meetings, distributors, are
allegedly taking steps to circumvent
and nullify offered concessions, and
acceptance would handicap exhibi-
 tors seeking relief through the D
of J. suit and the Neely legislation
... Prior to adjournment, conven-
tion adopted resolutions against mak-
ing films available for 16 mm. prints
and radio appearances of film stars.

TRADE PRACTICE CODE: That
distributors will offer the Code de-
spite rejection by Allied, was indi-
cated Wednesday by W. F. Rodgers,
spokesman for the distributors ne-
gotiating committee, speaking at the
Allied confab, prior to the rejection.
Formal announcement of the distrin-
tioned position awaits the decision to
New York of Rodgers and other leaders
it was learned after the vote ...
Latest revision of the Code and the
Rules of Arbitration was issued
Tuesday; was before the convention
delegates, and en route to exhibitor
organizations around the country.

CONFERENCES: Invitations sent
by Dr. Willard L. Thorp, economic
advisor to Secretary of Commerce
Harry L. Hopkins, to Ed Kuykendall
and Col. H. A. Cole, inviting the
exhib, leaders to a departmental
conference were accepted, but date
is indefinite. Hopkins seeks exhbitor
views in connection with the depart-
ment’s examination of industry
problems.

FINANCES: Confirmation of the
Grand National-Educational finan-
cial plan was announced Monday
by J. R. W. Hammons. Felt & Co. has
been retained to provide a plan of read-
justment. Stockholders will vote on
the agreement plan Thursday.

LITIGATION: Week brought con-
tinued legal skirmishing by both
sides in the D of J’s New York
suit in equity suit against the majors ...
“Letty Lynnon” plagiarism case and
the RKO reorg. plan were before
the Circuit Court of Appeals. ...
Edward B. Alperson filed suit against
GN, Educational and E. W. Ham-
mons for $500,000 and additional
sums of GN common, alleged due on an
employment contract ... In
Atlantic City, $600,000 settlement in
the All-Continental Corp. (William
Fox) case was recommended. ...
Unusual anti-trust action was filed
against Warner and all others by the
Landis Theater, Vineland, N. J.,
et al, plaintiffs including borough
and township officials.

LEGISLATION: Gov. Herbert
H. Lehman signed New York state’s
slum clearance and low rent housing
measures which permits locally as-
essed taxes on admissions... U. S.
Senate passed renegle which will
allow interstate shipment of films ...
... FCC report to Congress charged
A T & T with withholding large
numbers of unused patents and
claimed that Erpi, through license
agreements with producers, had en-
joyed a substantial advantage over
other companies supplying sound
recording equipment.

FOREIGN
(Continued From Page 1)
that RKO has 10 offices either open
or ready to open in that country.

* * *
CANADA: With 11 Quebec the-
estors still closed, Mayor Lucien
Borne informed employees that the
disputed tax would not be rescinded
and that it was intended to be borne
by patrons, not by the operators.

* * *
JAPAN: Arriving in Los Angeles,
Michael Shatin, Warner Japan mgr.
was of the belief that 100 additional
U. S. films will be allowed in that
country following expiration of the
original agreement.

EARLY GRiffITH SUiT
TRIAL, Gov’t GOA
(Continued from Page 1)
Trust suit against Griffith circu-
rating organizations and the majors.
Dierker has returned from Was-
ington after consulting with Gen-
eral Arnold, Assistant U. S. Secre-
ty General and others of the Ju-
tice Departments and anti-trust of-
division.

“The case is a test in a compara-
tively new field under the Sherman
Act, and the effect will be wide-
spread,” Dierker commented.

None of the preliminary issues
have been determined. Judge Edgar S. Vaught has granted
defense attorneys an additional
weeks in which to file their answer.
This period expires July 26.

The suit as he sees it, Dierker
stated, is aimed at breaking up the
“circuit buying power which he
enabled the Griffith company, its
buying from a distributor, to dic-
te to whom he shall sell his pic-
tures.”

Dierker contends that the Grif-
thorganization “takes the cream
and the independent gets what’s
left.” The Government’s objective
he said, is to make each theater an
independent unit.

The whole town will be goin’
To the very first showin’
Of this grand laughing spree
From New York to Paree!

Good Girls
Go To Paris
A COLUMBIA PICTURE
OPENING RADIO CITY MUSIC HALL Monday, June 19, 19
In This Issue: Analysis of the Trade Practice Code
(Turn to Page 6)

Decision a Victory for Warners Which Had Joined
in Court Fight

Harrisburg, Pa.—Film interests, represented by Warners, won a sig-
nal victory yesterday when the Pennsylvania Supreme Court ruled
inconstutional a graduated tax on
chain theaters and stores.
The Supreme Court upheld a rul-
ing of the Dauphin County (Harris-
burg) Court that the levy of $1
to $500 on each business place, de-
pending on the number under the
same ownership, violated the state
(Continued on Page 3)

Kuykendall Meets With D of C Officials
Tomorrow, Colonel Cole at a Later Date

Washington—Ed Kuykendall, president of the MPTOA, will meet with Department
of Commerce officials tomorrow in the first of a series of conferences to get exhibitor's
views. Col. H. A. Cole, Allied presy, will be heard at a later date. Kuykendall
will confer tomorrow with Dr. Willard Thorp, Ernest Tupper and Nathan D. Golden.
The D of C has also invited Isodore Chadbuck of the IMPA to sit in on the next
meeting with representatives of the majors.

Tupper, returning from New York conference with J. H. Hazen, said they discussed
block-booking "and 101 other things," refusing to amplify on that statement.

LOEW'S EXEC'S. WILL
ATTEND FREY FUNERAL

Funeral services will be held at 2
p.m. today in Riverside Memorial
Chapel, 76th St. and Amsterdam
Ave., for Isidor Frey, 61, assistant
secretary and assistant general coun-
sel of Loew's, Inc., as well as a di-
rector of M-G-M Corp., who died in
Mount Sinai Hospital on Sunday
morning after an illness of three
weeks.

Services today will be conducted
(Continued on Page 6)

Goldwyn Files Briefs Against
UA Motion to Dismiss Suit

Wilmington, Del.—In the alleged
breach of contract suit brought by
Samuel Goldwyn and Samuel Gold-
wyn, Inc., against the United Ar-
p(Continued on Page 6)

Week-end Grosses on B'way Climb;
Exhibs. See Better Summer Biz Sure

WB Theater Giveaway Pacts
Now Need Bernhard's Okay

Chicago.—Indications that War-
ers may attempt to drastically cut
premiums in their theaters in this
area were seen here yesterday in
instructions to all Warner manag-
(Continued on Page 14)

Disney and M of T Features
to be Sold Separately
Next Year

RKO Radio's 1939-40 lineup will
embrace two specials, Walt Disney's
second feature-length Technicolor
cartoon, "Pinocchio," and the first
March of Time full-length feature,
"The Ramparts We Watch," 52 ad-
ditional features, six George O'Brien
Westerns and 186 shorts, the com-
pany's sales convention at the
Westchester Country Club, Rye, was
informed yesterday by Ned E. Depl-
et, vice-presy.
The two specials will be sold sep-
ately. Distribution deal for
"Pinocchio" was closed yesterday
by RKO's presy, George J. Schaefer,
and Roy Disney, representing his
brother. It will probably be re-
leased for the Christmas season.
The M of T feature, it was an-
(Continued on Page 11)

GOV'T AGAIN CAGEY
IN ITS ADDED BILL

Supplemental bill of particulars
was filed by the Government yester-
day, in its equity action against the
majors, in accordance with Judge
William Bondy's order. Bill is very
general in its terms and does not
(Continued on Page 14)

AFM Sidesteps the Move
For IATSE Pact Revision

Resolution instructing the AFM
presy and incoming international
executive board to "immediately en-
ter into negotiations with the na-
(Continued on Page 15)

Sears Sees WB Accounts Up
750 in '39-40 for Record

Warner sales for the season of
1939-40 will set up a new record,
with accounts to be sold estimated
(Continued on Page 6)
Pittsburgh Film Row Golf Tournament on July 14

Pittsburgh—The annual Variety Club Film Golf Tournament will take place at the Wildwood Country Club, July 14. The features of this event will be 18 holes of golf, with tee-off at 12:30 p.m., following dinner and the award of the generous prizes which have been contributed by the various members of the local club. There will also be swimming and other entertainment for those who do not care to golf, and card games. Art Lery, local Columbia branch manager, is chairman of this affair, and will be assisted by the following committeees: Brutus Bishop, ticket; Harry Kramer, dinner; Steve Cox and Bob Bassett, prizes; Joe Hiler, entertainment; Art Rooney, hangout. Mrs. L. J. Kats will be in charge of ladies’ activities.

306-ITOA Meeting on New Pact to be Held Tomorrow

Meeting of the ITOA with Local 306, projectionists union, scheduled to have been held yesterday for a discussion of a new contract, has been postponed until tomorrow, it was learned last night. Unless negotiations are continued today, it is expected that a fifth arbitrator will be selected to augment the two-man committees representing the ITOA and the Local.

Old Age Pension Increase to Bring Ohio Admish Tax?

Columbus, O.—Again Ohio interest leaders are being threatened with an upping of admission taxes. Current threat seems to be coming from Congressmen: the move is to increase the fees which would necessitate the raising of approximately $8,000,000 as Ohio’s share each year.

Sponsored for Governor Bricker said that, in event of new taxes, a luxury would be first considered— moving the state admissions and all other theater admissions.

Report Saenger to Build New Theater in Mobile

Mobile, Ala.—Construction of a new neighborhood theater in this Gulf Coast city was reliably reported being planned this week by Saenger Theaters Corp., subsidiary of Paramount-Richards. If carried out, this will be the third new house scheduled for Mobile. The rival Alexa Gounaries and King interests each have a new house in mind.

Hays Board to Meet

Quarterly meeting of the MPPDA board of directors deferred from last Wednesday is now set for Thursday, it was learned yesterday.

Cohen and Bonanova Will Attend Mexican Opening

West Coast Bureau of THE FILM DAILY

Hollywood—Co-producers Maury M. Cohen and Fortunio Bonanova will attend the opening of “La Immaculada,” in Mexico City, July 7. Bonanova, who stars in the film opposite Andrea Palma, will make n.p.s. with the pix in several key cities in the U. S. and Mexico.

Film will be previewed in New York the latter part of June with both Cohen and Bonanova attending.

“La Immaculada” is the first of a series of Spanish dialogue films to be produced by Atlaya Films at Grand National Studios for release through U.A. Atalaya has purchased “The Merry and Confident City,” written and directed by the latter with input by his son, Jacinto Benavente, and “No, I Am Not A Gigolo!” (“No, No Soy Gigolo!”), an original by Jean Desclaux for later filming.

“Nazi Spy” Will Be Top Warner Foreign Gasser

“Confessions of a Nazi Spy” will be Warners’ top foreign gasser of the year, it is definitely indicated by reports received by home office executives.

Opening at the new Warner theater in London, the attraction is said to be selling out at every performance. At Mexico City, pick took in 70 per cent more than normal business on its opening day at the Rex Theater.

“Nazi Spy” did 65 per cent over average trade at Panama City, and registered top biz at its openings at both Manila and Trinidad.

Appellate Division Upholds McCook in Tippett’s Action

Appellate Division yesterday upheld a ruling of N. Y. Supreme Court Justice Phillip J. McCook which denied an application of John D. Tippett, Inc., to add two causes of action in his $600,000 damage suit against Carl Laemmle, Mau-

Rhee Fleckels and Print Stock Corp.

The Court also denied a request of the plaintiff to drop as defendant Universal Pictures Corp. Eastern Kodak Co., Consolidated Film Industries, Inc., and J. E. Brula-

tour, Inc., and Jules Brulatour, for all lower courts.

Suit claims conspiracy of all defen-

dants to induce breach of a con-
tact made by Universal with Tippett in June 1922 for the sale of raw film stock.

WARNERS MAY START NEW SEASON WITH "OLD MAID"

“The Old Maid,” co-starring Bette Davis and Miriam Hopkins, will probably be the lead-off Warners release for 1939-40 during Labor Day week.

COMING AND GOING

BEN GORITZ, English production head for MGM, arrived today from yesterday morning. He sails for England tomorrow on the Queen Mary.

M. J. MOODY, head of Amalgamated Theater, Ltd., New Zealand, and Mrs. MOODY have been in the country on a vacation trip.

HOLLYWOOD DIETZ, Metro’s director of advertising and publicity, left for Hollywood last night.

JAMES R. GRAINGER, Republic president, left Thursday for his last night at Albany, Buffalo and Detroit.

J. D. TROP, producer, is here from the Coast.

LYN and BEBE DANIELS (Mrs. Lyon), arrive today on the Ile de France.

ROBERT MONTGOMERY arrived yesterday from the Coast, on route to England via the Queen Mary. He will be on U. S. War Board until after the cruise.

CHARLES LAUGHTON and MAUREEN O’HARA arrived yesterday on the Queen Mary. Laughton leaves for the Coast tomorrow or Thursday.

FRANK CARROLL, head of the Carroll circuit in Australia, sails for England tomorrow on the Queen Mary.

L. W. CONROW, president of Allied, has returned from Buenos Aires where he attended the Allied convention.

GEORGE MORRIS, FILM DAILY staff writer, has returned from Hollywood where he attended the Paramount sales convention.

HERBERT WILCOX and ANNA NEAGLE, currently on location filming a new film for RKO release, were forced to cancel their plans to attend the RKO convention.

RICHARD HALL, Columbia director, flew in from the Coast yesterday morning to attend the premiere of “Good Girls Go To Paris” at the Music Hall on Thursday.

J. ROBERT BRODER, attorney, leaves today for the Coast on four-weeks business trip.

ALLEN RIVKIN, scripter, arrived here in Hollywood yesterday.

GEORGE E. BROWNE, IATSE proxy, left Chicago yesterday for the East.

Arnor Joins Wagner

West Coast Bureau of THE FILM DAILY

Hollywood—Arnor Wagner, manager in Japan, arrives here this week on the Queen Mary. He will be in charge of all of the Japanese activities and as part of the studio's expansion in the Orient. Wagner was previously associated with Variety and has been in Japan for the past four years.

Dramatists Meet Today

Dramatists Guild council meets today and is scheduled to name a committee to meet with the League of New York Theatres committee to discuss film backings of plays.

THE THEATRE

“The Boys from Syracuse”—Atkinson, Times.

WHAT A LIFE

with EZRA STONE as Harry Aldrich

MANSFIELD, W. 47th St. Mat. Wed. and Sat. Circle 60640

"A MUST, GO ENJOY IT!"—

Fisher Winchell

Comedy-Farcce With Must-See Quality

I MUST LOVE SOMEONE

with JAMES BERNIE

PA. COURT RULES OUT THEATER CHAIN TAX

(Continued from Page 1)

constitution which requires that all taxes upon a particular class of property uniform.

The law had been contested by the American Stores Co. and the Stanley theaters which obtained an injunction against enforcement.

Siamese chains, not a party to the suit, had paid about $350,000 to the state, but the money was set aside to await a final decision on the tax's validity.

Attorney General Claude Reno said he would study the decision before deciding if any appeal would be taken to the United States Supreme Court.

GREGG, ERPI FOREIGN HEAD, PLANNING FAR EAST SURVEY

Comprehensive survey tour of the Far East will be undertaken by E. S. Gregg, general foreign manager for Erpi, in the near future, it was learned following the close of the organization's first international sales conference.

Foreign business prospects were reported to be the best they have been in a number of years. Representatives from all over the world attended the conference. It was stated that there is a large backlog of orders from foreign countries for the Mirrophone Master sound system.

Among those attending the conference which closed Saturday were: G. S. Appelgate, managing director, Western Electric Company (Australia) Pty. Ltd.; William Demello, representing the Western Electric Company of Brazil; Edwin Gline, operating manager of the Western Electric Co. Inc. of Argentina; P. L. Palmer, managing director of Western Electric Co., Ltd., who is in charge of all European territory; John Riley, chief engineer of Erpi's London organization; H. B. Allinuth, manager of the Western Electric Co., Inc., of Cuba; E. S. Gregg, general foreign manager of Erpi, and other home office executives.

F. E. Peters, general manager of Dominion Sound Equipment, Ltd., of Canada, and L. C. Carrington, vice-president of Altec Service Corporation, also attended the sessions.

BROADWAY HEARTHED AS "TAKE" INCREASES

(Continued from Page 1)

vinced operators that grosses, now definitely on the upsweep, are due for further rises because that visitors are definitely arriving in large numbers to attend the New York World's Fair.

Canvas of houses within the Great White Way area disclosed that business appears to be building sharply, and this situation is the press in since New York's nabis also report bigger attendances.

Concurrent with gladdening reports from box offices of the larger New York film houses, New York World's Fair officials declared that yesterday produced the largest Monday attendance since the exposition opened.

The 1 p.m. rally showed that revenues were comparable with those of yesterday, but at increased prices. Rain was expected to keep down the crowds, with Broadway houses likely to benefit on evening shows.

Expect 16 Para. Directors to be Returned to Office

(Continued from Page 1)

serve for a term of one year.

Barney Balkin, once slated formal-ly to submit company's annual report. The newly elected directors are expected to re-marks the present officers subsequent to the session.

It was learned yesterday in Wall Street that City Bank Farmers Trust Co., as trustee, is inviting tenders of Paramount Pictures, Inc., 20-year 6 per cent sinking fund debentures due Jan. 1, 1955, at prices not exceeding par, in an amount sufficient to exhaust the sum of $700,000 on deposit in the sinking fund. Tenders will be received until noon, June 29.

Trailers Fight Tax Bill

Milwaukee, Wis. — Theaters are using trailers and printed bills urging patrons to signify their opposition to the 3 per cent admission tax bill now pending in the state as-sembly. Exhibitors contend they will be forced to raise admission prices if the measure is passed.

RKO Palace, Chi., to Close

Chicago—The RKO Palace Theater here has given a two weeks' notice to its employees, closing being due to project shortag-age.

Hat In the Ring

Concord, N. H. — Ansel N. Sabin, owner of several Carroll County motion picture theaters, has announced that he will be a candidate for the Republican nomination for Executive (Governor's) Council from the Second District in next year's primary. At present, he is speak-er of the House of Representatives.
Every Single One of These Giant Attractions Is Already Finished or Actually in Work!

You can't put 'schmoos' on the screen! The facts—not the fancy talk—tell you which company can bring you the profit you deserve. So put it up to the record! You'll be convinced fairly and squarely that the institution really delivering, and ready to continue to deliver more and bigger profits than any other anywhere is WARNER BROS.
DAUGHTERS COURAGEOUS
John Garfield, the 'Four Daughters'—Priscilla Lane, Rosemary Lane, Lola Lane and Gale Page—Claude Rains, Jeffrey Lynn, Fay Bainter, Donald Crisp, May Robson, Frank McHugh, Dick Faran.

EACH DAWN I DIE
(James Cagney, George Raft, Jane Bryan, George Bancroft)

HELL'S KITCHEN
("Dead End" Kids, Ronald Reagan, Margaret Lindsay, Stanley Fields)

The LADY and the KNIGHT
(Bette Davis, Errol Flynn, Olivia de Havilland, Vincent Price, Alan Hale, Donald Crisp)

The ANGELS WASH THEIR FACES
("Dead End" Kids, Ann Sheridan, Ronald Reagan)

WATERFRONT
(Gloria Dickson, Dennis Morgan, Marie Wilson)

NAUGHTY BUT NICE
(Ann Sheridan, Dick Powell, Gale Page, Helen Bradenick, Ronald Reagan, Allen Jenkins, Zasu Pitts, Maxie Rosenbloom)

The SEA HAWK
(Errol Flynn)

FOOTSTEPS in the DARK
(Edward G. Robinson)

The DEAD END KIDS at MILITARY SCHOOL

JUAREZ
(Paul Muni, Bette Davis, Brian Aherne, John Garfield, Donald Crisp, Gable Sandergaard, Gilbert Roland)

The OLD MAID
(Bette Davis, Miriam Hopkins, George Brent)

ON YOUR TOES
(Vera Zorina, Eddie Albert, James Gleason, Frank McHugh, Alan Hale. From the Rodgers and Hart stage hit)

INDIANAPOLIS SPEEDWAY
(Pat O'Brien, Ann Sheridan, John Payne, Gale Page, Frank McHugh)

DUST BE MY DESTINY
(John Garfield, Priscilla Lane, Henry Armetta, Alan Hale, Billy Halop, Bobby Jordan, Allen Jenkins, Charlie Grapewin)

CAREER MAN
(Joel McCrea, Brenda Marshall, Jeffrey Lynn, Frank McHugh)

The Story of DR. EHRlich
(Edward G. Robinson)

A CHILD IS BORN
(Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Johnnie Davis, Gale Page)

The WORLD MOVES ON
(James Cagney, Story by Mark Hellinger)

ALL THIS, AND HEAVEN, TOO
(From the best-seller sensation. Story by Mark Hellinger, George Brent heads tremendous support)
LOEW'S EXECS. WILL ATTEND FREY FUNERAL

(Continued from Page 1)

by the Rev. Dr. Jonah B. Wise, rabbi of Central Synagogue, and interment will be in Mount Carmel Cemetery, Queens.

Charles M. Schenck, Loew's president, and all other company executives both in New York and out of town will attend the funeral. Among them will be David Bernstein, Leo
pold Friedman, J. Robert Rubin and Edu
dari Mannix, the latter M-G-M's production manager who will head a company delegation from the West Coast, arriving by plane.

Born on New York's East Side, the son of the late Joseph and Ba
nette Frey, he was educated in the local public schools and subse
cently attended NYU where he won both an academic and law degree. In 1889, he was admitted to the bar in New York State and entered the law offices of the late Alfred Steckler, former Supreme Court justice, and two decades later joined Loew's as assistant general counsel, a post which he occupied continuously.

Although never a member of the judiciary, Frey was known through
out the industry as "Judge" and handled nearly all of the important
trial work for Loew's and M-G-M, enjoying wide popularity among the
eral and file of those organizations.

The deceased, who had been in failing health for some time before a
heart complication evinced itself about three weeks ago, resided at
Essen House here and is survived by one nephew, Alexander Frey, man
ager of Loew's Hollywood Theater, Ave. A and Eighth St., and by two
ieces, the Misses Ethel and Ruth Frey, both of this city.

Frey was unmarried.

Sears Sees WB Accounts Up
750 in 1939-40 for Record

(Continued from Page 1)
at 12,493, according to Gradwell L.
Sears, distribution head, following a survey of the national situation.

Total of 4,972 accounts have al
ready been sold on next year's pro
gram, Sears says.

Indicated total for 1939-40 will top last year's figure by nearly 750 accounts.

WEDDING BELLS

Cincinnati — Irving Sechlin, UA
Cincinnati representative will marry
Miss Anne Cohen, Boston, Mass.,
July 4.

Miami, Fla. — Thomas A. Moore, and Alyce Carroll, Fleischer Studio em
ployees, were married in the Church of
the Messiah in the physical presence of
Gables. After a wedding trip to Cuba the
ouple will reside in Coconut Grove.

LETTERS ANALYZED

EDITOR'S NOTE: THE FILM DAILY today presents the first 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 authority in the law of avera
ge. The analysis is designed to clarify the provisions of the Code in non-legalistic language and to make recommendations to all those in the film industry. In the face of the fact that the Distributors Negotiating Committee proposes to make the Code effec
tive for the 1939-40 season, THE FILM DAILY presents Mr. Nizer's interpretative presentation as an outstanding, timely service of inestimable value to the trade. Preservation of the daily instal
ments is recommended.

INSTALLMENT No. 1

PREAMBLE

Distributors, exhibitors and organized groups of exhibitors, adopt the following as
a code of fair practice.

1. CANCELLATION PRIVILEGE

(1) Cancellation As A Matter of Right.

If an exhibitor has entered into a contract for all of the features offered at one time
by the distributor for a run in any situation, he has the right to cancel without any
payment.

(a) 20%: if the average license fee of pictures is not more than $100 per picture;
(b) 15%: if the average is not more than $250;
(c) 10%: if the average is more than $250.

Fractions: Fractions of one-half or more are counted as one. Fractions of less than
one-half are not counted.

Computing Averages: To compute the average price where it is based on percent
age, take the average license fee of distributor's features in the preceding season which
were exhibited on a percentage basis for the same run. If none of the distributor's features
was so exhibited in the preceding season, then the distributor and exhibitor must agree
in advance in the contract as to what the average license fee is even though the pic
tures are later to be played on a percentage basis.

Westerns, Re-Issues and Foreign Pictures: Westerns, re-issues and foreign pic
tures shall not be included in the number of pictures for the purpose of computing cancel
lation rights. This is so even if they are part of a feature contract. Westerns do not in
clude expansively produced features which deal with Western plots. Only Westerns of
the usual character and type, inexpensively produced, are eliminated in computing can
cellation rights. Foreign pictures do not include those produced by an American pro
ducer outside of the United States in the English language. Such foreign pictures must be
included in computing cancellation rights.

(Second installment covering the offering of portion of features and cancellation will
appear in THE FILM DAILY tomorrow.)

Report Kan.-Mo. Thea. Ass'n
May Become Indep't Unit

(Continued from Page 1)

disinterest within the unit's ranks and
there appears to be a split among its members over policy.

One group, it is said, would like
to join up with Allied while others
want to stick along with MPTOA
and that a compromise may be
reached by remaining independent.

It is believed that the Kansas-
Missouri leaders will see what is
accomplished at this year's MPTOA
convention before taking a definite step.

Reliable sources say that efforts
are quietly being made to organize
an Allied unit here. Col. H. A.
Cole, Allied president, hinted at
this move during the national con
vention in Minneapolis but would not comment to THE FILM DAILY
as to what progress had been made.

Eddie Healy Dead

Providence—Shortly after lea
ping on a burning apartment fire in
suburban Edgewood in an ef
fort to escape the flames, Eddie
Healy, 44, formerly of vaudeville
team of Healy and Cross, died at the
Rhode Island Hospital here from
burns and injuries.

British Trade in Press
Campaign Against Duties

(Continued From Page 1)

plete elimination of the Budget Bill
duties, or at least gain further
cessions, by an investigation im-
mEDIATELY by all film interests, it
was learned following a meeting of
trade representatives yesterday.

The KFS has subscribed a fund
to combat the new duties and all
other interests are expected to fol
low suit. Present plans call for an
active advertising and publicity cam
paign, using every method avail
able to gain public support.

Meridian Dissolution Up

Application of Meridian Pictures
Corp., to confirm the report of Ref
eree Edward J. McDonough which
recommends dissolution of the com
pany was filed in New York Su
preme Court yesterday and is
scheduled to be heard today. Mc
Donough, who was appointed in
June, 1938, reported that Meridian
has liabilities of $65,768, assests of
$119, and was completely insolvent.

Legalize Sunday Pix

Cumberland, Md.—Sunday movies
here were legalized yesterday fol
lowing a four-day battle by exhibi
tors. Legalization can be shown now on Sundays between 11 and 12:30 p.m.

TO PLAN INDIVIDUAL
ACCEPTANCE OF CODE

(Continued from Page 1)

chief and pivotal figure in the pro
tracted negotiations, from Chicago.

Next move of the committee is
the campaign to make the concen
tration of duties the approach of the
next season will also be plotted at the
session, expected to be quickly set
under the statement by Roberts of
Allied's rejection of the Code at the
Minneapolis convention last week
may be issued today, it is under
stood.

While Allied leaders have infor
mated that they are not adverse to
verbal negotiations, it is said that there will be no change in the majors' position, announced
by Rodgers, that the matter is
closed insofar as Allied is concerned.

Goldwyn Files Briefs Against
UA Motion to Dismiss Suit

(Continued from Page 1)

lists Corp., the plaintiffs through
their attorneys, Ward & Gray, yes
terday filed briefs in opposition to
the defendant's motion to dismiss
which Federal Judge John T. Nield's reserved decision last Wed
nesday in the U. S. District Court.

At that time, Judge Nields gave
UA until Friday to reply.

The plaintiffs pointed out in the
briefs filed yesterday that the de
fendant had moved "to dismiss the
action because of a failure to join
as defendants Alexander Korda
London Film Productions Ltd.,
Fairbanks and the Elton Corp.," on the other hand the plain
iffs reply that under any test pro
posed by "none of the said Korda, London Films, Douglas Fairbanks or the
Elton Corp. is an indispensable part of this action and the plain
iffs submit that the UA motion to
dismiss should in all respects be
denied.

New Judell-Goldberg Deal

West Coast Branch of THE FILM DAILY

Coal — Leo Goldberg, who operates Big Features exchanges has acquired the IndianapolisIndiana territory rights of the product to be
made by Ben Judell. Goldberg also
holds the franchise for the Judell na
tional con Cleveland and Cin
nati territories.

Cite Stern in Contempt Case

Chicago — Emil Stern, Essanay
president who was subpoenaed yester
day in the Government's contempt action
against the majors.

STOKES!

Cincinnati—Tom Smiley, M-G-M, is father of a new baby boy, Carl
Thomas, Jr.
THE BIG BOOK ABOUT THE BIG PICTURES FOR 1939-40 IS ON THE WAY TO YOU NOW!

SIX WE AND THE SCREE

Walt Disney Productions - March of Time - Information Please - Reelisms - Sportscope - Comedies... and addition

THEY'RE ALL IN THE BIG BO
Howard, Gene Towne, Sol Lesser, Harold Lloyd and many

McCarey, George Stevens, Herbert Wilcox ... DIRECTORS

Kanin and many more ... STARS like Carole

Airbanks, Jr., Laurel and Hardy, Charles Laughton, Victor

Wayne, Anne Shirley, and others to be announced ... 

Way — Abe Lincoln in Illinois — Nurse Edith Cavell —

Gil in the Night — The Deerslayer — Tom Brown’s School

many others you’ll find in the book ... 

STERN

N’S BEST SHORTS

RKO-Pathe News — Two-Reel Dionne Special —

Edgar Kennedy, Leon Errol, Ray Whitley

onal short-length features.

OK . . . . AND PLENTY MORE!
THERE'S A BOX-OFFICE THRILL ON EVERY PAGE!.....

RKO RADIO PICTURES

1939 1940
RKO Radio Signs Pact to Distribute Disney Feature

"Pinocchio" for Christmas; M of T's First Feature Also a Special

(Continued from Page 1)

nounced, was "inspired by the book by Maj. George Fielding Eliot." No budget figures were disclosed yesterday. Earlier, however, Schaefer had indicated that the company planned to spend $25,000,000 on production.

While Pandro S. Berman, studio chief, has requested termination of his contract on Oct. 1, the product is an uncertainty. The reference was to a change in his status. It stated: "Berman in addition to his multiple duties as vice-president in charge of production, will personally pilot the production destinies of The Hunchback of Notre Dame." In unusual but informed quarters, opinion was expressed that Berman would continue handling a limited number of productions personally.

The formal signing of the "Pinocchio" world-wide distribution contract between Disney and Schaefer yesterday afternoon was officially witnessed by Depinet, Levy and Gordon E. Youngman, legal counsel of RKO Radio and General Counsel Gunther Lessing, Vice-President and Hal Horne and European Representative William Levy, of the Disney organization while the 300 branch managers and salesmen at opening day's session looked on.

Titles for 38 Features

Titles for 38 of the 52 features were discussed at the convention while in several other instances, subject matter was identified for the sales forces.

Analysis of the regular program shows:


COLUMBIA DELIVERS

2 in a row

TO

RADIO CITY MUSIC HALL
Good Girls Go To Paris

MELVYN DOUGLAS
JOAN BLONDELL
WALTER CONNOLLY • ALAN CURTIS • JOAN PERRY

Screen play by Gladys Lehman and Ken Englund
Directed by ALEXANDER HALL
Produced by William Perlberg

LAURENCE OLIVIER
(Star of "Wuthering Heights")
in
CLOUDS OVER EUROPE

with
RALPH RICHARDSON
(Of "Citadel" Fame)
VALERIE HOBSON

Screen play by Ian Dalrymple
Directed by Tim Whelan
Produced by Irving Asher
GOV'T AGAIN CAGEY IN ITS ADDENDED BILL

(Continued from Page 1)

add any specifications as to charge. It states that all the major distributors have imposed harsh trade practices upon exhibitors and that with the exception of Universal, all have been engaged in lawless high-pressure tactics.

(Sources close to the equity action point out that under Section 20-A of the bill of particulars itself, Columbia, Universal and UA are held not to be currently engaged in coercive selling, according to reference to Section 20-A in the supplemental bill. This section specifies threatening to build competing theaters; threat to deprive exhibitors of product; threatening to purchase in nabs; threatening to purchase in competition under low prices; and imposing unreasonable clearances.

Bill continues by defining participation and interest of the majors in exhibitors, and what would constitute a tie-in tie-in with other major distributors. This bill alleges that participation by persons who are executives or managers with respect to formulation of policy are those persons included as the controlling links between producers and theaters. These executives, by their participation with major producers and their relations with them, or with officials of majors, create an affiliation, and the bill states that competitive conditions in the area of each particular theater determines the activity.

The bill says that merely by sharing of receipts of specified pictures, pursuant to customary percentage clauses contained in exhibition contracts, is insufficient in itself to create an affiliate.

The major defendants will have 10 days in which to answer according to the provisions of Judge Bondy’s order.

WB Theater Giveaway Pacts Now Need Bernhard’s Okay

(Continued from Page 1)

er that no further contracts for giveaways of any description are void without the signature of Joseph Bernhard, Warner theater head.

All copies of every contract for giveaways can not be made effective unless Bernhard’s signature is on them, it was learned.

Sheboygan, Wis.—The Sheboygan Baking Co. and the Herziger Sau-age Co. here have announced the discontinuance of issuing coupons and tags with their products of theater tickets. The wrappers and tags were redeemable for admissions to the local Warner Bros. house.

Adelphi Case Postponed

Chicago.—The Adelphi Theatre antitrust case before Judge Wilkerson has been postponed until June 20, owing to plaintiff’s counsel being engaged in other litigation.

REVIEWS OF THE NEW FILMS

“Good Girls Go to Paris”

with Melynn Douglas and Joan Blondell

Columbia 75 Mins.

(HOLLYWOOD PREVIEW)

SWELL FAST-MOVING COMEDY THAT WILL PLEASE ANY TYPE OF PIX AUDIENCE.

“Good Girls Go To Paris” is a swell, fast-moving comedy that will please any type of audience. The direction by William Perlberg, and direction by Alexander Hall was exceptionally good. Hall has kept the pace of the picture moving rapidly and every line and situation is brought out so well the audience does not miss a thing. The screenplay by Gladys Lehman and Ken England, based on the story by Lenore Coffee and William Perlberg, has been well written with gags and situations nicely injected. Melynn Douglas, as a college pro, and Joan Blondell, as the waiting girl, wants to go to Paris by fair means or foul, but suffers from a conscience; Walter Connolly, as an old grump millionaire with a two-tired family, all did grand jobs at the acting. Melynn meets Joan Blondell in a tea shop on the campus. Their friendship grows, and she confides in him letting him know that she wants to go to Paris but needs money which she expects to get through the medium of a breach-of-promise suit from one of her college boys. She encourages Stanley Brown to fall in love with her and propose by mail. His father, Clarence Kolb, stops the marriage and Joan asks for money for his letters, but becomes conscience-stricken at the last minute and denies having the letters. Kolb gives her a few hours to get out of town, and Joan goes to Melynn and tells him what she has done. Melynn gives her money to go back to Min- nesota but when she gets to the station she sees a train bound for New York, and buys a ticket for New York instead. Melynn, who is at the station, calls him and tells him the story.

Peter Sutos Dead

Pittsburgh—Peter Sutos, one of the pioneers of the theater business in this territory and who formerly operated three theaters in Monessen, died of a lingering illness. During the last few years he was active, Sutos operated the Molina Theater in Pittsburgh.

Soskin’s Liabilities $364,445

London (By Cable)—Liabilities of $364,445 and assets of $30 were the figures when Simon Soskin applied for discharge in the London Bankruptcy Court. Soskin’s failure was attributed to losses in connection with Soskin Pictures, Ltd., and Amalgamated Studios, Ltd., and his inability to meet payments on a scheme for building and equipping film studios.

To Honor Gus Edwards

On His 60th Birthday

West Coast Bureau of THE FILM DAILY

Hollywood — A testimonial affair honoring Gus Edwards on his sixty-sixth birthday, Aug. 18, will be held to signalize the world premiere of “The Star-Maker,” Charles R. Rogers production featuring Bing Crosby, which will be released by Paramount. Eddie Cantor will be master of ceremonies and it is planned to hold the affair in New York.

“Harlem Rides the Range”

with Herbert Jeffrey, Lucas Brooks, F. E. Miller

Hollywood Prod. 58 Mins.

(HOLLYWOOD PREVIEW)

ALL-NEGRO MUSICAL WESTERN RATE AS EXCEPTIONALLY GOOD PRODUCTION.

This all-Negro musical western, produced and directed by Richard C. Kahn, is exceptionally good. The story written by Spence Williams, Jr., and F. E. Miller makes very good impression, although it is the usual formula for westerns. Herbert Jeffrey is a very fine voice and his acting is natural. The rest of the cast, including Lucas Brooks, F. E. Miller, Artie Young, Spence Williams, Clarence Brooks and Tom Southen, all give good support to add to the likeliness of the picture. The story consists of the villain, the hero, the girl, and the hero’s side-kick, the sheriff, and the girls’ father, and instead of the rustlers, this one has as its background radium mine, which Clarence Brooks tries to get possession of. Jeffrey prevents the theft by the villain, Artie Young saves his father’s mine by capturing the villain, Brooks, whom he has arrested to market for the articles.


CREDITS: Producer, Richard C. Kahn; Production Manager, Dick L’Estrange; Director, Richard C. Kahn; Authors, Spence Williams, Jr., F. E. Miller; Camera, Rex Long and Clark Ramsey; Art Director, Vin Taylor; Music by Lew Porter; Sound Cliff Roberg.

RECEPTION, Very Good. PHOTOGRAPHY Good.

Trop Plans Wright Pix

West Coast Bureau of THE FILM DAILY

Hollywood—J. D. Trop is planning to produce “The Devil’s Highway” and “The Uncrowned King,” both to be based on the books of the same names, by Harold Be- Wright. Trop’s last production, “Heritage Of The Desert,” for Har- ry Shermann was of a similar nature and attracted much favorable comment because of its unusual treatment.

Juddell Sets Franchises

West Coast Bureau of THE FILM DAILY

Hollywood—Ben Judellung, whose new company will make 36 pictures in 1950-51 season, has closed a deal with Big Features Inc., whereby the latter company acquire the franchise for the Judellung product for the Indiana territory. Big Features has already closed a deal for the Cincinnati and Cleveland territory rights for the Judellung produc-
ATTENTION GOLFERS!

LAST CALL!

TEN Bucks Today-
TWELVE Thursday-

The Twenty-seventh
FILM DAILY GOLF TOURNAMENT
Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY,
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee will be $12.00 if not paid before June 22).

Name

Address

LAST THREE SCORES

CLUB HANDICAP □

CLUB: □

Evil of Giveaways Hits Film Golf Tournament

(Continued from Page 1)

wonderful things. The bag will include among other things a Pen-Lite from National Carbon Co.; a rabbit-foot keychain from Schenley; the distillers of liquor that cheer; mechanical pencil from Bonded Film Storage; another mechanical pencil from World Pictures.

As a test of showmanship, it seems that the various team captains will outfit their men with fancy and distinctive shirts. For instance, one captain at great expense in time and money, has dug up a job lot of orange silk shirts for his gang. If there are any Irish caddies around the fairways, there is liable to be a caddie strike called on the Tournament. Terrytoons have added a team to the list. Just two more days, fellers, and then we face the great day on the fairways. It's about the last call for those entry blanks to be sent in. If you wait till you reach the gate, you will be taxed two dollars more. So you better slide that check through the mail today.

LMPTS Entering Poster Field as Sideline Biz

New Orleans—Film row is back to two poster exchanges again, the Louisiana Motion Picture Theater Service going into a sideline business as a poster firm. Louisiana has taken over the Hollywood Restaurant, one of the quick eateries which has served the Row for years, and has established a poster exchange and in its new headquarters.

Cities' Right to Regulate Sunday Pix Upheld by Court

Cambridge, O.—Decision of the Ohio Supreme Court, in refusing to review the conviction of Joseph Elliott, Cambridge operator, on a charge of violating a local ordinance prohibiting the showing of motion pictures on Sunday, upholds the right of municipalities to regulate Sunday movies.

10,000,000 Foot Capacity for Dunningcolor Plant

West Coast Bureau of THE FILM DAILY Hollywood—New plant being completed by Dunningcolor Corp., will be equipped to supply studios with about 10,000,000 feet of colored film annually, according to announcement made yesterday by Carroll H. Dunning, president.

There has never been a picture with so many new thrills as

FOUR FEATHERS
52 FEATURES, SIX SPECIALS FOR RKO

(Continued from Page 11)

May Weld Together 4-Hour Film of Royalty's Tour

Montreal—Motion pictures of the royal visit to Canada have called for 80,000 feet of film. There are separate pictures for each place visited and for each ceremony which occurred. They were taken by a pool of nine motion-picture and newsreel photographers under direction of Captain Badgley, head of the government's Motion Picture Bureau here who has all the negatives.

The Dominion Government to which no proposition has yet been submitted is expected to authorize the welding together of all the pictures. Many suggestions that this be done, looking to exhibition all over the country, are being received.

If and when it is put on, it is estimated that four hours, at least, will be required to screen it.

Royal, Gaspe, Fire Damaged

Gaspe, Que.—The Royal Theater here sustained $2,000 damage in a fire Saturday.

General Sales Manager Jules Levy

In the afternoon to attend a meeting of the salesmen, Phil Reis- man, general manager of the foreign department, will preside at the dais for an address and the introduction of foreign delegates.

Laughton Makes Surprise Appearance at RKO Conv.

Charles Laughton, noted English star who arrived on the Queen Mary yesterday made a surprise appearance at the RKO convention just after Fred E. Depinet announced "The Hurricane of Notre Dame" starring Laughton, as one of the 1939-40 season's biggest features.

Laughton received a tremendous ovation and was persuaded to interrupt the business session with his famous recitation of Lincoln's "Gettysburg Address."

Two-Thirds of Disney Shorts for 1939-40 Now Completed

Two-thirds of Walt Disney's schedule of short subjects for next year have already been completed, Hal Hollywood, vice-president in charge of distribution for Walt Disney, stated at the RKO Radio Sales Convention now in session at Sayre Hotel.

Twelve of the shorts, out of the seasonal eighteen, are finished while two others are in production now.

N. J. Tavern's Right to Show Films Raised in "World's Only Cocktail" Case

Springfield, N. J.—New Jersey's Alcohol Beverage Commission Director Frederick Burnett will be asked this week to rule on legality of operations of "The World's Only Cocktail Theater." This cocktail committee has decided in renew of a liquor permit for the Seven Bridges Tavern which has inaugurated the practice of showing pictures over the week-ends. Current features, newsreels and comedies are being shown.

Police Committee Chairman Lewis F. Macartney was questioned whether movies should be permitted on a tavern license, and on the screen in the Seven Bridges, and the audience sits at tables sipping drinks. The screen is visible to customers at the front of the tavern at the time the movies are run.

The committee was unable to get information from the RKO organization in New York.

There is no regular movie house in the township.

87% of Possibilities Sold, LEVY TELLS RKO

(Continued from Page 11)

Kotter; C. J. Dressell, salesman in Minneapolis to branch manager, Omaha; H. F. Taylor, salesman in San Francisco, to branch manager San Francisco; R. V. Nolan, salesman in Chicago to branch manager, Chicago; M. Kassel, office manager to salesman, Chicago; W. E. N. Huber, manager in New Haven; A. T. Malkey, assistant booker to salesman, Sale Lake City; A. C. H. Johnson, general sales manager to salesman, Sale Lake City; J. McPherson, booker to salesman, Calgary; S. S. McFadden, booker to salesman, Portland; L. J. Gottschalk, office manager to salesman, Seattle; V. H. Adams, publicity representative to salesman, Dallas; J. Wheeler, booker to salesman, Dallas; V. Reese, booker to salesman, Memphis; M. F. Cohen and Lou Papoloff, bookers to salesman, Denver.

Student salesmen assigned to RKO Radio stations were: Smith, Idaho; Green, Montana; T. Renz, Buffalo; Los Finke, Los Angeles. J. Wangerberg has stepped up from office to office in Lansing, Kansas City, to home office representative.

RKO's "Of Human Bondage" to be Re-issued July 14

RKO for its re-issue "Of Human Bondage" on July 14, will make available a new press book and a complete new line of accessories. First day of advance, show set in Omaha; Kansas City, Denver, and Harrisburg.

Monroe Terminates Pool

Kearney, Neb.—George O. Monroe has terminated his operating pool with Harry Warren's Central States Theatres. Monroe has taken over the portion of Pass Empress, a 900-seat, back after five years. George Wright is managing it.

Wahou, the World as its sole operation here now.

Prokop Sell House, Retires

Wahou, Neb.—Charles Prokop, the Wahoo Show, Darryl Prokop, his first movie when a small boy in Wahoo, has retired from the show business after 20 years. He sold his theater, the Wahoo, to A. R. Miller, of Audubon.

Films and Schools

Melbourne (By Cable)—The Victorian Government has introduced a new educational principle—the use of films and radio tied together in public school classrooms. Eighteen hour sessions, for three school terms are to be held. Recent broadcast of a school play was broadcast from Melbourne to students in schools at Melbourne, Western Australia, Northern Tasmania and Queensland. A number of students are looking at a motion picture on a classroom screen while State Governments are making a concerted drive for special classroom screenings.

83% of Possibilities Sold, LEVY TELLS RKO

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Para. Second Quarter Earnings Running Ahead—Balaban

PIX TALKS SHOULD NOT HALT CONGRESS—HOPKINS

RKO’s 39-40 Production Budget Up 40%—Schaefet

Teisman Announces 6 Foreign Sales Parleys and a 52-Week Drive

In the principal address of the RKO sales convention yesterday at the Westminster Country Club, Yulee, Fla., Graham A. Teisman, president of RKO Radio Pictures, declared that the company’s production program for the coming season represents a 20 per cent increase in investment over the top year in its history. (Continued on Page 4)

FINAL LOWDOWN ON BIG GOLF TOURNEY

Tomorrow is the Big Day. Standards are that well over 200 golf and tennis enthusiasts will be on hand at the Yulee Country Club for the 27th session of THE FILM DAILY Golf Tournament.

The greatest array of prizes and trophies ever offered at any of the tournaments will be available to the competing players.

First among the prizes is the Mills Trophy, which will be awarded to the individual with the best score for the day or to the team with the best aggregate score for the week.

Virginia MPTO Will Act on Code Within 30 Days

Board of Directors of the MPTO of Virginia, Inc., will act upon the Trade Practice Code and Rules of Arbitration recently submitted by (Continued on Page 7)

Warner Bros. to Make Two More Controversial Pictures

West Coast Bureau of THE FILM DAILY

Sacramento—Despite efforts that have been made to discredit the box office, Warner Bros. are reported to be planning two more pictures that are expected to create controversy. The films, which are expected to be released in late fall, are said to be controversial in nature and are expected to receive widespread publicity.

Senate Won’t Cast Neely Bill Ballots For At Least 10 Days, It Is Predicted

Washington Bureau of THE FILM DAILY

Washington—Although the Neely Bill is scheduled to come up in the Senate for vote today, channels unusually well versed in both national legislative affairs and film industry matters told THE FILM DAILY here privately that it is extremely doubtful if actual balloting takes place for some 10 days or two weeks.

UA Charges Gov’t Bill of Particulars Conceived With the Intent to Deceive

Decision was reserved yesterday by Federal Judge Edward A. Con- ger on the application of United Artists Corp. for a more detailed bill of particulars in the Govern- ment’s anti-trust suit. Benjamin Tupper, attorney for UA, claimed that the company still did not know how or why it was a defendant since it was solely a distributor. He also claimed that the bill was

McCarthy Heads Com. on Short Wave Broadcasts

A ways and means committee, with Charles E. McCarthy as chair- man, was appointed yesterday at the meeting of major ad. and pub- chieftains and foreign department representatives at the MPPDA of- fices to discuss the offer made by CBS and NBC to make their short wave broadcasts available for dis- semination of picture news in Europe and South America.

If Para. Biz Continues to Improve Extra Dividend May be Declared

28,000 Protest Added Tax Burden of Quebec Theaters

Quebec—Signed protests of over 28,000 citizens against the 10 per cent additional taxation levied on Quebec theaters which resulted in

RKO Radio, “U” Delay Move in Contempt Action Fails

Chicago—Spitz and A adecok, at- torneys for RKO Radio and Uni- versal, yesterday asked for a post- (Continued on Page 8)

Deny Kuhn’s Application For “Nazi Spy” Injunction

The application of Fritz Kuhn and the German American Bund for a preliminary injunction restraining (Continued on Page 7)
DAILY
July 21, 1939

THE NEW YORK TIMES

Vol. 75, No. 119

July 21, 1939

10 Cents

DONALD M. MERSEREAU : General Manager

CHESTER B. BAHN : Editor


ARTS UNION Fed. Charges Industry Helped FTP Cut

In a wire sent to Will H. Hays, MPPDA prexy, last night, the Fed- eration of Arts Unions charged the motion picture industry with being one of the chief forces responsible for the Federal Theater Project cut. A copy of the wire was asked for, but up to late last night no telegrams forthcoming from the MPPDA of- fices.

The wire read: "We have learned from reliable sources that the mo- tion picture industry is one of the chief forces responsible for the at- tempt at abolition of the Federal Theater Project. If this is true your industry must bear the re- sponsibility for starvation of some 8,000 families in New York City. If this is true, it is your duty as spokesmen for the industry to clear its good name and disabuse the minds of the per- sonal representatives in Washington who are in favor of the Woodrum bill."

Wired was signed by William Fein- hout, the Federation of the Pict. A P of L and CIO unions in the theatrical and art field.

KENT, HUTCHINSON ATTEND CONVENTION IN TRINIDAD

Four-day 20th-Fox convention which will be attended by all man- agers of offices in the Central Americ- an and Caribbean territories get- under way today at Trinidad with President Sidney R. Kent, and Walter J. Hutchin- son, director of foreign distribution, arriving this morning from South America.

Kent will address the convention tonight and will be flanked at a dinner given in his honor at the Queens Park Hotel. He will sail tonight, with Hutchinson remaining through the convention. E. F. Lome- ba, special home office representa- tive of the foreign department, who arrived today from Trinidad, will also be at the convention.

HINT Franchise Deals as Grainger's Mission

Albany—James R. Grainger, Repub- lic's proxy and general manager in charge of distribution, arrived here yesterday on a business visit which will take him also to Buffalo and Detroit.

Jack Bellman, eastern district sales manager, is scheduled to meet Grainger in Buffalo for conferences, as will Max Roth in Detroit. Pur- pose of the Grainger argosy to the trio of keys is outline of general selling details and policies for new season product in these situations, all of which are temporarily apart from Republic's franchise setup in and under company administration. How- ever, confabs leading to allocation of the three spots to franchises are held to be probable before Grainger returns to the home office.

1939-40 Warner Program Sold to Shea In Buffalo

The Shea's Publix Theatres in Buf- falo has closed for the complete War- ner 1939-40 general sales manager, said yesterday.

According to the terms of the deal, which was signed by Roy Haines, Eastern sales manager, acting for the distributors, and Vince McPaul, who represented the circuit, the com- pany's new season product will play all of the Shea's first and subsequent runs in Buffalo and first-run in Ni-agara Falls.

ST. LOUIS UNION TO HOLD ELECTION BY COURT ORDER

St. Louis, Mo.—A formal order au- thorizing the receivers for Local 143, Operators' Union to conduct a meet- ing of that organization at the Mel- bourne Hotel, at midnight tomorrow, was issued by Circuit Judge Ernest F. Oakley.

Eight officers, including president, vice-president, secretary-treasurer, sergeant-at-arms and three trustees will be chosen. These new officers, will constitute the union's Executive Board.

Exam. Denial is Affirmed in Suit Over Movie Quiz

The Appellate Division yesterday affirmed a decision which denied per- mission to Donohue & Coe, Inc. and Edward J. Churchill, to examine E. J. Pfeiffer before the trial in the suit which Pfeiffer has brought against the defendants over the recent movie quiz contest.

Internati'l 5-Orc. Hookup to Plug 20th-Fox Picture

International hookup which will have five offices playing from New York, Hollywood, London and Buenos Aires has been arranged by 20th-Fox for its Broadway and Picture. Via NBC to plug "Second Fiddle."

Van Nomikos Closing 3 Chicago—The Van Nomikos the- ater circuit is closing the Halsted, City and Stadium theaters for the summer months.

SAFETY LLOYDS

FILM STORAGE

Storage by Reel or Vault

Safety

SECURITY

472 Ninth Ave.
New York City
BRyant 9-5600

WHAT A LIFE

"Hearts of Pleasure"—edzina, Times.

WHAT A LIFE

"A MUST, GO ENJOY IT."

"Writer Winchell"

Nancy Carroll

I MUST SEE SOMEONE

with James Reese

VANDERBILT, W. 49th St.
Eve. 8-400
Mats. Wed. & Sat.
Air-conditioned
Among the large variety of exhibits displayed at the RKO Radio convention at the Westchester Country Club at Rye, N. Y., is a de luxe publicity scrap book prepared by S. Barret McCormick's department to give the conventioneers a quick flash at the types of publicity and promotion matter used during the past year in selling the company's product. The book includes a mass of outstanding publicity breaks representing leading newspapers, periodicals, weekly photo mags and syndicated material. In this manner the field men get a pretty good idea of the mass of publicity outlets covered for the pre-selling of the productions and star personalities.

Preview of a Convention...that is about what it amounted to...sixty stories indexed for easy reference and bound in orange and blue...a nifty job supervised by Rutgers Neilson working under Barret McCormick's direction...this ready reference work was for newspaper and trade paper representatives as well as the RKO Radio execs...the stories covered all phases of the convention activities...a special article by Jack Level on the reason for a motion picture convention was so informative that it broke in several hundred newspapers in the United States and Canada.

IN his address yesterday morn on the company's sales policy for 1939-40, general sales manager Jules Levy quoted statistics on box-office receipts of the world over the current season...he quoted the figures from FILM DAILY at a billion dollars, and told of two billion invested in theaters, studios and distribution and production...

"And boys," he said, "we must get our share of this intake and investment"...

HE turned himself into a librarian...Ned E. Depinet...at the speaker's table while outlining the new program, Depinet held up a book for every forthcoming production based on a literary work...he had 'em stacked all around him...

ATTRACTION loose-leaf manual...presented to all the RKO Radio salesmen by March of Time...it is designed to answer every conceivable question...it tells the complete setup for production, advertising, promotion and selling...all future advertising material on March of Time will be issued in a form suited to inclusion in this manual, so that the salesman can present the up-to-date story on this product to exhibitors at all times...

THAT Disney display was the center of attraction...with every convention member hovering around to get his supply of souvenirs...efficiently administered by Dick Condon, assisted by Eleanor Bradford and Betty Hildebrand of Hal Horne's office...

ANNUAL field day of the Warner Club at Bear Mountain today with a thousand people attending...Lester Pollock has a tropical soft drink bar operating at the Loew's Rochester Theater, serving free libations of Royal Crown Cola on the mezzanine...In observance of New Hampshire Day at the World's Fair, NBC will telecast a film, "In the Hills of Old New Hampshire" on its program today, over station WJZ...this is the first anniversary observance by American television...the film was written and directed by Emerson Yorke, who arranged for the televising of the film...
Higher Quality Features to Reduce Dunals, Says Levy

RKO Sales Exec. Sees More Playdates for Shorts in Prospect

General increase in the quality of feature-length and short films and open the way for more playdates for one and two-reelers, it was predicted by Jules Levy, general sales manager, at Pathe's Radio sales convention yesterday at the Westchester Country Club, Rye.

Levy and A. A. Schubart, manager of exchange operations, were the closing speakers at the morning session. The former discussed the company's sales policy in detail, referred to the short subject program and predicted that the field force, despite a late start in selling, would quickly realize a new mark in closing possibilities.

Roy Disney assured the sales forces that "Pinocchio," definitely would be ready for Christmas release. Roy read a wire of greetings from Walt Disney.

Guthrie Stacey, the Disney legal counsel, lauded President George J. Schaefer and predicted that RKO Radio would soon lead the industry in production and selling.

Hal Horne, Disney vice-pres. showed working models from "Pinocchio" during his talk devoted largely to the possibilities of the long expansion campaign already well under way. Commitments for magazine space indicated that "Pinocchio" will far exceed that which accrued to "Snow White," the Disney executive said.

Disney character merchandise is showing an annual gross of $35,000,000, Kay Kamen, Disney merchandising executive, told the assembly. Kamen said that in New York alone the enterprise he is president of has a payroll of $100,000 a year.

Other speakers were William B. Levy of London and Wally Feignou of Paris.

Frederic Ullman, Jr., vice-president and general manager of RKO Pathé, told the delegation that the 30 shorts to be produced by RKO Pathé, would be supported by practical exploitation and timed for release as to seasonal theme. He said that many improvements were planned for Pathé News. Convention business sessions closed today with individual branch and district meetings. Tomorrow, the delegates will visit the World's Fair.

Wis. Merchant-Exhibs. Offer Films, Games and Groceries, All for 15 Cents

CAMBRIDGEPARK, Wis.—Local Opera House, which has been showing Saturday night movies under the sponsorship of merchants, has now put the first of its "Em Kow." A recent program, admission to which was 15 cents with merchants' tickets, included besides this "game of skill," "O'Malley of the Mounted," short subjects, and Grocery Night.

Expects Bigger Foreign and Domestic Grosses, Schaefer Tells RKO Meet

(Continued from Page 1)

features, 2 specials and six westerns comprise RKO Radio lineup as now announced, the maximum estimate of $25,000,000 is now regarded as the probability, and this may even be exceeded on company's big picture play.

Schaefer stressed the fact that in face of present conditions in certain sectors of the foreign market, he realized that it really meant that they needed to embark upon a program as intensive and extensive as that to which the company is dedicated for 1940-41, but that it confidently expects large revenues both from the domestic fields and those overseas. He added that the organization is imposing high expectations in the foreign sales forces abroad to augment the efforts of the U. S. and Canadian wings of RKO Radio.

Reisman Announces Promotions

Phil Reisman, RKO Radio foreign department general manager, announced several promotions from the speakers' platform yesterday afternoon. Those receiving good-for-the-Argentina. His territory comprises 70,000,000 persons with 3,000 picture theaters. Leon Britton is promoted to be supervisor of the former 21 settlements in the Straits Settlements, India and Ceylon in addition to his previous supervising duties of Japan, the Philippines and the managerness for China.

Reisman announced that a series of sales conventions will be held this year in the following foreign countries: Central America, Australia, India, France, England and South America in either Brazil or the Argentine.

Reisman told of a record gross for Disney's "Snow White" and the Seven Dwarfs" in a London theater having 1,400 seats. The gross for this run was 44,000 pounds, approximately $220,000.

RKO plans to use this year's 25th year in the motion picture business. He declared his organization is now conducting direct distribution in 27 foreign countries outside of the so-called axis-controlled territories.

U. K. Gross Goes Steadily Up

Ralph Hanbury, managing director for the United Kingdom, said that the organization there had been an all-around high pressure bulletin pictures for each year successively for the past ten years. Hanbury said that with the general release of "Gunga Din," "Love Affair" and the "Castles" slated for the coming months, his organization would bet that the 10 per cent record gross turned out for the George Schaefer Drive ended June 3.

Ben Cammock, recently appointed assistant to Reisman, stated that the same attention is given throughout RKO's foreign territories to pictures of associate producers as is received by RKO's own pictures.

Reginald Armour, general European manager, declared his territory has shown 500 per cent increase due to better pictures and more efficient distribution methods this year than ever before. European and Far Eastern organizations, Armour said, comprise 500 employees and he hoped to establish a record gross for the coming season with the improved quality of the 1939-40 RKO Radio product.

52-Wk. Foreign Sales Drive

Reisman announced a 52-week foreign sales drive beginning Aug. 1, 1939 and running to July 31, 1940 called "The Seven Million More Drive" and pledged his entire world-wide organization to carry it out.

S. Barrett McCormick, chief of the publicity, advertising and promotion department, assured the conventionists that the punch and genunine "pinocchio" which featured the big "Gunga Din" campaign was a sample of what exhibitors could expect for the new season's big features.

56 Licenses Already Set to Promote "Pinocchio"

Fifty-six manufacturers are already preparing to promote merchandise based on Walt Disney's second full length production, "Pinocchio" which will be released by RKO Radio Pictures before the end of this year, Kay Kamen, merchandise representative for Walt Dis-
RKO Radio in Convention Assembled

The candid camera at right records George J. Schaefer, RKO Radio prexy, addressing his first RKO sales convention at the Westchester Country Club, Rye, where sessions conclude today; tomorrow, the conventionees—numbering nearly 300—put aside sales matters to inspect the New York World’s Fair on Flushing Meadows.

"Pinocchio" to RKO. At left, President Schaefer signs the distribution pact for Walt Disney’s cartoon feature. Roy Disney sits next to him. Standing, left to right, Bill Levy, Ned E. Depinet, Hal Horne, Gunther Lessing, Gordon E. Youngman.

RKO Sales Helmsmen. At right, Jules Levy and Ned E. Depinet.

Dais Consultants. At left, Phil Rosman, foreign head, and Jules Levy.

Ad-Publicity Foursome. At right, in order, Rutgers Neilson, Howard Benedict, S. Barrett McCormick, department chief, and Charles Leonard.

In Rustic Setting, RKO execs. and conventionees pose below between sessions on the Country Club greensward.
800 Mourners Attend ISidor FREY Funeral

Wise, rabbi of the Central Synagogue, was an impressive outpouring of motion picture executives who augmented the rank and file of the Loew organization.


Mr. Frey, who had been in failing health for some time, developed a heart complication about three weeks ago and died on Sunday morning in Mount Sinai Hospital.

Interment was in Mount Carmel Cemetery.

McCarthy Heads Committee on Short Wave Broadcasts

(Continued from Page 1)

held today in McCarthy's office to discuss whether the companies should supply the necessary material individually, jointly or via the Hays office.

Defense Objection Invalid,

Stadium Theater Brief Says

Chicago—Contending that the de- fense objections are invalid under the new Federal Court civil procedure, Attorney Lewis Jacobson, coun- sel for the plaintiff, filed a 31-page brief in the Ford Theater anti-trust case with Federal Judge James Willkerson yesterday. Brief contends further that court decisions give the plaintiff greater latitude in specifying conspiracy charges.

ATTENTION GOLFERS!
LAST CALL!

TEN Bucks Today-
TWELVE Tomorrow-

The Twenty-seventh
FILM DAILY GOLF TOURNAMENT

Thursday, June 22, 1939—Rye Country Club, Rye, N. Y.

THE FILM DAILY
1501 Broadway, N. Y. C.

Here is my entry and $10.00 for the 1939 Golf Tournament. (Entry fee will be $12.00 if not paid before June 22).

Name ____________________________
Address __________________________

CLUB HANDICAP ________

LAST THREE SCORES ____________


dollar

Club: ____________________________

Final Lowdown on Big Golf
Fest at Rye Country Club

(Continued from Page 1)

the Albee Memorial Cup, which will go to the winning team in the match play. Each player on the winning team will also receive a handsome suitecase donated by Ross Federal Service Corp.

First, second and third runner-up teams will also receive individual prizes. One of these will be a Roto Electric Shaver, to each member of one of the runner-up teams. Special Midget Radios from Joe Mal- colm of Malcolm Film Lab will go to members of one of the other runner-up teams. Two bottles of Hiram Walker whiskey go to each member of the fourth runner-up team, and one bottle to each member of the remaining runner-up team.

To the low-net winner goes a leg on THE FILM DAILY cup, the Variety Trophy, and that marvelous scenic air flight given by TWA.

Contributors of Prizes

The low-net runner-up, second low-net runner-up, low-gross runner-up, low-gross exhibitor, driving contest winner, all receive beautiful silver trophies given by the following:

RKO Radio Pictures
Dupont Film Mfg. Co.
Columbia Pictures
Mitchell May, Jr.
United Artists
National Theater Supply Co.
Quigley Publications
Variety
Eastman Kodak Co.
Alte

In addition to these trophies, there are numerous special prizes, among which will be the Eastman Kodak candid camera; the W. & J. Sloane sell- ing agent's 9 x 12 rug; the Nat Lewis robe for the best dressed golfer; the Mazda Lamp division of the Gen- eral Electric Co. is giving a toaster; and J. E. Pelletier is presenting a set of golf sticks. For every foursome winner other than in team play there will be one of the new Emerson port- able radios, through the courtesy of J. E. Pelletier. The runner-up in every foursome will receive a bag through the courtesy of Herman Robbins of National Screen Service. Then there are the Monogram golf balls; two sets of bridge chairs from the American Seating Co.; two utility tennis cases; a 3 x 18 ft. carpet from Greater New York Export Corp.; an electric clock from Asso- ciated Publications; a gold puffer from Consolidated Film Industries; a portable radio from Radio Corp. of America. Charlie Burns of “31” Club has sent over two beautiful decant- ers, one filled with cognac and the other with Scotch.

Candid Camera Shots

Jimmie Silco will be on hand with his candid camera to take shots over the fairways and around the club house. At dinner in the evening there will be special short reels shown through courtesy of Para- mount, Warners, M-G-M, Columbia,

UA Charges Gov't's Bill Is Deceptive

(Continued from Page 1)

the Government will depend largely on circumstantial evidence and the course of conduct of the defendants. The Government has no written, e- vidence and can only obtain this evi- dence from a search, seizure and examination of the company's files. Since UA did not answer the questionnaire previously sent by the Government, Williams said, the De- partment of Justic still doesn't know the necessary information about UA. Complaints of exhibitors are being filed against the company and in order not to waive any of the charges, UA has been made defend- ant on all counts. Judge Conner announced that he would wait for the decision of Judge John W. Cheney on an identical motion made by Columbia.

Para. to Defend Equity Suit, Balaban Tells Stockholders

That the majors are giving no thought to a consent decree in the Government's equity action was strongly indicated when Barney Bal- aban, Paramount's proxy, at com- pany's stockholders' meeting yesterday said: "We are going to defend the suit and are preparing to do so."

Ben N. Bernstein Rites

West Coast Dozens of THE FILM DAILY Hollywood—Funeral services will be held today at Malinow & Simons for Ben N. Bernstein, 52, prominent in state and national exhibitor or- ganizations for the past 25 years. He died Monday following a lingering illness.

RKO-Walt Disney. That harmonious accordion player, Joe Levaux, will be present to make the locker room harmonium happier.

How to Reach the Place

By Motor: Rye Country Club is easy to reach by auto. Club house is located on the Boston Post Road, at Rye, Westchester County. Long Island- ers will find the new White- stone Bridge a time-saver in getting to the Post Road.

By Train: Trains leave Grand Cen- tral Terminal every half hour, and minutes after the hour, and five minutes before the hour. Take a taxi from Rye, N. Y. to the club house.

If the weather is cloudy, rainy, or otherwise unfavorable, phone this office, Branch 2-713, for advice. An operator will be on duty from 7 a.m. to give necessary information.

WEDDING BELLS

Richmond, Va.—Earl MacDonald, Producers' representative at the State Censor Board, and Mrs. Mac- Donald, have announced the engage- ment of their daughter, Marcie Borna- to J. Kennedy Finan, of Wash- ington, D. C. The marriage will take place the latter part of this month.

STORKS!

Baltimore—Mr. and Mrs. William G. Myers are receiving congratulations on the birth of a daughter at St. Louise Hospital. Mr. Myers operates the Echo and De Luke Theaters here.
WAR. 2ND QUARTER EARNINGS INCREASING

(Continued from Page 1)

nental dividend before the year’s end, and above the 15 cents per share paid on the common stock in 1938. Effective July 15, 1939, it was asserted by Bar- ney Balaban, company’s president, at today’s stockholders’ meeting.

Balaban also told the stockholders, who in repeated declarations from the floor expressed pleasure in the company’s progress and confidence in its future, that the current position of Paramount is good, and, in financial circles, its credit rating is high. He called attention to the fact that the original 6 per cent bonds and the new 6 per cent bonds have been marketed with the same amount of capital. He then went on to say that in the coming months the company will be able to install the new movie theaters in the smaller cities and towns.

Despite business and exchange difficulties in foreign countries, the company has, through conservative policy including the allocation of only 15 per cent of net earnings to capital outlay, succeeded in maintaining its income.

Theaters Showing Profit

He disclosed that Paramount’s income from exhibition has in the past few years topped revenue derived from production operations, but that the gap has been closing swiftly of late, resulting in virtually an even balance. Further, that there is no divisional group of theaters which the company owns, or in which it is interested, that is not showing a profit, and that production for the past three or four months has been in the black.

Queried as to whether the company intends to put into immediate practice its new studio building program in Hollywood, Balaban made it clear that this will be a progressive and evolutionary move requiring no new financing, but effectuating, when the studio is built, a very definite economy since a saving will be possible in the top-heavy item of out- door, permanent sets. Under present conditions, he explained, it is necessary to build a set, then tear it down in order to make room for a new and requisite one. The studio site, he said, has been acquired at very low cost.

He also revealed that the highest salaries being paid by the company are not to its officers, but to a group of producers and stars on the Coast lot.

A motion offered by a minority stockholder seeking to have Para- mount disclose a detailed breakdown of the company’s earnings and the net earnings of its various divisions was overwhelmingly opposed by other stockhold- ers as a piece of unsound business.

DIRECTORS ELECT TOMORROW

At 16 of the present directors were simultaneously re-elected.—Neil

SMPE FALL CONVENTION TO OPEN OCT. 16

(Continued from Page 1)

Warner Bros. to Make Two More Controversial Pictures

(Continued from Page 1)

office appeal of “Confessions of a Nazi Spy,” Jack L. Warner an- nounced that Warners will make “The Bishop Who Walked with God,” and “Underground,” the former pic- ture dealing with a Lutheran minister whose belief in freedom of worship results in his own imprisonment in a German concentration camp, while the second picture depicts the activi- ties of residents in Germany who are secretly opposing the Nazi regime.

In part Warner said:

“It is quite evident to me that our country needs its personal ax to grind or who are not anxious to see the screen mature to a crude, grim, brutal war. Controversial subjects, do not have an understanding of the Warner type of determination or progressive- ness.

Warner emphasized that Warner Bros. intends to carry on its original independent program.

28,000 Protest Added Tax Burden of Quebec Theaters

(Continued from Page 1)

their closure were presented to the Administrative Committee of the city yesterday by a delegation of Quebec theater owners and mana- gers. The tax has been in force since May 1 and the theaters gave it a month’s trial before closing. Mayor Lucban, Y. Frank Freeman, who has not been given “a fair trial” and said yesterday “there was no way to operate this place profitably for shows.” On the other hand, Paul Vailer, manager of the Capitol The- ater declared “we cannot operate until the taxation is lifted.”

Cuba Takes “Nazi Spy”

Havana—The Radio Ciné here is doing top biz with Warners “Confes- sions of a Nazi Spy.”


Directors will meet tomorrow to name organization’s officers.

Number of votes at yesterday’s meeting were 4,170,761, or more than 70 per cent, while opposition shares repre- sented were 2,294,777, about 67 per cent. One share of preferred car- ries 20 votes, with one vote per share for the second preferred and omnoun.

Virginia MPTO Will Act on Code Within 30 Days

(Continued from Page 1)

the Distributors Negotiating Com- mittee within the next 30 days—pos- sibly in three weeks—it was said yesterday by Prexy W. F. Crock- ett.

Pending the action of his director- ate, Crockett withheld comment on the arbitration setup. Here primarily for a vacation and to escort his fam- ily to the World’s Fair, the Virginia exhibitor leader said that he expected to return whatever he originally received.

Crockett, who is vice-president and general manager of the Bayne Rol- land Corp. at Virginia Beach, said that the resort anticipated a good season. Business at the last weekend was very good.

West. Pa. MPTO Endorses Allied’s Code Rejection

Pittsburgh—At a special meeting held yesterday the MPTO of Western Pennsylvania, an Allied unit, unanimously endorsed the action taken by the Allied leaders in Minneapolis last week in rejecting the trade practice code.

Johnston Sails For London,
Paris Monogram Confab

W. Ray Johnston, Monogram’s president, sails from New York to- day aboard the Queen Mary for London where he will confer with company’s British distributor, Wil- liam J. Gell, who is also chieftain of the Pathe exchanges in the U. K.

According to present plans, John-ston will also visit Paris for confab with Ernest Wettstein, Monogram’s representative there.

Accompanying Johnston overseas are the Ralph Bettinson, Pathe’s Holly- wood representative, and George West, distributor of Screeno. Leter is slated to continue negotiations for Screeno in Brit- ain and France.

MEELE ENDS AFA SESSION

Meeting of the American Federa- tion of Actors Monday night at the Hotel Edison to hear a reply to charges against the union broke up in a near riot at dawn yesterday without any concrete action being taken. The meeting was called by Sophie Tucker, AFA president, to obtain the membership’s vote of con- fidence, but a general melee pre- vented executives from presenting what they had to say and no vote was taken.

‘NAZI SPY’ INJUNCTION DENIED TO FRITZ KURN

(Continued from Page 1)

an exhibition of Warners’ “Confessions Of A Nazi Spy” was denied yes- terday by Federal Judge Vincent L. Leibell. In his opinion, Judge Lei- bell said, “I do not think the evidence pre- sented on the fact is necessary, since the application for an injunction on the ground that the picture libels the plaintiffs must be denied as a matter of law.”

The decisions in our state,” he continued, “I do not think the law has firmly established the legal principle that no injunction may be granted to prevent the publi- cation of a libel.”

The Court said the plain- tiffs must ask for money damages only, or make an election, and reserved the question of the merits of the suit until trial.

MOMAND’S RIGHT TO TAKE ASSIGNABILITY IS UPHOLDED

Oklahoma City—Eight of A. B. Momand to take assignments of the causes of action from the various companies he controlled was upheld by Federal Judge A. F. Murrah in overwhelmingly dismissing the suit made by defendants in Momand’s $4,500,000 anti-trust actions here. The arguments that were made, the court found, were fitting and proper.

Frank Wells, of defense counsel, had contended (1) that the causes of action were not assignable, (2) that the assignees were not a qualified assignee and (3) that the assignees were not assignee, constituted a charrettes contract and therefore not enforce- able against the defendants by the assignee.

NEW Gov’T PIX SHOWN

At VISUAL EDUCATION PARLEY

Chicago — Five hundred are atten- ding the Ninth National Confer- ence on Visual Education, sponsored by the DeVry Foundation. Victor Kiefer welcomed film folk on behalf of Mayor Kelly. Several new government films were premiered and short talks made by leading officials.

U. S. Steel showed a new film, “Making and Shaping Steel,” M. Winston Stephens, film co-ordinator, Washington, described the govern- ment film service and how it is used by various departments.

YIDDISH NOVEL ACQUIRED

Carmel Productions, Inc., has ac- quired the rights to Chaver- Pauer’s dramatization of Mendel Mechas-Phuriums’ classical Yiddish novel, “Fischke Ker Krumme.” This dramatization recently won first prize in a play contest conducted by the Artief Theater. Edgar G. Unger, who made “Green Fields” and “The Singing Blacksmith,” will direct the production, scheduled to start within a week.
Aim of D of C Confabs to "Improve Pix Relationships"

FILM CODE ANALYZED

EDITOR'S NOTE: THE FILM DAILY today presents the second installment of a comprehensive analysis of the proposed Trade Practice Code (Revision of June 10) by Louis Nizer of the firm of Nizer & Phillips, New York City. The Code, as issued, is aimed at the production of fair via the establishment of rules and regulations. 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 Code was published in the Code Effec-

tive for the 1939-40 season, THE FILM DAILY deems Mr. Nizer's interpretative presentation an important study of the implications of the trade. Preservation of the daily in-

stallments is recommended.

Program No. 2

Offering Portion of Features: If the distributor offers only a portion of its feature product to the exhibitor and the exhibitor contracts for that portion, he is entitled to the cancellation privilege. It is only where the exhibitor contracts for a lesser number than is offered to him that he loses his cancellation rights.

Cancellation Subject To Following Conditions: The right of the exhibitor to cancel, is subject to the following terms:

(a) Notice: A first run exhibitor must give the distributor notice of the cancella-
tion of each feature within fourteen (14) days after the mailing by the distributor of the first notice of availability.

(b) Defaults: The exhibitor must not, at the time of giving notice of cancellation, be in material default under his contract. If, however, the distributor endeavors to block-book the feature, the code specifically provides that the failure to pay for a feature which has been exhibited, or the failure to exhibit a reasonable number of features which have been made available, constitutes a material default.

(c) Proportionate Cancellation: Cancellations must be made proportionately amongst the various price brackets. The exhibitor may, however, make all his cancellations from the lowest price bracket.

Example: Suppose that the contract licenses 48 features and the exhibitor is entitled to cancel 5 of them. 8 of the features are in the highest price bracket, 12 are in the second highest bracket, 16 are in the third highest bracket and 12 are in the lowest bracket. In such a case, the exhibitor may cancel more than one feature from the highest bracket, nor more than two from the second highest bracket and one from the lowest bracket. He may, however, cancel all five or any lesser number from the lowest bracket.

(d) Substituted Cancellation: If the exhibitor does not cancel one or more features from the higher brackets when he has the right to do so, he may, for each feature so failed to cancel, substitute from the next lower bracket. If there are no un-

played available features in the lowest bracket at the time, then he may cancel a feature from the next to the lowest bracket.

Rights Concerning Canceled Pictures: When a feature has been canceled as a feature of right under this section, all rights revert to the distributor. Even if the exhibitor later enters into a contract for the same feature, it is nevertheless covered as one of his cancellations.

Disputes Arbitrable: All disputes growing out of cancellation or attempted cancellation as a matter of right under this section, are subject to arbitration.

City Continues Cigarette, Other Taxes for Relief

The New York City Council yesterday voted by 15 to 10 to con-

tinue the one cent cigarette tax in addition to the state levy of 2 cents per package. Mayor Robert F. La Follette, saying Mr. Strauss said he would be willing to consider a substitute for the cigar-
tax tab, when a letter from Mr. Sirkey immediately announced he would propose a bill for a city lot-
tery to replace the cigarette levy. After its substitute, the personal property tax which collects 2 per cent on all goods pur-
chasable outside New York City for use within the city was continued as was the one per cent conduit tax. The Council also continued the util-

ity and business taxes comprising six tax bills designed to raise an estimated $7,000,000 for relief.

"Happiness" Strong In Keys

Paramount's "Invitation to Happiness" now in its third week at the York Paramount Theater, running from 10 to 46 per cent bet-

ter than average in other key city engagements, reports to the Para-

mount home office yesterday indi-

cated.

Putting on the Heat

Oklahoma City—Following a request from Senator Matthew Neely and an-
other from Abram F. Myers of Allied States, George W. Sumner, corresponding secretary of the "Wee People" Owners of Oklahoma, has mailed out letters urging members by telegram and Senators in Washington with telegrams and letters urging passage of the Neely Bill.

"We should also enlist the aid of prominent citizens, religious and welfare organ-
izations, P. T. A. Associations, and all of those representative groups that com-
prise the community, who are interested and who will help by passage of the Neely Bill," Sumner stated in his letter.

of business, and business has an ade-
quate concept of the responsibility of government. I want the Depart-
ment of Commerce to be of maximum assistance to business not in a narrow, shallow sense, but in the broadest possible manner. That is to say that an individual business or industry functions best and is most successful when it gives ade-
quate consideration to its relations-

hips with suppliers and customers and to the general public interest.

We have only just started our study of the motion picture industry. We plan to confer not only with the producers, but with the ex-

hibitors and the distributors.

It will be some time before we can complete the examination of essen-
tial facts and reach sound conclu-

sions. Congress, after the long months of consideration it has given to this subject, should not be influenced in its legislative pro-

gram by the fact that we have so recently undertaken to give special attention to the problems of the motion picture industry.

Indications increased last night that the Neely Bill, if promoted by the Assis-
tant Secretary, will not be able to come up for a vote until next week. Senator Tobey (N. H. Rep.), minority leader in the Senate, indicated that the bill would not be voted on until next week.

Some observers believe Secretary Hopkins' letter to Senator Neely may have an indirect "delaying" effect.

Wins Burkan Prize

New Haven—A paper on "The Mo-
tor Car Industry and the Copy-

right Law," written by Irvin Elliott Bir-

nstein of New Haven, R.A. Yale, 1936, and

in the law graduate class, is winner of the Nathan Burkan Memorial Prize, awarded to the author of the paper in each class who shall prepare the best paper upon a subject of copyright.
Commerce Dept. Gets MPTOA Views; Plan Second Talk

BRITAIN DROPS EXCISE TAX ON UNEXPOSED FILM

RKO Radio Adds Eighth Sales District as Meet Ends

Goldhammer, Minneapolis Exchange Manager, Promoted by Levy

Creation of a new sales district—the company's eighth—and promotion of L. E. "Nickey" Goldhammer to head it was announced by Jules Levy, RKO Radio's general sales manager, as the sales convention sessions concluded yesterday at the Westchester Country Club, Rye, today. Today, the 300 conventioneers, headed by Prexy George J. Schaefer, head for Flushing Meadows and the World's Fair where Grover Whalen has proclaimed RKO Radio Day. Last night, the sales forces dined at the Tavern.

Following dinner at the Tavern (Continued on Page 4)

ITOA GROUP TO SEE HOPKINS ON JULY 18

Department of Commerce-film industry talks recently instituted will be extended in scope to include exhibitors without national organization affiliations, it was disclosed yesterday when Secretary Harry Hopkinson invited Harry Brandt, ITOA prexy, to sit in.

As a result, Brandt will lead a (Continued on Page 4)

Miles F. Gibbons, Para. News Sales Ass't, Dead

Miles F. Gibbons, 57, associated with the Paramount Newsreel for 12 years, died yesterday afternoon at St. Luke's Hospital here. He had been confined there for about a week. Gibbons was born in Pittston, (Continued on Page 4)

Will Prove Consent Decree Violated, Says Gov't Atty.

Chicago—Robert L. Wright, Special Assistant Attorney General, says he will prove in his opening talk today in contempt case against B & K (Continued on Page 3)

Kuykendall Lays MPTOA Views Before D of C; Plan Second Parley

Golf, Tennis, Free Beer for Film Hugs at Rye!

Those film execs are up at Aye Country Club in Westchester, dunking their golf balls in free beer and through force of habit adding up their score cards in the millions, the same as they figure picture grosses on the tablecloths at the Tavern. In case Film Row, Times Square and Radio City seem deserted today, this will explain everything: It's the 27th session of THE FILM DAILY Golf Tournament.

QUICK THEATER BIZ UPTURN DUE--COWDIN

Sailing yesterday on the Queen Mary for a month's European trip, J. Cheever Cowdin, Universal board chairman, stated that he looked for a quick upturn in theater business. He said company business was continuing at a level well above last year, and added he expected "U" to have a great year.

Cowdin scouted rumors that any rift existed between "U" and GFD, distributors of Universal product in the United Kingdom. He said he will confer with the company organization heads abroad and with GFD execs. in England.

Financing Plan Before Educational Stockholders

Pending Grand National-Educational financing plan, recently announced by Prexy E. W. Hammons, will come before Educational's stockholders (Continued on Page 4)

DISTRIBUTORS' REPLY MAY WAIT UPON KENT

Distributors' Negotiating Committee's statement in reply to Allied's rejection of the Trade Practice Code at the Minneapolis convention may not be released until the return of Sidney R. Kent, 20th-Fox proxy and committee chairman, it was indicated last night.

Kent, absent in Latin America for more than a month, returns to New York next Monday from the Trinidad sales convention. While it is understood that a statement is being drafted, it is felt that Kent will be consulted.

Cohn Here for H. O. Talks; Will Be in East for Week

Harry Cohn, Columbia proxy, is here for home office conferences. While his stay is described as of indefinite duration, it is understood he will be in the East for approximately a week.

British Industry, U. S. Majors and Indies Jubilant at News

London (By Cable)—Announcement in the House of Commons yesterday by Sir John Simon, Chancellor of the Exchequer, that the Government is dropping entirely the excise tax on motion picture film, was received jubilantly not only by the British industry but by representatives of the U. S. major producer-distributors, as well as indie interests.

Simon said: "On close examination of operation of proposed tax on cinematograph film and especially of the different circumstances in which the excise duty would have to be applied, the Chancellor has (Continued on Page 4)

SEE NEELY BILL VOTE OFF TILL NEXT WEEK

Washington—Senate action on the Neely anti-block-booking measure will be deferred at least until next week, it was indicated last night.

The Senate yesterday was occupied with debate on monetary matters and will probably continue the debate today.

N. J. Okay for Pari-Mutuels Paves Way for Reade Track

Overwhelming adoption of an amendment to New Jersey's State Constitution to permit pari-mutuel betting on horse races, the vote on which was complete yesterday, paves the way for the project of Walter (Continued on Page 4)

Wis. Supreme Court Rules Bank Night a Lottery

Milwaukee — The State Supreme Court yesterday ruled Bank Night a lottery and sustained Circuit Judge A. C. Hoffmann's action in overruling (Continued on Page 4)
AS A help to out-of-town visitors...... Evelyn O'Connell has been appointed Paramount's official hostess to aid visiting exhibitors plan their vacation stay while in New York...... Miss O'Connell is making her headquarters on the ninth floor of the home office in the Paramount building, where she is prepared to plan daily visits to the World's Fair and amusement areas throughout the metropolitan section.

FISHING trip....... arranged by R. Kneuer, assistant sales manager of International Projector Corp, and prezzy of the International Fishing Club...... he has engaged a private car to take 50 members of the club who are employees of the company on a fishing trip to Montauk Point on Saturday...... "Rudy" has been staging these Simplex fishing trips for the past 27 years......

ADDITIONAL souvenirs...... for the Golf Tournament now being held at Rye Country Club...... practical green eye-shade hats donated by Lloyds Film Storage...... bottles of oil to lubricate your golf clubs and bags, from Tung Oil Corp...... pro bags for driving, from Schieffelin & Co......

AFTER six months in Australia...... Zane Grey has returned with the first draft of his novel based on the life of the young George Washington...... Stephen Slesinger, co-owner of the rights to the novel, has been contacted by practically every studio for the film rights...... Zane Grey is a relative of Isaac Zane, who served with Washington in the Revolution, and was one of his close friends and nabs......

New York's Legislature Will Convene Tomorrow

Albany—New York's Legislature will meet in special session tomorrow to repair a section of the $390,000,000 budget invalidated yesterday by the Court of Appeals by unanimous vote. Court upheld Governor Lehman's contention that the budget as adopted was unconstitutional.

Technical Exchange Plan Abroad Set Up By Altec

Plan for the reciprocal interchange of technical information pertaining to sound reproduction servicing techniques, between Altec Service and qualified sound service organizations in foreign countries, has just been announced in New York by G. L. Carrington, vice-president and general manager of Altec.

James Roosevelt in Mayo Clinic for Routine Exam.

Rochester, Minn.—James Roosevelt, Sam Goldwyn's vice-presy, who entered the Mayo Clinic here yesterday for a routine checkup following his operation last Fall, expects to leave tonight for Chicago from where he will fly to the Coast.

Para. Submits Its Answer in Jablow-Acker Action

Paramount will file its answer today to a stockholders' suit brought in the Federal Court by Frank Jablow and Sam Acker, it was revealed yesterday. Paramount yesterday withdrew a motion to dismiss the suit on the grounds that the court had no jurisdiction.

Dewey Eying AFA

With charges and counter charges rife yesterday within its ranks, a new blow was struck at the AFA when District Attorney Dewey's office indicated that an investigation was in progress.

Benny Pix In 58 Keys

Closely following the world premiere of Jack Benny's "Man About Town" at the Genesee Theater in Waukegan, Ill., on Sunday night, Paramount has arranged for the film's opening in 58 other key city situations. Neil F. Agnew, vice-president in charge of sales, announced yesterday. National release date on "Man About Town" is July 7.

Cuba Lifts "Nazi Spy" Ban

Havana (By Cable)—Exhibition of Warners' "Confessions Of A Nazi Spy" was stopped here by government order which followed a protest by the German embassy. Last night a special screening was held for officialdom. At a late hour it was reported that the ban had been lifted.

City Theater for Quebec?

Quebec—Operation of a municipal cinema was suggested yesterday as a means of providing entertainment for this movieless city.

Theatre

"Hearts of Picaresque"—Akkomus, Times. WHAT A LIFE

with EDDIE STONE as Henry Aldrich


Clocks 50-40

"A MUST, GO ENJOY IT!"— Walter Winchell

Comedy Fares with music by NANCY CARROLL.

I MUST LOVE SOMEONE

with JAMES BENNIE

LEAPING LEO!

CHIPPER "MR. CHIPS"!

Cincinnati joins the ranks of Dayton, Columbus and Cleveland to establish "Goodbye Mr. Chips" (Robert Donat, Greer Garson; directed by Sam Wood) as a sure-fire sensation everywhere! Watch the new openings nationwide! Imagine! The 5th week at the Astor, N.Y. tops the previous week!

"MAISIE" IS A DAISY!

This exploitation natural is a hot-weather box-office tonic! "MAISIE", the Explosive Blonde (Robert Young, Ann Sothern; directed by Edwin L. Marin) is delighting audiences and exhibitors everywhere.

THAT "TARZAN" YELL!

From coast to coast showmen are doing their stuff and "TARZAN FINDS A SON" (Johnny Weissmuller, Maureen O'Sullivan; directed by Richard Thorpe) is topping all previous Tarzan hits.

LUCKY 7th HARDY HIT!

Flash from Huntington Park, Cal.: "Sensational preview of 'ANDY HARDY GETS SPRING FEVER', the lucky 7th Hardy hit. Ecstatic audience almost tore the house down." (Directed by W. S. Van Dyke, Jr).

"ON BORROWED TIME" GREAT!

"ON BORROWED TIME" (Lionel Barrymore and big cast, directed by Harold S. Bucquet) is the talk of the West Coast. The stage hit has become a screen triumph, one of the best produced by any studio this year!

WATCH THAT DEPENDABLE LION!

He's in full stride and you ain't seen nothin' yet! "LADY OF THE TROPICS" (Robert Taylor, Hedy Lamarr; directed by Jack Conway); "THE WOMEN" (Norma Shearer, Joan Crawford, Rosalind Russell and All-Star Cast; directed by George Cukor); "BLACKMAIL" (Edward G. Robinson; directed by Henry C. Potter) and other BIG ONES for June, July, August. When your box-office needs a friend, there's always THE FRIENDLY COMPANY!
BRITAIN DROPS TAX ON UNEXPOSED FILM

(Continued from Page 1)

reached the conclusion that that portion of the proposal should be dropped.

"The result would be that there would be no excise duty for seminars. The proposal for customs duties would need corresponding adjustment and there might be minor changes but of course those which would appear later on the paper."

Abandonment of the excise duty, which amounts to one cent per foot on domestic raw stock and two cents per foot on imported raw stock, lifted a heavy load from the trade generally, and make possible more flexible trade in features, shorts and newsreels.

Provisions have made strong representations to the Government of the dangers of the excise levy as well as the boosting of the former scale of duties relating to importation of footage.

The trade last night held hopes for further concessions to the industry.

When the excise duty was inaugurated as part of the new British budget, levy so affected the importation of American product that home offices in the U. S. found it more economical to send in master prints than to ship lavender film from which due negatives could be made. With the excise duty out of the way, latter practice is expected to be revived for making of dupe prints, and a saving to the American industry of several million dollars per annum again accomplished.

The general scale of taxes proposed originally by the drafters of Britain’s budget called for 12 cents per foot on first positive or negative and about four cents for all subsequent copies, regardless of whether positive or negative, plus an additional tax of about four cents on separate sound track. Former duty was about 10 cents on negative and two cents on positive.

Tax on negative was jumped from 10 cents, and from two to 12 cents on positive.

Answer America’s Demand for Good Sound with the Best!

New RCA PHOTOPHONE MAGIC VOICE of the SCREEN

with Rotatory Switcher plus-

SHOCK-PROOF DRIVE

Install

Stylish and priced for theatres of every size

Better sound means better box office and RCA tubes mean longer, more dependable service.

RCA Manufacturing Company, Inc.
CAMDEN, N. J. — A SERVICE OF RADIO CORPORATION OF AMERICA

8TH SALES DISTRICT ADDED BY AKO RADIO

(Continued from Page 1)

the AKO conventioners went to see "Abe Lincoln in Illinois," returning to their Westchester headquarters from there.

Schafer and Neil E. Desy, vice-presidents, addressed the final business session yesterday. Division managers Ed McEvoy and Creson E. Smith, and short subject sales manager Harry Michalson, met with the seven division managers, branch managers and salesmen.

Goldhammer’s district will embrace four exchanges.—Minneapolis, (where he is exchange manager), Sioux Falls, Omaha and Des Moines. C. J. Dressel has been promoted from the music division at Omaha to a larger office, manager at Minneapolis. R. F. Egner has been promoted from salesman at Minneapolis to manager of C. D. Division.

On behalf of the delegates, gifts were presented to A. A. Schubart, manager of exchange operations, and M. G. Poller, in charge of the payroll department.

RKO Pathe News will hold a cocktail party for the delegates in the Rounamian House at the Fair this evening.

Financing Plan Before Educational Stockholders

(Continued from Page 1)

holders at a special meeting today.

If the proposal is ratified, the Wall St. firm of Felt & Co. will provide a plan of readjustment of the corporate structure of both GN and Educational. Approximately $1,000,000 will be provided the companies with GN, getting a $750,000 working fund.

Jack Skirball, Al Christie and Franklyn Warner of Fine Arts arrived yesterday for the meeting and confabs with Hammons.

Miles F. Gibbons, Para. News Sales Ass’t, Dead

(Continued from Page 1)

Pa., in 1882. Prior to joining Paramount he was with Pathe, joining the new sales assistant in April 1927. His first industry affiliation was with George Kleine in 1913.

Gibbons leaves a wife, Ruth, and four children, one son and three daughters.

His family residence is at 409 Fowler Ave., Pelham Manor, N. Y. Funeral arrangements were incomplete last night.

Brecher Renews Plaza Lease

Leo Brecher, who has operated the Plaza Theater in East 86th St. for seven years, announced yesterday that he had renewed lease on the present playhouse for a 20-year period. Property was purchased by Walter Weeden in the spring of this year.

FILM CODE ANALYZED

By LOUIS NIZER

EDITOR’S NOTE: THE FILM DAILY today presents the third 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 law of stages, stage and radio. The analysis is designed to clarify the provisions of the Code in non-technical language so as to make them readily understandable to industry men. A continuation 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 interpretative presentation an indispensable, timely service of invaluable value to the trade. Presentation of the daily installments is recommended.

Installment No. 3

(2) Exclusion for Cause: In addition to the cancellation privilege which is a matter of right under (Section 1), the exhibitor may cancel any feature which may be locally offensive on moral, religious or racial grounds.

Notice: To cancel a feature on such grounds, the exhibitor must give written notice to the distributor not later than four days after the end of the first exhibition of the feature in the exchange territory. He must specify the reasons for the cancellation. The rights to the cancelled feature revert to the distributor.

Dispute Arbitrable: A dispute as to whether or not a feature is locally offensive, shall be subject to arbitration. The arbitrators must not consider the decision of any arbitrators concerning the same feature unless the decision refers to the same local area in which the exhibitor’s theater is located.

II. TRADE ANNOUNCEMENT

Time of Announcement: Each distributor shall make a general trade announce-ment at least one day prior to the opening of each of its productions.

Contents of Announcement: The announcement shall present such information as it may be practicable to give of all features completed or actually in production, which is intended to release during that season.

Uncertainty Contemplated: It is understood that the completion of the features which are in production and the making of other features are subject to the hazards and uncertainties of the business and they may not be completed or produced as planned.

(Continued from Page 1)

Wis. Supreme Court Rules Bank Night a Lottery

(Continued from Page 1)

ing a demurrer by La Crosse Thea-
ters Co. to Circuit Judge Robert S. Cowie’s complaint seeking to put an end to the game on the basis of its being a public nuisance. The Supreme Court refused to issue temporary injunction against La Crosse Theaters but ruled that lower courts have such right.

Air Mexican “Juarez” Bow

Premiere tomorrow night of Warner’s “Juarez” in Mexico City will be broadcast over a long and short wave hookup by Stations XEW and XEW, reaching a vast listening audience throughout Central and South America.

N. J. Okay for Pari-Mutuels Paves Way for Reade Track

(Continued from Page 1)

Reade, head of Reade’s Theater Enterprises, which calls for the build-
ing of a $4,500,000 racetrack there, as revealed in THE FILM DAILY on Jan. 11, last.

Reade yesterday maintained si-

cence with respect to his plans, un-

derstandably because the amendment only affects the right to New Jersey legislation to adopt a suitable law dealing with the pari-mutuels, and such a law will have to be formally introduced and acted upon by the State Legislature.

Any action by the lawmakers can-

not conceivably come until after July 1, and probably not until, then, for the Legislature may go out of session at any time and the chances of a special session are held extremely remote.

This means that the earliest horse racing in New Jersey under a regu-

latory pari-mutuel setup could be next Summer, but, with the atmos-

phere cleared by the referendum, Reade’s plans could be safely set in motion, it is pointed out.

ITOA Committee to See Sec’y Hopkins on July 18

(Continued from Page 1)

committee of three from his unit to Washington on July 18 to confer directly with him and the ITOA members will be announced by the ITOA leader shortly.

Originally it was planned by the Commerce Department to restrict exhibitor participation to the president of the two national bodies, MPTOA and Allied.
Non-Theatrical Servicing Protested by W. Pa. M.P.T.O.

(Continued from Page 1)

strenuous objections to the practice of serving non-theatricals where it affects the business of the regular theater operators, especially those which charge only 5 or 10 cents admission.

The majority of the distributing organizations have assured the MPTOA that such requests for bookings would be rejected in the future. Some of the local exchanges have refused to serve non-theatrical accounts for the past several years, due to the protests on the part of exhibitors.

New Orleans—With the reported decision of Universal not to serve City Park here for its free showings of films on Sunday nights, all major product apparently will be closed to the park. Universal served a two-week short on June 18, but apparently has changed its policy. City Park presents a band concert on Sundays with some local vaudeville and films to fill in the intermission.

Pix Technique Not Likely To Control Films For Tele

"While some television dramas may be recorded on film, for convenience or for network distribution, it is not certain that the standards, methods or artistic ideas of the present day motion picture industry will control the material presented," David Sarnoff, RCA president, declares in discussing "Probable Influences of Television on Society" in the July issue of the Journal of Applied Physics.

Other pertinent sentences in the Sarnoff article follow:

"It (tele) will be more realistic than a motion picture because it will project the present instead of the past."

"In television it will be natural to emphasize types of program material where the addition of visibility will enhance the emotional effect, such as drama, news, or sporting events."

"... It is quite likely that television drama will be a new development, using the best of the theater and motion pictures, and building a new art-form based upon these."

"Wind" Nears Finis

West Coast Bureau of THE FILM DAILY

Hollywood — "Gone With the Wind" is expected to be completed next week as far as actual shooting goes. At the present time plans call for the film to be released late this fall as a roadshow attraction with running time of the picture to be over two hours. Between 15,000 and 20,000 feet of film will be used in the road show edition form, with subsequent showings expected to be of a shorter length.

Errol Flynn in Crash

West Coast Bureau of THE FILM DAILY

Hollywood—Errol Flynn, WB star, narrowly escaped serious injury but received lacerations of the face from shattered glass when an automobile in which he was riding with his wife, Lilian Damita, crashed into a stone wall, latter was unhurt.
FLOLITE PROJECTORS

AID IN PIX SELLING

Selling film entertainment by means of promotional motion pictures shown through the instrumentality of the Flolite, automatic continuous projector, is a valuable and growing field for progressive circuits and exhibitors, it is asserted by the Advitagraph Corp. of Louisville, Ky., makers of the Flolite.

Real, theater-quality movies, presenting the advertising message at the point of sale, is pointed out, permits the alert-to-business theatre-men to utilize trailers in their own lobbies. Additionally, a number of Flolite projectors can be effectively utilized in advantageous exploitation spots in the community to create patronage at the theater itself.

Fololite projectors are now operating in San Francisco, Kansas City, Chicago, Pittsburgh, Cleveland, New York, Louisville, Atlanta, Portland, Ore., Kalamazoo, Charleston, New Orleans and other cities.

Projector has no intermittent motion; is fully automatic; has capacity of 1,000 feet of 16 mm. safety film; low maintenance and low original cost.

Five Arkansas Pix Houses Undergoing Improvements

Little Rock, Ark.—Highland Theater, Little Rock, has closed temporarily for extensive remodeling. Seating capacity will be increased from 900 to 800, improved lobby and lounge will be added. Front will be reconstructed with new marquee. New projection equipment, lighting, heating, and cooling equipment will also be installed.

Biggers building, Hardy, has been remodeled for Hays Theater. Ozark Amusement Co., also of Hardy, has remodeled its house and new equipment has been installed.

Improvements at Imperial, Pocahontas, include interior and exterior decorating, new leather seats installed. Cooling system is also being installed.

The Donald Duck Soap

Souvenirs

Given Out to Players at
THE FILM DAILY
GOLF TOURNAMENT

Were Through the Courtesy of
LIGHTFOOT SCHULTZ COMPANY
663 FIFTH AVENUE, NEW YORK CITY

Manufacturers of All
WALT DISNEY
MOULDED CHARACTER SOAP

NEWPORT, KY., TO GET $75,000 PIX THEATER

Cincinatti—Wllls Vance, operator of two motion picture houses, in greater Cincinnati, is planning a $75,000, 1,000-seat third-run house in Newport, Ky., to be erected by the S & W Amusement Co.

Improving Wometco House

Miami, Fla.—The State Theater, in downtown Miami, one of the Wometco chain, is about to undergo a face lifting and will be supplied with an entirely new and very modern front before the winter season. The Ritz Theater, another unit of the Wometco system, has just been completely remodeled.

Azar Plans Negro Theater

Greenville, Miss.—J. J. Azar is to open a Negro house here. He will call it the Lincoln.

Long-Griffith to Build

Dallas—Organ & Moore, Dallas architects, announced that construction work will start on Aug. 1, on a $50,000, 1,200-seat theater to be built at Victoria for the Long-Griffith interests.

Bethel Site for Prakas

Bethel, Conn.—Athan Prakas, of the Rivoli, Bridgeport, is acquiring additional land in the rear of his present Bethel holdings, and will erect a theater building and three stores.

Frisco Newsreel Ready in July

San Francisco—The Pacific Newsreel Co. has started $100,000 alterations to the building recently leased at 928 Market St. and expects to have the new theater ready for opening next month.

$50,000 Owensboro Project

Owensboro, Ky.—Construction will start at once on the new Grand Theater here, an 800-seat house, which it is estimated will cost about $50,000. It will have a modern air-conditioning system and the latest projection and sound equipment.

Walter Scott Roberts, Owensboro, is the architect, and Bruggeman, Swalm & Allen, Gazette Building, Little Rock, the associate architects.

New Butterfield Theater

Grand Rapids, Mich.—Butterfield Michigan Theaters Co. has completed plans for the erection of a new 500-seat theater at Reed City. Work will get under way soon. Roger Allen of Grand Rapids is the architect and Martin Osterink of Grand Rapids will be the contractor. They have just completed theaters at Cadillac and Allegan for the Butterfield Co.

That's Service! !

Morilton, Ark.—Manager Curby Smith of the Ruito discovered that one of his patrons who weighs 265 pounds did not sit comfortably in a regular sized seat. Smith has bought and had installed a new leather upholstered seat which measures 1 1/2 inches. It is specially designed for a large person and has been placed in the back of the house with ample leg stretching space.

EQUIP

THEATERS
• AIR CONDITIONING
• SEATING
• PROJECTION

YOUR THEATR

San

By Will

Chief, Washroom As.

FROM surveys made in many theaters throughout the United States by the Scott Washroom Advisory Engineers, it is apparent that the film theater groups consider the washroom a vital point in the public relations. This same is true particularly in those groups where written comments are received from patrons. These comments distinctly show that the modernization of the washroom and the addition expense involved in making a "go will" washroom pays dividends many times over.

As a result considerable expenditures are now constantly being made by theater owners in all parts the United States for the convenience, health and comfort of the patrons. The theatergoing publ has become more washroom service conscious than ever before and quick to recognize the thought provisions made for them while attending a performance.

Essential washroom appurtenances comprise not only toilets and was basins, in sufficient number, but likewise the proper provision of a soft, comfortable, absorbent towel; of sanitary individual paper towel service, sufficient waste receptacles, properly placed; good ventilation; satisfactory lighting; heating in winter. Likewise, 1939 standards require an abundant supply of both hot and cold water along with a satisfactory service. Furthermore, washrooms must be kept immaculately clean and be capable of adequate service to keep everything in an efficient order; proper servicing, towel cabinets, toilet tissue hold and soap dispensers all of which will effect savings and, to a large extent, control consumption.

DRAB, unpainted washrooms dirty windows and still dirty washstands and toilet bowls cover

1939
MANTA-ROSE TO SPEND $50,000 ON THEATER

Chicago—The Illinois and Indiana Theater circuit, under the joint management of Alex Manta and Jack Rose, will spend $50,000 in modernizing the Lexington Theater, recently taken over from the Warner circuit.

Plans from Rapp & Rapp, theater architects, call for a new modernistic front, including sign and canopy, new lobby and foyer, new rest rooms and enlargement of the projection room. Several hundred new seats will be added. Improved acoustical treatment for the auditorium, new carpeting and other furnishings throughout are specified.

Addition of Lexington gives the circuit 27 houses. Others will be added from time to time, as suitable locations are found, it is said.

To Reopen House Dark 3 Years

Martinez, Cal.—The T & D Jr. Enterprises of San Francisco are remodeling the Avalon Theater, which was closed three years ago. It will open as a second-run house, according to Irving Arnold, manager here for T & D which also operates the State.

Lewis to Try Patterson

Patterson, La.—Henry Lewis, partner in Ogden and Lewis’ Chimes Theater at Baton Rouge, is planning to enter Patterson shortly with a theater.

Kalafats to Build

Chicago—A. C. and George Kalafat will build a new theater at Garrett, Ind., to be named the Kala.

Remodeling in Covington

Covington, Ky.—Nick Schaefer, owner of the Shirley, has closed his theater for extensive alterations. Work costing approximately $25,000 will be completed within 30 days. The new front will be made of marble and terra cotta, offsetting a modernistic marquee. New seats and drapes are also included in the remodeling plans. Construction work is being handled by the F & Y Co. Theater Division, Columbus.

400-Pop. Town to Get House

New Orleans—The Wagner interests are planning the construction of a small house at Jay, Fla. Population, about 400.

Shea Rejuvenating Fulton

Pittsburgh—The Fulton Theater here, operated by the M. A. Shea Enterprises, Inc., has closed for five weeks for renovating and installation of new equipment. It will reopen July 12.
THREE good reasons why Eastman’s three new films enjoy continued success:
The outstanding special features they bring to their particular jobs....The unsurpassed photographic quality they impart to every scene....The priceless assurance of reliability they give to the whole 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
British Gov’t Bows to Trade, Drops Film Duty Jump

GOV’T PREPARING NEW TRUST SUITS IN N.Y., FLA.

3. O. Tide Turns; May Admissions Tax Collections Up

Month’s $211,328 Increase Is First Gain Since January

Washington—The national box-office tide has finally turned! For the first time since January, admissions taxes collected throughout the United States show an increase over 1938, it was reported today by the

Washington Bureaus of THE FILM DAILY

Washington—The Senate yesterday passed the so-called business appearance tax bill which includes two-year extension of the admission and other amusement taxes, but the measure now goes back to the House for concurrence in the Senate changes.

The Bureau of Internal Revenue in its report of collections for May, May, 1938 collections totaled $1,058,987.70 compared to $1,394,050.49.

ASK SUMMER RECESSION IN CONTEMPORARY ACTION

Chicago—Hearings in the Government’s criminal contempt action against the majors and B & K could be recessed on June 30 until Sept. 11 if Federal Judge Eldridge rules favorably on a motion made.

Picture Pioneers’ First Dinner Set for June 29

First dinner “Conference” of the Executive Committee of the Picture Pioneers, the new organization made up exclusively of men who served his industry for 25 years or more.

Million for WB

Warner Bros.’ third quarter earnings will approximate $1,000,000, according to Wall Street estimates. This would represent an increase of $500,000 above the net for the corresponding period last year.

Trade Wins Second Victory as British Gov’t Drops Increase in Film Duties

Ted Williams to Produce Four for Mono. Release

Ted Williams, former treasurer of Educational and Grand National will produce four pictures, starring Marguerite Mac Jones, for Monogram release, it was learned yesterday. It is reported that Williams has

London (By Cable)—The trade won a second signal victory yesterday when Sir John Simon, Chancellor of the Exchequer, tabled further amendments to the pending Finance Bill in Commons.

The new amendments, which closely followed the Government’s action in eliminating the proposed excise tax on unexposed film, restored the film import duties to the

Distributors Expected to Define Stand on Code Situation in Statement Monday

A statement as to the distributors’ stand on the trade practices situation probably will be issued on Monday, according to W. F. Rodgers, spokesman for the distributors.

Rodgers said yesterday the official policy was in preparation but did not indicate as to what the statement would contain.

Warners Sign 1939-40 Product Deals With 40 Seattle and Portland Indies

BY RALPH WILK

West Coast Bureaus of THE FILM DAILY

Los Angeles—Warners has closed approximately 40 1939-40 product deals with independent theaters in Seattle and Portland territories, it was disclosed last night.

Deals include sale of product to John Danz Circuit which operates 20 houses including the first-run Palomar in Seattle and other first-run and subsequent-run houses.

Product was also sold to J. J. Parker Circuit whose operations include Broadway and United Artists first-run houses in Portland.

Deal was also made with B. F. Sherer circuit operating in Bremerton and Everett, Wash., and with Johnson interests for its houses in Eugene, Ore. Deals made also cover Bellingham and Olympia in Washington.

Full Program for Okla. TO Meet Next Week

Oklahoma City — Complete program of the annual Theater Owners of Oklahoma, Inc., convention at the Biltmore Hotel here next Monday and Tuesday was announced yesterday by Prexy Morris Loewenstein.

First official business will be an open forum for presentation of any subjects desired in addition to those already set on the program.

Afternoon session of the first day will feature the following addresses: “Visual Education and the Industry,” by Dr. H. G. Bennett, president of Oklahoma Agricultural and Min-

Will File Next Action in Buffalo in 3 Weeks, Spokesman Says

Next in the series of film industry anti-trust suits in the course of preparation by the Department of Justice division headed by Thurman Arnold, Assistant Attorney-General, will be filed within the next three weeks, a Departmental spokesman confirmed in New York yesterday.

Paralleling the action recently instituted against the Griffith interests in Oklahoma City, the new suit will single out for attack one of the leading Eastern indie circuits. It was

SIX MAJORS TO FILE ANSWERS NEXT WEEK

All major defendants, with the exception of Columbia and United Artists, will file their answers in the Government’s equity suit on Tuesday or Wednesday of next week.

Col. William J. Donovan disclosed.

Paramount Board Reelects

All Officers of Company

All officers of Paramount were re-elected yesterday at the regular monthly meeting of the company’s board of directors. The executive list includes:

Barney Balaban, president; Adolph

(Continued on Page 4)

Royalty in Tele

London (By Cable)—Gaumont British Theaters in London equipped with Baird large-screen television receiving apparatus played to overflow audiences yesterday as the arrival of the King and Queen from their North American tour was televis-

(Continued on Page 5)
306 Moves for Decree Confirming Bell Award

Local 306, projectionists union, filed a motion yesterday in the Supreme Court for a judicial decree confirming an award of Ben Golden, as arbitrator, which restrains the Bell Amusement Corp., operator of the Hudson Playhouse, from hiring any but Local 306 operators and an assessment of $656 against the company for contempt of contract.

The union charged breach of a contract made in January, 1937, with the ITOA. Golden, who was technical adviser to the Mayor's board of survey, was appointed arbitrator under the agreement and ruled on the complaint against Bell, who is a member of the ITOA.

Application for confirmation will be held today.

Orders Para, Stockholder to File Amended Complaint

Rae Nasoff, plaintiff in a stockholders suit against Paramount Pictures Corp., was directed yesterday by New York Supreme Court Justice Lloyd Church to serve and file an amended complaint after Justice Church ruled her previous complaint repetitious. An accounting and appointment of a receiver is pending on charges of waste and mismanagement.

Miles F. Gibbons Funeral

Funeral services for Miles F. Gibbons, who died Wednesday at St. Luke's Hospital, will be held tomorrow morning at the family home, 409 Fowler Avenue, Pelham Manor, at 10 o'clock and at Saint Catherine's Chapel at 10:30.

Gibbons, who is associated with Paramount Newreel for twelve years, is survived by his wife, Mrs. Ruth Seymour Gibbons and four children, Miles F. Gibbons, Jr., Sheila, Nallin and Ruth Gail.

Educational Stockholders Meeting Deferred a Week

Scheduled meeting yesterday of Educational-Grand National stockholders, called for the purpose of ratifying a new financing plan, was postponed one week, owing to the absence of a quorum. It was reported that there were not enough proxies present to take action on the financing proposal.

Local 52 Meets on Pact

A special meeting of the members of Local 52, studio mechanics, was held last night to consider the new proposals presented by the producers regarding a new contract.

16 mm. Pix In 300 Camps

Chicago—More than 300 CCC camps are being serviced from Chicago exchanges handling 16 mm. films.
Best business on Broadway!
And still the crowds come!
All set for another SMASH week!

INVITATION TO HAPPINESS

2nd week business runs even with smash 1st week at New York Paramount

Way Above Average!
That's the record of Paramount's "Invitation to Happiness" as it swings through the key centers. Typical of the success of the picture are...Newman Theatre, Kansas City, where picture ran 46% ahead of average for week...Allwyn Theatre, Hartford, where it ran 35% above average and is held over for second smash week...Michigan Theatre, Detroit, where it did 25% above average first week and was moved over to Palm State Theatre for second week...

IRENE DUNNE and FRED MACMURRAY in "INVITATION TO HAPPINESS"
Produced and Directed by... WESLEY RUGGLES
Screen Play by Claude Ryan
Seven Specials, 414-426 Features in Sight for 1939-40

98 Westerns, 12 Serials, 593 Shorts Set for Next Year

Eight American majors and two largest Indies for the 1939-40 season will supply exhibits, with seven specials, to be sold separately; minimum of 450 features, 98 westerns, exclusive of eight reissues, 12 serials and 593 shorts, exclusive of newswires, a Film Daily checkout yesterday disclosed.

The breakdown by companies: M-G-M, 44-52 features, 79 shorts; 20th-Fox, 52 features, 52 shorts; Warners, 48 features, 86 shorts; Paramount, 52 features, six westerns, 83 shorts; United Artists, 28-32 features, 10 shorts; Universal, four specials, 40 features, 14 westerns, four serials, 57 shorts; Columbia, one special, 42 features, six westerns, four serials, 180 shorts; Monogram, 30 features, 16 westerns, eight western reissues; Republic, 26 features, four westerns, four serials.

Next year's program for Grand National is yet to be announced.

Box Office Tide Turns; May Admission Tax Rise

(Continued from Page 1) for the same month of 1938, it was reported. This is an increase of $211,328.21. May collection is also an increase over the April, 1939 figure, which was $158,921.79, representing a gain of $211,328.21. Broadway figures showed a similar increase for May, 1938, over the same month of last year but a drop compared to the previous month of April. Broadway collections in May were $24,000,000 as compared to $24,500,000. April figure was $18,685.29.

Mrs. Buxbaum Leaves Hospital

Mrs. H. H. Buxbaum, wife of the 20th-Fox New York branch manager, left the Women's Hospital yesterday for her home. She is convalescing following an operation.

Quebec's City Council Will Weigh Tax Truce Proposal

Quebec—A deputation composed of theater owners and managers and representatives of commercial establishments suggested to Mayor Lucien Bourque and the City Administrative Committee that a truce be called and the application of the 10 per cent surtax suspended during the tourist season until Sept. 15, while during the interval they would confer further with the object of reaching a compromise.

The Mayor replied that the question would be given immediate study by the City Council. Omer Fleury, president of the Federated Trades and Labor Council of Quebec and Levis, told the Council that besides 133 employees of the theaters, commerical establishments had been hard hit by the closing of the amusement houses.

The City's 11 theaters have been closed since June 2, finding it impossible to operate profitably under the new import which raised total tax revenue of $40 per cent is imposed by the municipality.

Butterfield Will Build Three Houses In Lansing

Detroit—Butterfield Theaters Circuit this week announced plans for the erection of three new theaters in the outlying sections of Lansing, probably the largest program of theater construction in one city in this state by any one circuit.

The first house, on which work is to be started at once, will be in North Lansing. The second and third houses on the east and west sides, both to be large naves, will follow immediately after completion of plans by Elmer Kiebler of the Howard Crane office, in that section.

Plans were also announced by the circuit for the immediate construction of a 500-seat downtown house at Reed City. Roger Allen, of Grand Rapids, is architect, and Martin Osterink, of Grand Rapids, contractor. They have also in contemplation the new Cadillac and Allegan theaters just completed for the circuit.

The Gladding Theater at Lansing was also announced as scheduled to open Aug. 27. The rebuilt Garden at Flint is expected to open Sept. 17. The other theaters are slated to open in late Fall.

Paramount Board Re-Elects All Officers of Company

(Continued from Page 1) Zokor, chairman of the board; Neil F. Agnew, Y. Frank Freeman, George L. Bagnall, John W. Hicks and Austin Keough, vice-presidents; Walter B. Cokell, treasurer; Austin C. Keough, secretary; Norman Colyer, Jacob H. Ray and Frank Moye, assistant secretaries, and Fred Mohrhardt.

6 Majors to File Answers in Equity Suit Next Week

(Continued from Page 1) to the Department of Justice yesterday.

Steps are being taken to incorporate as additional defendants officials recently associated with RKO Radio.

Syracuse Allied Unit Endorses Code Reduction

Syracuse—Syracuse regional unit of New York Allied inducted the stand taken by the national organization in rejecting the Trade Practice Code after hearing a report read to the business men and the directors' meetings at national convention by E. Thornton Kelly at the Hotel Syracuse.

New season's buying was discussed and report made that very few local theater owners have bought stock.

Following a general discussion of games and giveaways it was decided that the local theatermen will meet next week to take action. Games and premiums are reported as not helping business, improvement being seen on nights when they are cut out.

Binghamton was well represented and the clearance situation there was discussed. Binghamton industries have been approached by affiliated interests regarding going single-feature in that section.

Next meeting of the Syracuse regional will be held at Binghamton July 21. Sessions will alternate between the two cities in the future.

Greatfire United Studying Code; Discussion Later

Denver—At a luncheon meeting of the Theater Owners and Managers of the Rocky Mountain Region to discuss the proposed trade practice agreement, the members decided to ask theater men to study the documents with discussion at some later date.

NEW TRUST ACTIONS LOOM IN N. Y., FLA

(Continued from Page 1) stated that the suit would be filed in the New York City or 26th District, for which Buffalo is seat quarters.

That a large Eastern circuit operating in several states was a likely target for a D of J crackdown was exclusively reported in THE FILM DAILY on May 29. Story at the time said the suit would be based on complaints or information obtained by D of J agents.

Reports in Justice Department circles that a suit may be filed to have the effect that the Government is also preparing another anti-trust suit against one of the larger Florida circuits, the Major.

One anti-trust action already is pending in Florida. Plaintiffs are the Washington Operating Co. and the Garden Operating Co., both headed by Herman Wetinger, while named as defendants are Parnam Enterprises, Enterprise Theaters, Inc., and the majors. Relief sought is freedom from alleged unreasonable 50-50 arrangements and triple damages of $432,000.

Ted Williams to Produce Four for Mono. Release

(Continued from Page 1) negotiated his own financing, with Pathe participating.

Williams returned from the Educational-Grand National organization last week and left for the Coast immediately. He had been with Educational since 1932.

Expect Intermission Bill to Pass in Illinois Senate

Springfield, Ill.—The Sandquist House measure which would make mandatory a 15-minute intermission after each two-hour play in this state had its second reading yesterday in the Senate, and supporters were confident of its passage before the week-end.

Other pending film legislation, including divorce and anti-blockbooking proposals, is given slight chance at this session, however.

The Accolade

"The movies," as differentiated from school performance, have finally achieved educational recognition in New York State. Fourth year Regents' English exam, given in all high schools this week included questions on "Come With the Wind," "Gunga Din" and "The Citadel." Question on "Wind" required naming of the actor chosen to play Rhett Butler. P. S. Film censorship in New York State is also under the Board of Regents.
BRIT. BOWS TO TRADE; DROPS FILM TAX JUMP

WEDDING BELLS

Will H. Hays, Jr., son of the MPDA's chief, was married yesterday to Margaret Louise Chapin, New York City, at the Yale School of Law. The couple will be at home in New Haven after Sept. 1.

Clarendon, Ark.—Terry P. Axley, manager of the New Theater, England, and Bertha Margaret Crabtree, daughter of Mr. and Mrs. John W. Crabtree of Clarendon, were married here.

Glovessville, N. Y.—Harry Thompson, booker at the Sehine's Bellefontaine, O., office, and Margaret McQuade, home office employee, will marry shortly. Thompson's son, Howard, graduating at Ohio State, recently disclosed that he and his wife, who have been married secretly since last February, will be at home in New Haven after Sept. 1.

Summer Recess is Asked in Chicago Contempt Case

Summer Recess is Asked in Chicago Contempt Case

(Continued from Page 1)

status quo of five percent (10 cents) per pound for the first print and one penny (two cents) per foot for all others.

The higher rate will be payable on the first print whenever lev- enge for multiple negatives here, or negative instead of as originally negative only.

As originally framed, the Finance Bill proposed an import duty of six percent (12 cents) per foot on the first positive or negative film and two percent (4 cents) for all subsequent copies whether negative or positive. Additionally, there was provision for a two percent tax on all separate sound tax. It was esti- mated the import levies would cost the trade from $1,750,000 to $2,000,000.

Encouraged by this week's victories, the CEA will redouble its efforts to reduce the Mary-on-pay- ments for admission exceeding 6 percent but not exceeding 9 percent by one-half penny. The tax on these ad- jacent fees is present. The proposed amendment to the Finance Bill proposes to make this one. As it affects the exhibitor, on a one percent basis the fees per foot will go to 15/6, and 1/6, or to the Treasury. If a pending amendment is carried, the exhibitor will receive 3d, and the duty will be 1d.

On the 8d. gross, the exhibitor receives 4/6d. and the tax is put at 1/6d. If the amendment by Tom Williams is carried, the exhibitor will receive 7d. and the tax will be 1d.

Sun Pioneer's First Dinner Set for June 29

(Continued from Page 1)

will be held in the Barbary Room, 19 East 52nd St., at 7 p.m. on June 29, as announced yesterday.

Conceived by Jack Cohn, Columbia picture producer, the idea has taken a lively herd of film veterans, and has literally slapped him into the mails from all over the country. Those who may have been inde- nally overlooked when the first an- nouncement was issued, are invited to forward their applications to Cohn so that they may be placed before the Committee on Membership.

So many out-of-town veterans have indicated a desire to join the Picture Pioneers that a club to embrace these men will be specially chartered, it is said.

Ask Appeal in Kinderl Case

Application was made this week by Abraham I. Kinderl and the Empire State Motion Picture Operators Union, in the case of Joseph Kim- nel, the defendants, in the Appellate Division for an appeal to the Court of Appeals. Kimmel is seeking the $25,000 damages for false arrest and malicious prosecution.

STORKS!

LaGrange, III.—B & K managers are sending congratulations to Waldo Baile, manager of the LaGrange Theater on the arrival of a baby girl at the Waldo home. The B & K Employees Association sent a $50 check.

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FEATURING JESSE L. LASKY'S "GATEWAY TO HOLLYWOOD" TALENT SEARCH

Your first chance to ballyhoo the boy and girl chosen from thousands through the great thirteen-week, coast-to-coast network quest for new screen personalities!...

HERE THEY ARE—companioned by a solid box-office cast... in a marvelous heart drama made from a spectacularly popular novel! A swell picture on its own—a double-barreled attraction with the "Gateway" victors!

"Career"

with ANNE SHIRLEY • EDWARD ELLIS
SAMUEL S. HINDS • JANET BEECHER

LEON ERROL and

ALICE EDEN • JOHN ARCHER

selected through
JESSE L. LASKY'S
"GATEWAY TO HOLLYWOOD" TALENT SEARCH

Directed by Leigh Jason
Produced by Robert Sisk
Screen Play by Dalton Trumbo
Adaptation by Bert Granet
HOLLYWOOD" TALENT-SEARCH DISCOVERIES!

MAMMOTH "DOWN-HOME" PREMIERE IN DES MOINES!

... Iowa's own story and Iowa's own author will capture the whole State for the week-end of July 1 and 2! Every wheel that can turn heading for Des Moines to see the "big doin's"! ... Special Rock Island train from Hollywood with the cast and other personalities... Big movie ball in the Drake football stadium!... Parades, meetings, luncheons, interviews, final broadcast of the second "Gateway" series before 5,000 people! ... Service clubs, women's organizations, all civic groups excitedly enthused... Des Moines Register & Tribune cooperating in the biggest build-up the State has ever seen... Every eye in Iowa turned to the Paramount and Orpheum Theatres for the joint world premiere on July 2! ... A PROMOTION THAT WILL RE-ECHO ITS BOX-OFFICE BENEFITS TO EVERY STATE IN THE UNION!
TEAM PLAY


First Runner-Up—(Joe Rice Memorial, radial) EXHIBITORS—William Brantley, J. D. Statkin, Lester Riegler, Harold Rinzel.


Third Runner-Up—(Hiram Walker, eight bottles of rye).

TRADE PRESS—James Cron, John Flinn, Paul Greenshield, Herb Fecke.

Fourth Runner-Up—(Hiram Walker, four bottles of rye).

NATIONAL SCREEN SERVICE—George Dembows, Abe Raczkich, Leo Somels, Al Somels.

INDIVIDUAL PLAY

Low Net—(Leg on Film Daily Cup, the Variety Trophy, and TWA Scenic cruise for 21) E. A. WILLIFORD

Low Net, Runner-Up—(BKO Radio Pictures Trophy) AL MANHEIMER

Low Net, Second Runner-Up—(DuPont Film Manufacturing Corp. Trophy) HARRY PIMSTEIN

Low Net, Third Runner-Up—(Boxoffice Clock) CHARLES B. GARDNER

Low Gross—(Quigley Publications Trophy and Epi Gold Watch) LEONARD PALUMBO

Low Gross, Runner-Up—(Columbia Pictures Trophy) ANTHONY MORENO

Low Gross, Second Runner-Up—(Mitchell May, Jr. Co. Trophy) ABE RACHLIN

Low Net—(United Artists Trophy) MOE SEIDER

Low Net—Exhibitor—(W & J. Sloane, 9 x 12 rug) GARY PICCIONE

Low Gross—(Greater New York Carpet Co., 18 foot runner, and American Sporting Co. bridge chairs) EDWARD L. HYMAN

Low Gross—Exhibitor Runner-Up—(All-Sport Co. Cups) GEORGE P. SKOURAS

Putting Contest, Winner—(Consolidated Film Industries, Gold Putter) MURRAY SCHOEN

Putting Contest, First Runner-Up—(Radio Corporation of America, Radio) GORDON W. HEDWIG

Driving Contest, Winner—(National Theater Supply Co. Trophy) WILLIAM FRANKEL

Driving Contest, Second Runner-Up—(General Electric Co., Mazda Lamp Division, Toaster Set) IRVING RASKIN

Driving Contest, Second Runner-Up—(General Electric Co., Mazda Lamp Division, Toaster Set) T. K. CURTIS

Birdies—(Alexander Film Co. Trophy) MONROE EISENBERG

Birdies, Runner-Up—(United Artists Trophy) D. L. MILLER

Best Dressed Golfer—(Nat Lewis, Robey) WILLIAM GERMAN

Booby Prize—(A Shovel and Shovel Brandy Spoons) VINCENT TROTTA

Four runners up received battery radios from J. E. Brubltur, Inc. Four runners up received bags from National Screen Service.

TENNIS TOURNAMENT

Singles, Winner—(American Sporting Co. Four Bridge Chairs) MILTON PEARLMAN

Singles, Runner-Up—(National Screen Service, Bag) JACK LEVIN

Doubles, Winners—(Tennis Utility Cases) ORTOM HICKS, WILLIAM MERRILL

Doubles, Runner-Up—(National Screen Service, Bag) LOUIS NIZER, BINGO BRANDT.

Rye Country Club Is Scene of Festive Golf for Film Mugs

By JACK HARROWER

The attendance at the 27th Annual Film Daily Golf Tournament at the Rye Country Club, at Rye, N. Y., was over 200, and equaled the record attendance for this popular industry outdoor event.

There were 50 foursomes teeing off, and other guests devoured their energies to tennis, lunching, kibitzing and having one hell of a good time at the festivities in the evening when the dinner got under way around 7:30.

It was practically perfect golf weather. Colonel Jack Alicoate wore his lucky Guatemala Blue Shirt with the Voodoo symbols, and the atmosphere on the part of the master of the golf revels insured not only perfect weather, but perfection in the smoothest possible way. This entire proceeded from early morning till the last guest drove away from the clubhouse around midnight.

Cast your eye over the list of prizes and trophies displayed on this page, and see for yourself that these film mugs posing as golfers did pretty well by themselves. All the fun and excitement culminated in the evening's activities, when the dinner the prizes were awarded. Master of the revels Jack Alicoate moved the proceedings along at a snappy pace. The speechmaking was eliminated, and after a Walt Disney cartoon and a Columbia cartoon were shown, the awarding of the prizes had all those golf enthusiasts eager and waiting to hear their name called out. It is a funny thing about the golf tournaments. No matter how lousy a card a film mug turns in, somehow he always expects to be rewarded for his putts.

And as usual, the handing out of the loot caused groans, sighs and tears, and some catcalls when an exhibitor walked up the greens and didn't win any prize, and everybody knew that he had cissalled his score down on the same principle that he claims his price on the film salesman.

The raffle for the set of golf clubs and bag was divided three ways, with the bag, the woods and irons going to three different numbers drawn from the cup. In the putting contest awrads, there were almost a dozen tied, so they had to cut for the three prizes involved.

With a tremendous drive of 335 yards, Irving Raskin of Monogram won those handsome Bobby Jones clubs generously donated by A. J. Powerhouse, at the Mac-Trents without any trouble easily qualified as one of the worst golfers ever seen at these tournaments, so they grabbed the big prize hands down.

The best driving golfer was Bill German of the Brubltur organization. Bill's sea-green ensemble made him look like the winner.

The tennis activities drew a lot of attention in the awarding of the prizes. It seems that for some reason tennis has crept into the golf atmosphere, and there is as much rivalry for the tennis prizes as for the regular golf awards. Toastmaster Alicoate endeavored to interest the tennis activities with dignity and importance, but it was quite evident by the expressions on the faces of the men golfers that they still looked upon this tennis trifling as something of a sfissy affair. That's because most of them have never tried shooting 'em over on the court in fast company.

Well, folks, the annual outdoor rodeo of divot-diggers is over till next year at this time. The Committee can't say that it is sorry. It represented a lot of strenuous work, but every member of the Committee feels well repaid in the knowledge that the Gang enjoyed every minute of their day at Rye. It was one of the most good-natured crowds that ever got together for a film tournament. Squawks were practically nil. Here is one film function on which all hands can get together and harmonize without jealousy or friction. Amazing. In the film biz.
Putts & Takes

By CHARLES ALCIOATE

FIRST man in at the clubhouse at the Rye Country Club was Leonard Palumbo. He got right out for practice and showed a 74. Par for the course is 71. In regular team play he did 72, the guy seems to know something about golf.

George Skouras came up the day before the tournament, and went around the course with the pro from the club and also the pro from the Westchester Country Club. He wanted to be sure he had enough expert advice. At time of going to press we hear he shot something like 110 in the tourney. That only goes to show.

Those Three Hadley Brothers took turns working on the tourney cart that appears in this issue. In between they played golf, tennis, went swimming and had a 1½ game of bridge. Lazy fellows, those Hadley lads.

Speaking as a trade press ad solicitor, Ray Gallagher said he found another trade press ad solicitor cheering like mad every time a non-advertiser sliced into the rough.

Paul Terry made a beautiful 70-yard approach shot right into the cup, and on the very next hole duplicated with an approach that was almost 100. It happens in a lifetime.

Bob Savini claimed that it was one of the most amazing spectacles he had witnessed in a lifetime in show biz, when he saw Billy Ferguson give away a couple of those extra fancy M-G-M Team Shirts to exhibitor friends. Bob claimed that these film producers usually took the exhibitors’ shirts.

Louis Nizer played his very first game of golf with a set of clubs he has owned for a year. The manufacturer’s paper wrappers were still on the handles. Louis thought that the wrappers were part of the equipment.

That youngster Lloyd La Veaux is a real accordian virtuoso, displaying a technique and skill that is really remarkable in one so young. He played a number at the supper that brought a round of applause.

Happy Birthday

It happened to be Oscar Nee’s birthday, so after a wire was read from the guy’s wife, the Gang all sang “Happy birthday to you. Oscar is what you call a popular fellow.”

Along the Radio

WITH PHIL M. DALY

- - -

- - - THAT super-special outdoor production of the season was given its one and only gala performance all day yesterday......at the Rye Country Club in Westchester......before a selected audience of film execs, who fancy themselves as golf experts......for this event was the 27th running of the celebrated Film Daily Golf Tournament......the guests numbered in excess of 200......which is about capacity for any golf tournament......as any golf committee will tell you after frantically trying to team up the fousomes, arrange the handicaps, and distribute the prizes and trophies in a manner to satisfy one and all......

- - - IT IS six o’clock in the evening as this is being written......Golf Director Jack Alcicote is out on the putting green winding up that event......as the glance out of the window, George Dembov has just made a wifty putt that came within an ace of dropping into the cup, but it decided to hover on the edge......Handicapper Don Mersereau is inside the library-office swearing over the tallies as they come in from the 18th hole, the windup of an all-day job which started with giving every golfer his proper rating and trying to satisfy everybody......and if you think that is a picnic, try it some time......

- - - A SERIOUS effort was made to arrange the fousomes so that exhibitors, home office execs, and service organizations representatives would be thrown into conflict with each other......even the industry lawyers were not overlooked......the Committee felt that by bringing these different groups together socially they might eventually learn to understand one another......this will help to simplify the problems of the Hays organization, the Administration at Washington, and who knows but that it might be conducive to making all you film moguls realize that this li’l ole paper and its staff is doing its share to make a social function serve a really constructive purpose......it’s all done in a spirit of fun......but there is an underlying purpose in back of it all, if you get what we mean......

- - - THAT gag of having all the teams wear distinctive shirts resulted in Manager Billy Ferguson of the M-G-M team running into a quandary......he had special white silk shirts made to order all emboosed with the company trademark......when he came up in the afternoon he heard rumors that his team wasn’t doing so well......so Billy was afraid to prance out on the fairways wearing his special shirt as manager......he gave it to a trade press mug to wear temporarily......and the guy wouldn’t give it back when Fergie found out his team was doing all right, after all......Well, well, it was a grand and glorious fiesta, in a perfect setting in beautiful Westchester in ideal weather, and all hands voted it up to the standard of these celebrated tournaments......

- - - AND SO for another year we are through with the Golf Tournament......as usual, it was glorious, delightful......unique in the events that dazzle the film industry......now let all you film kiddies go back to work......after all, we should do a li’l work to justify all the fun we get out of the golf tournament every year......

Birdies

By GEORGE H. MORRIS

IT was quite a sight to see J. J. Powers betting Saul Rogers two bits a hole, with the attorney gent stopping in the middle of the fairways to make technical and legal objections whenever J. J. crowed him too close.

Wow! Was that A Drive! When Irving Raskin of Monogram socked that winning drive of 335 yards. Then he brought the pill within a foot of the peg on the next shot. Which is quite some golf on a 440-yard hole.

Si Seidler developed gout in his left foot and so couldn’t come up to play tennis. He stayed at the office and made diagrams of how he would have beaten the rest of the tennis addicts if he had played tennis.

Jack Troop came all the way in from Hollywood to play in the tourney and negotiate a li’l production deal to pay his expenses.

Ben Parola, the pro of the Blue Hills Club at Orangeburg, N. Y., dawdled around the course in 72. The first time he had ever played the course, too. Boots Marino of National Screen was in the same foursome, and turned in a 75.

Joe Vogel came in from out of town to take care of things so Johnnie Murphy could play on the M-G-M team. And what a staunch fellow Johnnie proved to be. He managed to bag two birdsies.

It was quite a spectacle to observe Dave Chatkin scientifically measuring his drive on the 16th, where the official driving contest was held. After the most exhaustive efforts, with the gallery tense, expecting great things, Chatkin dribbled one just a few feet.

Charlie Petijohn was at the dais for the evening meal, and contributed one of his short and snappy speeches. It seems that he was egged on by Grad Sears, who made some kind of a slighting remark about a recent speech of his in Washington.

Swell Prizes

Those foursome-winning prizes were voted the best ever given at a tournament. Portable radio sets of a standard make in attractive design. Not overlooking that after a week’s period of a TWA airplane trip for the winner, who can invite his own group of 30 friends for the joy-ride.
Feature Pictures Gleaned of the Golfers Yesterda

It Would Take a Volume . . . to tell of all who attended the big tournament. So Colonel Jack Alocate provided a good, big book. Right along the back cover and next to the Ole Colonel himself are Herbert J. Yates, Major Albert Warner, and Edward P. "Ted" Curtis.

Sharing The Net: The tennis addicts had their fill. The enthusiastic racquetees are Robbie (TWA) Rinsin, Louis Nizer, W. J. Merril, Lionel Tolll, Mike Pearlman, Orvies Hicks, Jack Levin and Binnie Brum. Latter doubled at golf. So did Attorney Nizer. Then who expects a lawyer to stay out of the court

Those Anticul Ampas: What you might believe are the Marx brothers are in reality the team members of AMPA . . . and what you might think AMPA is in this caption is actually an abbreviation for "A Mighty Pretty Attitude." The boys, oh yes, are Paul Lazarus, Monroe Greenhal, Herb Berg and Lou Pollock.

Twas Most Confusing: Before you stands the Warner Team whose file members, Bob Williams, Len Golob and Leonard Palumbo, were confounded by the fact that Major Albert Warner had for the spoiling occasion become their captain. Should he be addressed, then, as Captain or Major? What strange dilemma!

Hoping For Clearance: The gallant Exhibitors' Team lines up before the camera while patiently awaiting the signal to shoo off for the 18-hole grind. These men of iron-and-wood are Dave Chailin, Harold Rinzie, Max Cohen and Team Captain Billy Brandt.

Batery Of Big Guns: Ready to storm the ramparts of the adjacent battlefield are Ernest J. Warner, Willard S. McKay, Charles B. Paine,—then comes a well-wisher to the foursome, Herbert J. Yates,—and finally the final member of the foursome, Fred E. Parker. Outfits deserve Technicolor.

Casting Eyes On The Cast: Earl Wingart examines the autographs of the some 200 golfers, and equally interested in the maze of calligraphy were Max Cohen, George Skouras and Tom Gerety. The verpage of signatures was a compendium of the contestants . . . and, oh, how many pix contracts have borne those names! Wow!

Photos By: Filmland's Master of
uring Film Daily’s 27th and Top Tourney at Rye

Justice Makes Perfect: Before tee-ing off, Ralph I. Reicher, Al Selig, Joe Malcolm and J. Louis Geller, some perfect chip-shot inspiration from Mitchell Jr., as latter gives his mashie a preliminary shout. Lou Geller then decided it was all too intricate, so he kibizad 18 holes... at par.

The Glare Was Terrific: Gold and silver awards, in brilliant array, graced the trophy table, while an additional eyeful was the field of other prizes understandably coveted by the keen competitors. Booty set a new high for the tourney during recent years.

For Independents: Captain Joe Malcolm at the Distributors’ quartette collects his cohorts, Joe sassingante, Bob Figueroa and C. J. Tevlin, to release some feature shots against all comers. When all the shooting was over, Captain Malcolm issued a communiqué: "Wish we had more playing time."

Bidding The Boys Good-Bye: Arrayed in a ravishing sweater of devastating design, Ole Colonel Alicote purrs bon voyage to a linkeward group comprising Adolph Haas, Bernard Sholtz, A. J. Rademacher and J. Felder. Geller Sholtz is happy in the conviction that distant Long Island Sound can’t compete with that of RCA Photophone.

At Ease, Men!—"Hap" Hadley, famous former Marine, and with his staff the tournament’s official art department, prescribes a spot of relaxation before bearding the course. The patient patients include F. B. Foster, Jr., Harry A. Kapit and Don Hyndman. There were no casualties at nightfall.

Washing Up For The Tee—... but not of the cream lemon variety. Witness here that serious ceremony known as “polishing-up the pellets.” There’s Milton C. Weissman, Harry Brandt and Sid Satenstein at the golf ball laundry preparing the way for some good, clean shooting during afternoon rounds.

Quite a Huddle: Tournament Chieftain Don Mersereau gives a pre-game pep talk to a section of the caddie armada soon to set forth with battalions of divet-diggers. You can almost hear the solicitous Mersereau message: "Boys, I hope you’re insured, and don’t forget to duck!"

Time Out For Lunch: Candid camera catches two veteran film industry solons at the mid-day repast. —Herbert J. Yates and Major Albert Warner. Both, too, veterans of the long and gala series of FILM DAILY Golf Tournaments. Here, perhaps, they are figuring out the total distance of the Rye course.

Just The “Type,”—to uphold the honor of the Fourth Estate is this “composite” group, the Trade Press Team. With “banners” flying, and “heads” held high, Paul Greenhalgh, John C. Flinn, Herb Fecke and Captain Jim Cron are confident of their respective “forms.”
"Code of the Secret Service"
with Ronald Reagan, Rosella Towne
Warners 58 Mins.

LIVELY G-MAN ADVENTURE IN MEXICO CARRIES GOOD QUOTA OF THRILLS.

One of the Lieutenant "Brass" Bancroft series, and it moves along with sprightly action and plenty of thrills to please the fans. Ronald Reagan is the G-Man with Eddie Foy, Jr., as his stooge. The chief at Washington headquarters sends the hero to Mexico to trail a gang of counterfeiters who are flooding the country with spurious bills. The gang is located high up in the mountain country, operating from an abandoned monastery. Here there is a final showdown, and the G-Man with the help of local banditos, finally snares the outlaws off the head man in a brisk encounter.


CREDITS: Director, Noel Smith; Authors, L. Katz, Dean Franklin; Screenplay, Same Cameron; Ted McLeod; Editor, Frederick Richards.

DIRECTION, Good. PHOTOGRAPHY, Very Good.

"Inside Information"
with June Lang, Dick Foran
Universal 61 Mins.

POOR DRAMA OF POLICE FORCE AND CRIME-DETECTION BY MODERN SCIENTIFIC METHODS.

One of the lesser efforts employing the routine formula for cops and robbers type of thrillers. Here is a fine example of excellent players being wasted on poor material. Dick Foran plays the part of the modern scientific sleuth on the force, with Harry Carey as the old-timer, his superior officer who has no patience with the new-fangled methods. June Lang is the in-between sex influence, in love with the young officer and always trying to reconcile the two men, the older being her paternal relative. After some incidents more or less exciting but carrying little real suspense or thrill, Foran demonstrates the efficacy of his modern methods, and the "old man" is forced to admit that he is right, and restate him on the force, from which he had been discharged for breaking the rules of discipline and trying to do things his way.

CAST: June Lang, Dick Foran, Harry Carey, Mary Carlisle, Addison Richards, Joseph Sawyer, Grant Richards, Paul McVey, Selmer Jackson, Frederick Burton, John Harmon.

CREDITS: Producer, Irving Starr; Directors, Charles Lamont, Robert F. McGowan, Burnett Hershley; Screenplay, Allen Gofflieb; Camera, Arthur Martinelli.

DIRECTION, Weak. PHOTOGRAPHY, Okay.

CODE OF THE SECRET SERVICE, 20th Century-Fox
11 mins.

TOPS
This Movietone travelogue for tops is in a very literal sense, for cameraman Jack Kuhne went up 25,000 feet wearing an oxygen mask in a flight over Mt. Huascaran, the highest peak in South America, to photograph this majestic peak. The reel is filled with breath-taking stunts. Literally it brushes the edges of the mountain as it passes through narrow gorges, dropping sheer for thousands of feet. Among the wonders caught with the lens are the famous El Misti crater, with which Kuhne flies for the first time. This crater extends over miles, and hot vapors pour from hundreds of crevices eternally covered with snow, one of the wonder-sights of the world.

The man-made markings of an immense plain atop the Nasca Valley high up in the mountains, one of the riddles of the ages. A pre-Inca settlement atop the Andes in Peru. Here are enormous boulders forming walls of buildings erected thousands of years ago, and scientists admit no machinery of today could get those gigantic stones up mountains thousands of feet above sea level. Here is a travel-scene that takes one's breath away with its amazing natural wonders, and pictures South America as it has never been photographed before, photographing a letter on Huascaran, the highest peak in South America, to photograph this majestic peak. As a youthful naval cadet before the Civil War, he meets with an injury that forces him out of active service. And so, from a naval office of the Federal Government, he grows interested in tides, winds, balloons and currents. It is instrumental in saving the crew of a drifting brig by locating their exact position, and in rescuing a captive who can save them in time. This establishes the validity of his charting system. His work also included building up the weather bureau system along the sea coasts, and plotting the sea plateau on which the first Atlantc cable is successfully laid at a uniform depth.

THE BROADWAY BUCKAROO, 20th Century-Fox
20 mins.

Dude Ranch Fun
Through the terms of a will in which he inherits a lot of money if he will run a dude ranch for six months and get away from the city life, Red Skelton figured out a plan to build a night club dude ranch on Broadway. In this manner he does not have to abandon his beloved night life. The new place gives opportunity for the Condor Brothers to do their nightly dance routines. There is a trapeze act by Maude and Ray, The "Marriage Contribution" by Hank Lawson and His Texans. Alon kicks in with his own original brand of entertainment.

"SAND HOGS," (Adventures of a Newsreel Cameraman)
20th Century-Fox 10 mins.

REAL ADVENTURE
A grand true-life story of the sand hogs at work. The locales are two great engineering projects, the Lincoln Tunnel under the Hudson River, and the San Jacinto Mountain Aqueduct. Here the men toil through the heat and every hazard from cave-ins and high air-pressure as they work with dynamite and dredges are seen in close-ups. One thrill comes when two groups of "mules" meet after the final dynamite blast, right in dead center unoccupied by either of the two opposing sides. In the San Jacinto project they work to overcome flood waters, and again the building of the project. Here is a type of picture that stands at the head of its class for teaching the youth of the land what the real workers of the nation are accomplishing. Produced by Truman Talley. A swell editing and arranging job was done by Russ Shields.

 Complex Sounds Become Speech Via New Device
West Coast Bureau of THE FILM DAILY

Hollywood—The Vocoder, an electrical instrument that breaks down speech into its fundamental parts, and then proceeds to remake it in practically any form desired, was introduced and demonstrated to sound department executives and engineers of the major studios in Erpf's review room here.

The machine was developed by Homer Dudley and his associates in Bell Telephone Laboratories. At the demonstration, Dudley and his associates showed how easy it is to change the pitch of a voice, reverse voice inflection, raise a baritone to a tenor or soprano or lower the latter to a bass tone.

Usefulness of the Vocoder in speech studies lies in its ability to vary single sounds, or each of the elements of speech. Through records played on a turntable and attached to the Vocoder, demonstration showed that speech can be created out of complex sound, and used, as examples, standard tin man, an aeroplane flying overhead, the musical tones of a pipe organ, and a string quartet.

Four Photophone Experts
Address SMPE Meeting

"Safeguarding Theater Sound Reproduction with Modern Test Instruments" was discussed by four RCA Photophone engineers at a meeting of the Atlantic Coast Section of SMPE last night. The meeting, which followed dinner at a madison hotel, was held at the RCA Photophone recording studios, 411 Fifth Ave.

The subject was presented and illustrated with a number of demonstrations, by Adolph Goodman, R. J. Kowalski, W. F. Hardman and E. S. Stainko, all of the Company's Camden headquarters. In addition, sound reproducing and test equipment were on display.

Charles Gilmour Recovering
Denver—With infection developing following an operation to sew together tendons cut in one of his fingers, Charles R. Gilmour spent a few days in a local hospital. At present the wound is healing satisfactorily. Gilmour is head of both the Gillettum Enterprises and the Theater Owners and Managers of the Rocky Mountain region.

"Polar Pals"
(Looney Tune Cartoon)

Vitaphone Cool Number

Good Summer subject with the North Pole as the locale. Porky is up there acting as protector of all the wild animals. When the bad hunter comes along and tries to trap them, Porky goes to work with various cunning maneuvers and finally succeeds in getting rid of the hunter pest for good.
"I dropped into the Majestic the other night. There's where I'm going after this when I want to really enjoy a show. I've never seen better theater lighting. I found my seat without stumbling and groping. My eyes didn't get tired and I figured that was because there was no sharp contrast between the screen and the walls around it. It was a color feature and I've never seen more natural color on the screen."

Patrons do comment in this manner on theaters they visit and their friends respond to their impressions. When people desire to see a particular feature they go to a theater they know will present it properly and in comfortable surroundings. Such presentation means just one thing — high intensity projection.

Simplified High Intensity projection costs little more than obsolete low intensity projection. But it does give your patron the impulse to return.

Ask your Dealer's Salesman for the Facts on Equipment and Operation Costs

The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.
THERE HAS NEVER BEEN A PICTURE LIKE FOUR FEATHERS
Canadian Exhibs. to Meet in Fight Against Protection

EXPECT KENT'S RETURN TO HASTEN CODE ACTION

Okl. MPTOA Affiliate May Act on Code Tomorrow

THE WEEK IN REVIEW

RKO Radio Sets Lineup

By GEORGE H. MORRIS

DOMESTIC

RKO CONCLUDE: At its national convention, held in the Westchester Country Club, RKO Radio, through Fred E. DeForest, who is in charge of distribution, revealed that the 1939-40 lineup will comprise two specials, 52 features, and six westerns, and that 198 shorts are scheduled for release. President George J. Schaefer, in feature and climax address before delegates, asserted that company will up production budget 40 per cent above any investment made in prior years. Declaration brought estimate that the new season will witness RKO expending a minimum of $25,000,000 and possibly more, due to intensive big pix policy. As convener terminated, it was learned that RKO will add an eighth sales district in national setup.

TRADE RELATIONS: In a letter to U.S. Sen. Matthew M. Neely, Com- mercial Secretary Harry L. Hopkins, stated that industry-D of C confab's purpose is to evolve definite suggestions for improving existing relations between distributors, exhibitors, and public, but that pic talks should not halt Congress in any pending steps with respect to industry. At mid-week Commerce Dept. got MPTOA views on industry relations, and a second talk is scheduled this week. Concurrently with trade practice developments, Louis Nizer, prominent film attorn, launched analysis of the whole problem in THE FILM DAILY.

FINANCIAL: Barney Balaban told Paramount's annual stockholders' meeting that company earnings in second quarter of current year are running considerably ahead of a year ago. All 16 members of the board were re-named, and organization's

FED. ADMISSION TAX STAYS FOR 2 YEARS

Washington Bureau of THE FILM DAILY

Washington—The so-called "nuisance taxes," including the levy on theater admissions, will remain for at least another two years if President Roosevelt signs the House-ap

Jack Benny Goes Home: Big Celebration Greets Return

Waukegan, Ill.—Jack Benny has returned to his home town officiaally, and the celebration that resulted will long be remembered here as an esti

WARNERS STARTING 19 IN NEXT FOUR MONTHS

West Coast Bureau of THE FILM DAILY

Burbank—Launching its heaviest Summer and early Fall production schedule in its history, Warners will start shooting 19 features during the next four months. Scripts for these productions, which have been actual- ly finished and are nearing completion, will start shooting.

 Expect Canadian Exhibs. to Endorse Anti-Protection League's Program

Former Directors of RKO To Be Dropped from Suit

Department of Justice officers stated Saturday that the Government will sign without opposition a stipulation now in its office consenting to the dropping of certain RKO defendants.

Toronto—Dominion-wide meeting of Canadian exhibs. to ratify the program of the newly formed Anti-Protection League is being planned. It was disclosed at the week-end.

"We aim to set up an authority,

Philadelphia—Allied Independent Theatres Owners of Pennsyl-

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

N. J. OKAYS TAVERN PIX

"Nothing Intrinsically Wrong," ABC Exec. Rules

Newark, N. J. — State Alcoholic Beverage Commissioner Burnett has approved showing of motion pictures in taverns under "proposed law that entertainment is kept under control," Opinion was given in reply to Springfield ex-

Official Distrib. Statement To Follow Arrival From S. A.

Return today of Sidney R. Kent from South America is expected to bring to a head the major distributors' policy on the trade practice code. Kent, who was chairman of the Distributors' Negotiating Committee, will probably assist in fashioning the official statement to be released by W. F. Rodgers today or tomorrow. It is understood that the statement was being withheld until Kent's return.

Some bitterness was expressed over the week-end by major execu-

Canada Again Asks Dismissal Of Samuel Goldwyn's Suit

Wilmingtom, Del — Dismissal of the alleged breach of contract suit brought by Samuel Goldwyn and Samuel Goldwyn, Inc., was again asked by the defendant, United Art-

Ask 20th-Fox Execs. Exam. Before "Lincoln" Trial

In suit of Robert E. Sherwood and Playwrights Producing Co., Inc., against 20th-Fox, in which plaintiffs claim that the film producing company's feature, "Young Mr. Lincoln," (Continued on Page 8)
COMING AND GOING

WILL HAYS, MPDA prez, is in Indianapolis to act as best man at the wedding there tomorrow of his son.

CUT P. MORGAN, general manager for United Artists in Canada and Uruguay, arrives in New York today on the Brazil.

CLEMENTE LOCICO, managing director of the Art Theatre, Buenos Aires, also arrives on the Brazil.

MILTON BRENS and MRS. BREN are on the Waldorf.

WILLIAM SCULLY and F. J. A. McCARTHY, Universal sales execs., return today from Gloversville.

CHARLES COHEN of Metro's publicity department is vacationing at Woodbourne.

SIDNEY SAMUELSON and MRS. SAMUELSON return to Philadelphia today from Antioch College where they saw their son, Leonard, gradu-

EDMOND COULDING and ANATOLE LITVAK, directors, left for the Coast over the week-end.

GERALD F. RACKETT, vice-president and gen-

MAX STEINER leaves the Coast in about two weeks for a vacation in New York.

HERBERT WILCOX and ANNA NEELE are scheduled to arrive here tomorrow morning from Hollywood.

TYRONE POWER and ANNABELLA arrive here later this part of the week en route to Europe. MADGE EVANS arrives here from the Coast shortly after July first for several stock engagements.

ARTHUR SHIELDS, English stage and screen star, arrived here Saturday on the Mauresch. Plans to sail for Europe around the first of August.

NORMA SHEARER, CHARLES BOYER and his wife, PAT PATTerson, plan to sail for Europe around the first of August.

JAMES ROOSEVELT has arrived in Hollywood from Chicago.

Canty Resigns as 'U' Mgr. For Continental Europe

George R. Canty, who was formerly engaged in the diplomatic service of the United States Government, but who for the past two years has been Metropolitan general manager for Continental Europe, has just resigned his position with Universal in order to return to his work with the Government.

J. H. Seideman, vice-president of Universal, has announced that Canty's successor has not yet been selected.

THE THEATRE

"Boots of Pleasure"—Elkinton, Times. WHY A LIFe

with EBBY STONE as Henry Aldrich

MANSFIELD, W. 47th St. Meso. Wed. and Sat. Circle 6-0640

"A MUST, GO ENJOY IT."—

"I MUST LOVE SOMEONE"

Talor Winchell

Comedy Feature with NANCE CARROLL

with JAMES RENNE

YANCEBIWET. W. 44th St.

Meso. Wed. & Sat. Air-Conditioned.
N.Y. Critics go to Town on “Good Girls Go To Paris”

N. Y. HERALD-TRIBUNE
“The gayest screen comedy that has hit town in a long while. It is corking entertainment for any time of the year…”

N. Y. DAILY NEWS
“Refreshing and sparkling as pink champagne. The Music Hall has selected the right kind of entertainment in ‘Good Girls Go To Paris’. Just the thing to take your mind off your troubles and the heat.”

N. Y. DAILY MIRROR
“Had the stately Music Hall audience rocking with merriment. One of the most heartily amusing comedies which has come along.”

N. Y. JOURNAL AMERICAN
“Designed solely to entertain the customers and succeeds cheerfully. The team of Blondell and Douglas is a slick one… Authors, Director Hall come in for bows…”

N. Y. WORLD-TELEGRAM
“Its lines are gay and sparkling.”

N. Y. POST
“A festival of chuckles—hilarious situations—dandy entertainment.”

Now at RADIO CITY MUSIC HALL
TO OF OKLA. MAY ACT ON CODE TOMORROW

(Continued from Page 1)

Proxy Ed Kuykendall of the MPTOA who is scheduled to speak on "Trade Practices, Block-Booking and the Business Outlook." Conventioners assembling yesterday for the open forum session which inaugurates the convention today, indulged in lively speculation as to whether Kuykendall would discuss national Allied's action in rejecting the Code. Kuykendall attended the Minneapolis convention by Allied's invitation.

The delegates are looking as well to Kuykendall for a report on the conferences with the film industry recently instituted by the Department of Commerce. Kuykendall conferred with Department officials in Washington last week.

Other speakers before the convention will be R. J. O'Donnell of Interstate, discussing "What's Ahead for the Theater of Tomorrow"; Ralph Talbot of Talbot Theaters, Tulsa, discussing "The Return of Flesh to the Motion Picture Theatre"; Earl C. Hull, chief engineer of WKY, Oklahoma City, discussing "Television—Will It Help or Hurt?"; and David R. Milsten, of Tulsa, discussing "Ascap." 

Illinois Court Decision

Bans Secondary Picketing

Chicago—Theaters in Illinois no longer can be subjected to secondary picketing as a result of a Supreme Court decision handed down in the case of Manor Beauty Salon vs. the A.F.O.L and a local union. Effect of the decision is to rule out theater picketing in event of a strike called by workers for another company which is selling the theaters supplies or merchandises.

III. Legislature Kills

Truck Regulation Bills

Springfield, Ill.—The Legislature has killed the truck regulation bills which would have shunted film delivery and other trucks off the main highways on Saturdays and Sundays to secondary roads. Film interests contested the measure in the House.

Happy Birthday

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

JUNE 26
Michell Lewis
William Steiner, Jr.
Neal Burns
Virginia Swann-Fain

ALONG THE REALTO

WITH PHIL M. DALY

• • • TIPPED off exclusively in this kolyma over a week ago...the story is being generally released today by Howard Diets...concerning the new Loew-M-G-M World's Fair Information Center...located in the island at Forty-sixth St. in Times Square...it will be formally opened on Wednesday noon...Eddie Canter will be in charge of the ceremonies, with many other celebs of the amusement world participating...

• • • PLANNED as a comprehensive service to all visitors to the city during the World's Fair period, the Information Center will answer all queries relating to New York City and the Fair...attendants will be in constant attendance who can speak several foreign languages, to take care of visitors from abroad...

• • • A UNIQUE supplementary service will be a visitors' registry and index filing system, permitting all tourists to list their New York addresses and telephone numbers so that their friends may easily locate them on arrival in the city...free maps and guide pamphlets will be distributed...the staff in charge of the information booth has been specially drilled in details of all the exhibits at the Fair...

• • • INFORMATION booth will be located inside a miniature replica of the Fair Perisphere, with circular reference shelves and a small library...next to the booth is a forty-two foot high replica of the Trylon at the Fair....

• • • COMMITTEES...appointed for the Clyde Eckhardt silver anniversary on July 17 in Chicago...John Babalan, Jack Osserman, Jack Kirsch, Percy Barr, Harry Goldman on the Arrangements...Jack Kirsch, Nat Woll, Sam Schoensti on the Gifts...Will Hollander and Sam Clark head the Publicity...E. E. Alger and Fred Anderson head the Down-State committee...a general committee of thirty prominent theater men from all parts of the Chi territory will be named to help honor this pop guy Eckhardt....

• • • PULLING some special wires...Russell Botvin, manager of Loew's Ohio in Columbus, succeeded in having "Mr. Chips" crash the solemn commencement exercises of the dignified Ohio State University...he was a pleasant-faced young Mr. Chips in cap and master's gown carrying a scroll saying: "Goodbye Ohio State Graduates...See 'Goodbye Mr. Chips' at Loew's Ohio"

• • • A PRIVATE exhibit of the etchings of Si Seidler. A.B.A.; F.R.G.S.; Q.K. Z. A.B.D....(his other degrees escape us for the moment) but you have heard of him...the great pen-and-ink artist who does his masterpieces exclusively on small white pieces of paper imprinted "Memo from S. F. Seidler"...the exhibit is from our own private collection which we have assembled over the years...whenever this kolyma runs something that Eicher Seidler approves or disapproves. In the morning we get an Original Etching on the subject....and so the exhibit will be on the sidewalk in front of Gilkilly's saloon on Eighth Avenue this Friday between the hours of 12 noon E.S.T. and one o'clock daylight saving...which makes it lost about a second, which is long enough...

• • • but first we have to get Gilkilly's permission to clutter up his side-walk...this is going to be tough, for Gilkilly is a very severe art critic...and he doesn't approve of film columnists, either...can one blame him, can one?

CODE ACTION NEAR AS KENT ARRIVES

(Continued from Page 1)

distribution heads to the Minneapolis convention when rejection of the code apparently had been decided before the convention opened. It was pointed out there was a "dust of wasted words" in assembling the executives in Minneapolis.

In some exhibit circles it was indicated that the distributors might still negotiate with Allied leaders as individuals and not as representatives of the national organization. Rodgers emphatically stated in Minneapolis that his group would not confer further with Allied as an organization, but it is believed by some that he left the door open for negotiations with the leaders as individual exhibitors.

That the code will be applicable to new season contracts appears to be certain, as the distributors are determined to go ahead "with or without Allied," as Rodgers asserted at the convention.

Loew's Denies It Plans

$12,334,000 Debs. Refund

Loew's, Inc., on Friday denied a report printed in the New York Journal-American that the company planned to refund its $12,334,000 3% per cent sinking fund debentures for the Fe. 15, 1946. According to the story, negotiations were being conducted between Loew's, Inc., and a group of banks and insurance companies.

It was also denied that a loan of $15,000,000 was planned to refund the 3% per cent sinking fund. The debentures, according to the story, represent the only funded debt of the corporation and are selling at their call prices of 103.

Dipson and Basil Bros.

Take Lackawanna Houses

Buffalo—Nikitas D. Dipson in association with Basil Bros. has acquired the three Morall and Williams houses in Lackawanna. Involved are the Franklin, Ridge and Hollywood. Latter, now dark, is to be renovated and reopened, it is understood.

WEDDING BELLS

Theodore VanBemmell and his bride, the former Gwendolyn A. Altman, daughter of Edward Altman of Teaneck, N. J., who is head of the Capitol Stage Lighting Co. of New York City, are honeymooning on a Southern cruise, following their marriage on Wednesday, last, in Coytesville, N. J.

Kaukauna, Wis.—Robert C. Van Dyke, son of William Van Dyke, operator of the Vaudette Theater, here, was married to Miss Gertrude Micke at Hollandtown.
FIGHT ON PROTECTION NEAR IN CANADA

(Continued from Page 1)

self-regulating or government," declares J. O. Scott, chairman of the League's executive committee. "The choice is entirely up to the opposition. Frankly, we prefer to conciliate, but are tired of shadow boxing and parleying. For three years, there has been a lot of useless talk.
"We want to outlaw unfair priority and protection. If the Nova Scotia formula can turn the trick, splendid. If not, we will go after more positive relief. If there is to be an amicable adjustment of our grievances, the machinery devised to deal with it must be such as to insure fair play.
"The league must among other things, require each producer and suitable conciliation machinery, or obtain government action."

Denial is made here by N. A. Taylor, member of the Conciliation Committee of the Film Section of the Toronto Board of Trade and past chairman of that body; of the published report that the committee had made overtures to the Anti-Protection League, which is sponsored by the Independent Theatres' Ass'n of Ontario, suggesting that the league meet with the conciliation committee to confer on clearance schedule revision.

Taylor, who stated he never had heard anything of such a gesture being made by the conciliation committee to the league, is also vice-president of the ITA, manager of the Exhibitors' Booking Ass'n and manager of 20th Century Theaters Ltd.

Pictures in Taverns Get Okay in New Jersey

(Continued from Page 1)

entertainment. Showing clean and decent pictures is proper provided everything is kept under control. Lewd, immoral or indecent exhibits are of course barred.

"Daughters" Big at Strand Warners' "Daughters Courageous," with Sammy Kaye's ork on the stage, started off to lobby delays Friday at the New York Strand, where it had its world premiere. The film will stay a second week, with a third virtually assured. National release is set for July 22.

I'll DIVORCE BILL OFF CALENDAR

Springfield, Ill.—The proposed Illinois theater divorce bill has been removed from the Senate calendar and is dead for this session. Only 14 bills which have been dropped from consideration are those which would have prohibited children under 14 from attending theaters where they have problems, and one requiring registration of all motion pictures shown in Illinois.

With the recent adjournment of New Hampshire's legislature for two years, the solons of only seven states remain in session, a week-end check-up revealed.

South Carolina is holding the longest session in history. Other legislatures which have not yet adjourned are those in Wisconsin, Illinois, Connecticut, Massachusetts, New Jersey and Missouri. California and Texas adjourned their legislative sessions last week.

Conn. Indie Exhibs. Meet Tomorrow in New Haven

New Haven—Invitations to all indies in the territory have gone out among exhibitors and luncheon at the Hofbrau Haus tomorrow. Exhibitors are urged to attend because they have problems of grosses and rentals to discuss.

The committee issuing the invitations comprises Maurice Shulman, president of Allied of Connecticut; A. M. Schuman, of the Black Rock, Bridgeport; Adolph Johnson, of the Fond of Hamden; Harry L. Laviotes, of the Pequot, New Haven; Maurice Bailey, of the Whalley, New Haven, and Dr. J. B. Fishman, of Fishman Theaters.

15,000 See Chicago Tele Demonstrations in 2 Days

Chicago—During the past two days 15,000 persons viewed the television demonstrations being held in Marshall Field & Co.'s department store, showing how keen public interest is here in the new optical science.

Officials of the store have arranged to continue the demonstrations until July 3 because of the crowds that flocked to see them.

WB Houses After Biz

Chicago—to build biz during July and August, Warner houses in the Chicago zone have set nine twin contests, 12 merchant auctions, five house rentals, 21 benefits and 15 service staff contests.

Film Biz, 1939

Fond du Lac, Wis.—Four red and yellow caps from bottles of Empire Beer were offered in a $500 cabaret raffle at the Fox's Fond du Lac Theater here for a 2:30 Sunday morning show on Saturday morning, as the theatre was sponsoring the show each Saturday morning with the washing line. "Help give the kids a break, drink Empire beer."
An alphabetical list of English-speaking features released since March 1, 1939, together with pictures scheduled for release during the next few months and pictures currently shooting. Titles include many for which no release dates have been quoted. Denotes titles are distributor release dates: FD: indicates date of FILM DAILY review. Complete casts and production credits are included with FILM DAILY reviews. * Indicates Technicolor production.

<table>
<thead>
<tr>
<th>Title, Dir., Running Time</th>
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<tbody>
<tr>
<td>Across the Plains (MGM)</td>
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<tr>
<td>Jack Randall, Roy Bentley</td>
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<td>Adventures of L. A. (WB)</td>
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<td>Roos ak Towner, William Gargan</td>
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<td>Basil Rathbone, Nigel Bruce</td>
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<tr>
<td>Air Raid (Para.)</td>
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<td>Almost a Gentleman (RKO)</td>
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<td>Fox</td>
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<td>Babes in Arms (M-G-M)</td>
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<tr>
<td>Ronald Reagan, Edward Arnold</td>
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<tr>
<td>Back Door to Heaven (Para.)</td>
<td>5-21-39</td>
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<tr>
<td>85 mins., 4:23-29</td>
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<tr>
<td>Wallace Ford, Alane McMackin</td>
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<tr>
<td>Bad Lands (RKO)</td>
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<td>Dickie Jones, Wallace Beery</td>
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<tr>
<td>Battle of City Hall (WB)</td>
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<tr>
<td>Brian Donlevy, The (Para.), 50 mins., 3-10-39</td>
<td>FD: 1-12-38; Charles Laughton, Elsa Lanchester</td>
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<tr>
<td>Bud Geis (Para.)</td>
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<tr>
<td>Gary Cooper, Todd Karns</td>
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<tr>
<td>Beauty and the Beast (Para.)</td>
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<tr>
<td>Charles Wilson, Ethel Austin, Richard Bond</td>
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<tr>
<td>Big Town Czar (U)</td>
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<tr>
<td>Blackwell's Island (WB)</td>
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<td>71 mins.</td>
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<td>Tom Brown, Josephine Hutchinson</td>
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<td>Blind Alley (Col.)</td>
<td>5-13-39</td>
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<td>61 mins.</td>
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<td>Chester Morris, Mary Astor</td>
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<td>Chester Morris, Mary Astor</td>
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<td>Blue Steel (M-G-M)</td>
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<td>33 mins.</td>
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<td>Stanley Lupino, Rex Reason</td>
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<td>Stanley Lupino, Rex Reason</td>
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<td>Boss (M-G-M)</td>
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<tr>
<td>Anna Metcalfe, Robert Young</td>
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<td>Bright Victory (U)</td>
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<td>J. D. Harmon, John Sherry</td>
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<td>Broadway Serenade (M-G-M)</td>
<td>11-4-39</td>
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<td>4-7-39</td>
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<td>Fred MacMurray, Edward Arnold</td>
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<td>Brother Orchid (WB)</td>
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<td>Edward G. Robinson, Gale Page, Wayne Morris</td>
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<td>C.H. Mosher's Dramatic Police (Para.)</td>
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<tr>
<td>John Howard, Loretta Young</td>
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<td>Cattle Call (Col.)</td>
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<td>52 mins.</td>
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<td>Robert Paige, Frances Dee</td>
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<tr>
<td>Captain Fury (UA-Reach)</td>
<td>9-1-39</td>
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<tr>
<td>Brian Aherne, Victor McLaglen</td>
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<tr>
<td>Career (RKO)</td>
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<td>Anne Shirley, Eddie Quillan</td>
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<td>Career Man (WB)</td>
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<tr>
<td>Joel McCrea, Jeffrey Lynn</td>
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<td>Bob Hope, Paulette Goddard</td>
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<tr>
<td>Charlie Chan at Treasure Island (20th-Fox)</td>
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<tr>
<td>Sidney Toler, Son Yung, Cecilia Yung</td>
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<tr>
<td>Charlie Chan, Charlie Chan (20th-Fox)</td>
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<tr>
<td>Sidney Toler, R. Corder, Paylis Brooks</td>
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<tr>
<td>Changing Danger (20th-Fox)</td>
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<tr>
<td>Preston Foster, Lionel Barry</td>
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<tr>
<td>Change of Scene (M-G-M-Fox)</td>
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<td>Jane Withers, Leo Carrillo</td>
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<td>Gable, George, Jeffrey Lynn</td>
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<tr>
<td>Climbing High (20th-Fox)</td>
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<td>57 mins., 6-28-39</td>
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<tr>
<td>57 mins., 6-28-39</td>
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<tr>
<td>L.-Olivier—R. Richardson—V.-Henry</td>
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<tr>
<td>Ronald Reagan, Rosalita Towner</td>
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<td>Title, Dist., Running Time</td>
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<td>Parent on Trial (Col), 67</td>
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<td>F: 2-27:37; John Trent, Patty Ann Young</td>
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<td>Phantom Creeps, The (U)</td>
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<td>Jack Porter, Johnny Dawis</td>
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<td>Playing With Dynamite (WB)</td>
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<tr>
<td>Peter F. Keaton, Forrest Jenkins</td>
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<tr>
<td>Police School (20th-Fox)</td>
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<tr>
<td>Jane Withers, George Reitnauer, Robert Kelkard</td>
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<tr>
<td>Night Owls (Col)</td>
<td>In Prod.</td>
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<tr>
<td>Charles Starrett, Iris Meredith</td>
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<tr>
<td>Priscilla Without Bars (UA), 60</td>
<td>3-15-39</td>
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<td>F: 2-8:30; Edna Best, Barry Barnes</td>
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<tr>
<td>Pygmyon (MG-M), 85 mins.</td>
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<tr>
<td>F: 11-25-38; Leslie Howard, Wendy Hiller</td>
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<tr>
<td>Queen of Destiny (RKo), 90 mins.</td>
<td>4-19-39</td>
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<tr>
<td>F: 11-17:38; Anna Neagle, Anton Walbrook</td>
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<tr>
<td>Rockers of the Range (RKo), 62 mins.</td>
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<tr>
<td>F: 11-18:39; Chill Wills</td>
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<tr>
<td>Run-In, The (20th-Fox)</td>
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<tr>
<td>F: 11-20:39; Tyrone Power, Susan Peters</td>
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<tr>
<td>Race War (Par)</td>
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<tr>
<td>William Boyd</td>
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<tr>
<td>Ranier River (Hal)</td>
<td>In Prod.</td>
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<td>F: 11-27:39; Victor Jory, Margaret Dore</td>
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<tr>
<td>Real Glory, The (UA)</td>
<td>In Prod.</td>
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<td>F: 11-29:39; Robert Livingstone, Sally Eilers</td>
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<tr>
<td>Reformation (Mill, Intl.), 58 mins.</td>
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<tr>
<td>F: 11-30:39; Louise Beavers, Reinald Anderson</td>
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<tr>
<td>Robert wholesome (RKo), 66 mins.</td>
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<tr>
<td>F: 11-32:39; Barry Norton, Peter Wark</td>
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<tr>
<td>Rotary Club (Pb)</td>
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<td>F: 11-33:39; Robert Livingstone, Sally Eilers</td>
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<tr>
<td>Return of the Cisco Kid (20th-Fox), 70 mins.</td>
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<td>F: 4-24:29; Walter, L. Bari, C. Rael, Zane Grey</td>
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<td>Return of the Fox (Pb)</td>
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<td>William Boyd, Gene Hayes, R. Hayman</td>
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<tr>
<td>Rush Hour (RKO), 58 mins.</td>
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<td>F: 4-26:39; Charles Bickford, Barry Carey</td>
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<td>Streets of New York (Mon.)</td>
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<tr>
<td>F: 4-30-39; Jack Oakie, Martin Spain</td>
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<tr>
<td>Student Nurse (WB)</td>
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<tr>
<td>Rosella Towne, Margaret Lindsay, Marie Wilson</td>
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<td>F: 11-2-39; John Trent, Marjorie Reynolds</td>
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<tr>
<td>Sunset Money (Par)</td>
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<tr>
<td>F: 4-25-39; Charles Bickford, Harry Carey</td>
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<tr>
<td>Street of Missing Men (Par), 63 mins.</td>
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<tr>
<td>F: 11-26:39; Jack Oakie, Martin Spain</td>
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<tr>
<td>Sudden Death (MG-M)</td>
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<tr>
<td>F: 11-31:39; Fred Astaire, Ginger Rogers</td>
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<td>strut to your doch (MG-M)</td>
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<tr>
<td>F: 11-32:39; Fred Astaire, Ginger Rogers</td>
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<td>Sudden Tanker, The (WB)</td>
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<td>F: 11-33:39; Robert Livingstone, Sally Eilers</td>
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<tr>
<td>Sugarfoot, Jill (M-G-M)</td>
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<td>F: 11-35:39; Robert Livingstone, Sally Eilers</td>
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<td>Sugarfoot, Jill (Par)</td>
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<td>F: 11-36:39; Robert Livingstone, Sally Eilers</td>
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<td>Suspense over the Pacific (UA), 65 mins.</td>
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<td>F: 11-37:39; Robert Livingstone, Sally Eilers</td>
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<td>Susannah of the Mounties (20th-Fox), 65 mins.</td>
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<td>Tarzan Finds a Son (M-G-M), 90 mins.</td>
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<td>F: 6-31-39; John Wayne, Marjorie Reynolds</td>
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<td>Talk No Tales (MG-M), 68 mins.</td>
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<td>F: 4-25:39; Marjorie Reynolds, Robert Young</td>
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<td>Charlie Rupple, Marie Marce</td>
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<tr>
<td>Lina Varrini, Charlie Rupple, Marie Marce</td>
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<td>They All Come Out (MG-M)</td>
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<td>F: 11-43:39; Robert Livingstone, Sally Eilers</td>
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<td>Thunder Affair (MG-M)</td>
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<td>F: 11-44:39; Robert Livingstone, Sally Eilers</td>
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<td>Pauzana Patrol (GN), 67</td>
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WARNERS STARTING 19 IN NEXT FOUR MONTHS

(Continued from Page 1)

during July, August, September and October with the following titles:

"We Are Not Alone." (Paul Muni): "20,000 Years in Sing Sing." (John Garfield and Pat O'Brien) and "Pennsylvania Grand Jury" (James Cagney): "All This and Heaven Too." (Bette Davis with George Brent) and "And All It Came True." (James Stewart, Ann Sheridan and Humphrey Bogart): "The Army, the Navy and the Girl." (Wayne Morris and Pat O'Brien): "The Bishop Who Walked With God," based upon a story by Quentin Reynolds, also-


Jack Benny Goes Home; Big Celebration Greets Return

(Continued from Page 1)

mated crowd of 150,000 people moved in here during the last five days to augment the local population of 33,000. Climax of the celebration came last night when the world premiere of Paramount's "Man About Town," starring Jack Benny, the native son. Sleeping facilities became nonexistent and the police and fire depart- ments augmented by soldiers, sailors, boy scouts, state police and national guardsmen, were taxed to handle the crowds. In addition to Benny, there were a host of others, among them Dorothy Lamour, Andy Devine, Mary Livingstone, Eddie "Rochester" Anderson, Tony Martin, Gertrude Nielson and Phil Harris. The film was simultaneously shown in three theaters so that as many people as possible could see it and Benny's Jell-O program was broadcast over all the theaters, and"Stork." About 250 newspaper representatives were here to cover the opening.

Former Directors of RKO To Be Dropped from Suit

(Continued from Page 1)
in the Government's anti-trust suit. Those who will be dropped include Mark Aylsworth, former board chairman; Cornelius N. Bliss, Devitt Millhauser, David Sarnoff, Edward W. Harding, Maurice Goodman and Frank Bailey, members of the board, and Courtland Smith, former president of Pathé News.

administration praised for company's progress.

* * *

PRODUCTION: That the eight majors, together with Republic and Monogram, will supply exhibits, during the above period, will guarantee a minimum of 414 features and 256 shorts, were revealed at conclusion of a special survey of the field conducted by THE FILM DAILY. Next season's Grand National program has been announced, but is expected to boost figures considerably.

* * *

OTHER SPOT NEWS: TTOA was repearted to New York for screening. Both nationally and in the New York key area, houses were greatly heartened by marked upwing of hat, places, etc. Industry's rank and file in the East turned out en masse for THE FILM DAILY's 27th and record golf tournament... Gov-

Wanger Raps Censorship at Library Conference

Walter Wanger, UA producer, attacked censorship as one of the big- gest shackles on the production of pictures and warned that new federal legislation which has been growing on Congress of late is a threat to freedom. He also declared that the distribution of low-grade films and the "sweating" of the exhibitors were the greatest danger to the industry. He asserted that the industry has no choice but to "sweat out" the exhibitors who are "squeezing" the retailers.

It is unbelievable, Wanger said, what happens to a story in Holly-

wood. The first title is, on the basis of which there are all sorts of changes. The producer may have to buy a short story or a play of the same title to clear it for use in pictures. Then the MPPDA will want a new title, then on the story to avoid censor- ship problems abroad or to satisfy moralists who would subject the pub-

lic to their own views on morality. Then there are, he said 1,001 other censorship problems, so that it is a miracle how the producers get any-

thing on the screen.

It requires the work of a magician to condense a book, which may take a week or more to read, into the hour or hour and a half's running time of a picture. To do this compromise, elimination and substitution are essential.

Among the highlights of Wanger's address were:

Pictures are not subsidized, not supported by the government, but by the nickels of the public. If allowed to do so, the public would make a pretty fair selection of the sort of stories it likes. If the pro-

ducer filmed the wrong kind of a book, it would fail on the screen. Let picture production be free of the trammels of censorship, and it can expand the screen, get more vital pictures on it.

HQ. the Department of Commerce, New York City, to appear before the Senate Permanent Committee on Government operations, on the subject of tax revision. For the hearings, bills will be introduced, proposed Senate amendments to tax revision bill.

Lehman Bars Martin Tax In Message to Legislature

Albany—Governor Lehman specif- ically barred consideration of the Martin sales tax bill in his tax recei
tion message to the special session of the Legislature. The Martin measure, which would tax theater admissions, was defeated at the regu-

lar session.

Sponsors Signed for Tele Pix in Department Store

Four sponsors of commercial film to be televised by inter-department store systems have been signed, was announced over the week-end b American Television Co. It was said that three sample films had been produced and that ATC plans to in-
stall television equipment in depart ment stores without charge. Under the plan, revenue will be obtained from charges made to advertisers of the privilege of using their commercial films in the television circuit.

Although it was not revealed who accounts had signed, it was said that they are firms making good, such as Zippers, which can be cut advertised by "motion." Two of the advertisers have been indicated to have been placed through agencies.

Bloomdale's will use the new system in New York, while other stores throughout the country are said to have been interested in the "Television Sales" system, which will use the "Television Sales" system. Minimum number of 15 store-outlets is sought.

THE WEEK IN REVIEW

(Continued from Page 1)

RKO Radio Sets Lineup—Britain Relents

G.

FOREIGN

BRITAIN RELENTS: Towering in the air on a relatively calm week of news dispatches from foreign fields was electricizing cable from London stating that the Government had decided to abandon the excise levy, of recent making, on unexposed film. Not only was U.K. wing of film-

land jubilant, but also the representa-

tive of U.S. major producer-distri-

butors there, as well as indie in-

to the Home offices in New York also expressed great gratification with the move. Nixing of the excise duty was closely followed by a second in-

victory, namely the tabling of fur-

ther amendments to pending Finance Bill in Commons, thus dropping proposed film duty jump.

Phil. Allied Unit to Get Convention Report Thurs.

(Continued from Page 1)

which was held in the Library Conference at the Civic Auditorium in San Francisco Friday. His address on "What Happens to Books in Hollywood and Why" was heard in New York over station WJZ.

Quebec—Following refusal of film-

theater proprietors to accept the city's suggestion to operate under the present tax for a period of one year, which event, if it proved the business suffers, the tax will be cancelled, the Government announced that it intends to operate its own motion picture theaters.

Members of a special committee in charge of the Palais Montreal Civic Center, which is equipped with a large auditorium, were called to meet Mayor Lucien Borne and give instructions to go ahead with plans to operate two civic motion picture theaters.

On notification of the committee was authorized to go to Montreal and find out what films could be obtained.

Federal Admission Taxes "To Stay for 2 More Year"

(Continued from Page 1)

proved Senate amendments to tax revision bill.

(At the time of going to press the President had not signed the ta-

bill but his signature was expected momentarily.)

The House on Friday accepted the Senate's tax revision measure. The bill was passed through the special House of Representatives, and was sent to the Senate for a final reading, the lapsing of the "sweat tax" provi-

sions.

Waz and Complies with D of C Request; Offers More Data

Washington Bureau of THE FILM DAILY

Washington—J. H. Hazen, vice-

president of Warner Bros., and indus-

ty contacts man in the Dept. of Com-

merce confabswas in Washington-

Friday to see Ernest Tupper, Com-

merce statistician. Hazen presented additional information requested by Commerce officials at the last meet-

ing. Conferences did not set a date for any possible sale of resale data to industry. But it is still undecided as to whether general meeting of producers, distribu-

ators and exhibitors will be held.

Monday, June 26, 1937

REVIEW

REVIEWS
Bill to Nationalize Argentine Film Industry Dropped

KENT, BACK, DOUBTS PEACE IS ALLIED OBJECTIVE

Restrictions May Force U. S. Majors to Quit in China

Chinese Dollar Worth Only

12½c; 25% Admission Tax in Effect

by RALPH WILK

East Coast Bureau of THE FILM DAILY

Los Angeles — Unless re-import duties on American films are removed at the port of Shanghai and restrictions are lifted at other Chinese ports, American distributors will very likely stop operations in China, according to Del Goodman, 20th Century-Fox's general manager in the Orient, who has arrived here in route to New York.

Goodman declared that hopes of American distributors rests with

(Continued on Page 4)

JAP'S FINANCE CHIEF GETS U. S. VIEWPOINT

Representatives of U. S. majors in Japan have sent a letter to Finance Minister Sotaro Ishiwata, who relatively recently assumed that office, outlining to him the detailed viewpoint of the American film interests with respect to motion picture commerce and its continuance upon a satisfactory basis, it is de-

(Continued on Page 4)

AFI Challenges Four A's Power to Prefer Charges

In a counter blast at the AAAA, the AFI yesterday challenged the jurisdiction and power of the parent body to bring charges against a member union in a prepared state-

(Continued on Page 9)

Franklyn Warner to Make 24 Pictures in Cosmocolor

Franklyn Warner has signed a contract to make 24 pictures in Cosmocolor, the Grand National producer said yesterday. Nine of the color features will be made in the

(Continued on Page 9)

Rodgers Thanks S.W. Unit for Code Co-op

by ERNEST W. FAIR

FILM DAILY Staff Correspondent

Oklahoma City—Appreciation of the support and co-operation extended by the Theater Owners of Oklahoma, Inc., MPTOA affiliate, in connection with the Trade Practice Code negotiations was expressed by W. J. Rodgers, Metro sales chief, on behalf of the Distributors Negotiating Committee in a telegram read yesterday at the exhib. unit's convention at the Biltmore Hotel.

"While we do not claim it (the

(Continued on Page 9)

Manton's Ruling Upheld in Fox Theaters Action

The Trust Company of Georgia yesterday lost its fight for an ad-

(Continued on Page 9)

Nationalization Threat in Argentina

Fades; Slight Chance of Revival Seen

Argentine Pix Cutting Into U. S. Playing Time

Development of the local film industry in Argentina, with 70 films scheduled to be turned out in the studios there this year, is cutting the playing time of American prod-

(Continued on Page 4)

Arriving here yesterday on the Brazil on a combined vacation and business trip, Clemente Lococo, prominent Argentinian exhibitor, stated that the bill providing for national-

(Continued on Page 7)
 holders of claims against Wm. Fox file appeal in A.C.

Atlantic City—Appeals have been filed here with Allen B. Endicott, Jr., Federal referee in bankruptcy, by the U. S. Government, Chicago Title and Trust Co., and creditors claiming in millions of dollars against William Fox.

The appeals are on order for a compromise in suit for recapitalization of assets of the All-Continental Corp., owned by Fox's wife and two daughters.

Order signed on June 15 here by Endicott directed Hiram W. Steelman, trustee for the bankrupt Fox estate, to drop recapital suit in exchange for $600,000 offered by Miss Fox and her daughters.

V. C. Humanitarian Award Presented Fr. Flanagan

Omaha—National Variety Club honored Father E. J. Flanagan of this Town, former general chairman of the Chicago Title and Trust Co., holders of claims running into millions of dollars against William Fox.

The appeals are on order for a compromise in suit for recapitalization of assets of the All-Continental Corp., owned by Fox's wife and two daughters.

Order signed on June 15 here by Endicott directed Hiram W. Steelman, trustee for the bankrupt Fox estate, to drop recapital suit in exchange for $600,000 offered by Miss Fox and her daughters.

Blumenfeld Circuit Deal Added to WB Sellaways

Continuing to sell away from FWC, Warner has closed deals covering its 1939-40 program with the J. Blumenfeld circuit of 15 houses with headquarters in Prisco. Deals were negotiated by Ben Kalmenson, western division manager, and E. J. Callaway, coast district manager, for Warner.

Warner has also concluded negotiations with the following independent theaters: State, Ft. Collins, Colorado; Lyric, Billings, Montana; Palace, Missoula, Montana; Lyric, Butte, Montana; Aene, Vancouver.

Ask $75,000 for Rights to Grey's "Washington"

Stephen Slesinger has set a price of $75,000 for the film rights to Zane Grey's novel, "George Washington, Frontiersman." Three studios—M-G-M, 20th-Fox and RKO, have already entered their bids and negotiations with one or the other should be completed shortly.

Saltiel Promoted by WB

A. Saltiel, until recently Warner's managing director for France, Belgium and Switzerland, has been promoted to post of Continental European manager, company announcements.

THE THEATRE

"Rears of Pleasure"—Athlone, Times. "What a Life" with EZRA STONE as Henry Aldrich. MANFRED, W., 47th St., Mid. Wed. and Sat. Circle 5-6040

"I Must, I Go Enjoy It"—Walter Winchell Comedy Force with Music. I MUST LOVE SOMEONE with JAMES BENNIE, here Fri., 4th St., Eves. 8:40. Mid. Wed. and Sat. Air-Conditioned.

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“HELL'S KITCHEN” IS A BLAZING SENSATION!

Warners Made It That Way!

with The

'Dead End' Kids

MARGARET LINDSAY • RONALD REAGAN
STANLEY FIELDS • Directed by LEWIS SEILER and E. A. DUPONT

Screen Play by Crane Wilbur and Fred Niblo, Jr. • From an Original Story by Crane Wilbur

Nice going, fellers! You're rough on the screen but plenty smooth on the ticket-sale! Thanks for more action like 'Crime School' 'They Made Me a Criminal' 'Angels With Dirty Faces'
### MAJORS TO QUIT CHINA DUE TO RESTRICTIONS?

(Continued from Page 1)

American Consul Horace Smith who is diligently working to have the restrictions removed. He pointed out that at the present rate of exchange, the Chinese dollar is worth only 12½ cents in American money. Goodman said that a 25 per cent tax on admission had been imposed in certain parts of China.

Although American distributors in India have offered to help native producers to make better pictures, native producers continue agitation for increased duty on foreign pictures, according to Goodman, who estimates that 150 features were made in India during the past 12 months.

Goodman reports that many new theaters have been erected in India and that showmanship there has been improved by native exhibitors following the lead of an American company that is operating theaters in Bombay and Calcutta.

### Argentine Pix Cutting Into U. S. Playing Time

(Continued from Page 1)

Act in that country, Guy Morgan, manager for United Artists in Argentina, Paraguay, Uruguay and Chile, reported yesterday when he arrived on the Brazil from Buenos Aires for his first visit since he took over the post six years ago.

Morgan said that about 325 houses operate only on Sundays and another 250 houses are open only two or three days a week, with little chance for American pic to get any appreciable amount of playing time in these spots. These houses sometimes show three and four pictures on the same bill, he said. Morgan expressed the opinion that American distributors should only send their top product into this market to combat an oversupply of pix.

American films rank first in all class houses with French films in second place, he stated. Morgan will be here about two weeks and then take a trip to the Coast before returning to S. A. by way of New York.

### JAPS' FINANCE CHIEF GETS U. S. VIEWPOINT

(Continued from Page 1)

Declared here by Michael Shashin, Warners' general manager for Japan, who is currently visiting the home office.

Shashin asserts that a most cordial relationship exists between the two nations, and that the purpose of the letter to be reviewed for Finance Minister is that the American Government will permit U. S. distribs. to continue to import and supply product on a fair and reasonable scale.

The remittance portion of the agreement has been fulfilled and distribs. have deposit slips on the Yamanaka Specie Bank's branch in San Francisco. In 1941 the accrued four for the U. S. pix coming to Japan will be available without interest.

Shashin plans to leave New York for Tokyo next week-end, stopping en route at Warners' Burbank studios.

### WEDDING BELLS

The marriage of Jack Shea, booker for the M. A. Shea Theatrical Enterprises, Inc., and Miss Grace Deery, will take place Thursday, at Salem, Mass. Immediately after the ceremony the bride and groom will leave for a five-week honeymoon trip.

Cleveland—Morton Leavitt, son of Joe Leavitt, owner of the Independent Screen Room in the Film Bldg., and Miss Dorothy Gubbin of Muncie, Indiana, will be married July 30. His brother, "Sandy" and Selma Horwitz, son of M. B. Horwitz, general manager of the Washington circuit, and Mrs. Horwitz, will be married Aug. 20.

Chippewa Falls, Wis.—Miss Maurita Raymond, cashier at the Rivoli Theater here, was married to William Miller, musician.

Denver—Larry Starmore, manager of Westland theaters in Colorado, was married to Miss Cecelia Heid of Colorado Springs, in Taos, N. M. The couple will make their home in Colorado Springs.
THIS WEEK
RADIO CITY
MUSIC HALL
PLAYS THE NEW
ALL-TIME TOP
IN SCREEN
COMEDY
RKO RADIO believes the story to be the most NOVEL and refreshing your screen has ever told! ... Fun and romance in the embarrassing moments of a glamorous shopgirl who adopted a doorstep baby which everyone believed to be hers! ... More laughs when David Niven, the boss' son, comes a 'wooing ... and the biggest surprise of all the sock finish! ...

IT ROLLED THEM IN THE AISLES AT THE PREVIEW! ... AND IT'S THAT KIND OF A SHOW FOR YOU!

GINGER ROGERS

DAVID NIVEN

"Bachelor Mother"

with
CHARLES COBURN
FRANK ALBERTSON
E. E. CLIVE

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. DESYLV
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA • STORY BY FELIX JACKSON
FILM NATIONALIZATION DROPPED IN ARGENTINA

(Continued from Page 1)

that American films, because of their superior production, are likely to lose any ground in the class A theaters in Argentina, but a certain amount of playing time is lost to American movies as the Argentine film industry is turning out more pictures each year of a better quality.

A producer himself, he said that he expected to make about eight films this year through his production company. The Lococo circuit has 13 houses, 12 of which are in Buenos Aires. His theaters play 20th-Fox, United Artists and Paramount product, augmented by some other films.

Fernando Delgado and Benjamin Box, cameraman and sound man, respectively, for Fox Movietone News, were also arrivals on the Brazil. They covered the 20th-Fox conventions in Rio and Trinidad and also filmed some material for shorts.

Loscollo will be here several weeks and will take a trip to the Coast before returning to Buenos Aires.

Bradt Denies He'll Start New National Exhib. Move

(Continued from Page 1)
to launch it, the ITOA president said yesterday. He denied reports that he would be the “prime mover” behind another national association.

Bradt said that he did not believe the rank and file of Allied members had any more trust in the organization’s leaders. He added that he believed Allied was “dead.” The MPTOA, he continued, is not representative of independent exhibitors.

“For that reason,” Bradt said, “I would like to see another national body, one which could absorb the ITOA and relieve me of my guidance so I could devote all my time to the running of my business.”

Baron Mandelstamm Back

West Coast Bureau of THE FILM DAILY

Hollywood—Baron Valentin Mandelstamm, former French Foreign Office rep. here, has returned after four years spent in Europe, this time in a private capacity. Mandelstamm’s latest novel, “The Woman of Shanghai,” is a Paris best seller.

Wis. Administration Bow to Opposition; Proposed 3% Admission Tax is Withdrawn

Madison, Wis.—Responding to heavy opposition to the 3 per cent admission tax feature of the 1930 Wisconsin theater monopsony act, the administration-controlled finance committee, has introduced a substitute measure which eliminates the theater tax. The substitute calls for diversion of $75,000,000 in highway funds.

Expect Report This Week on Greater N. Y. Fund Drive

Final reports are expected this week on the money raised by the Motion Picture Division of the Greater New York Fund, under the chairmanship of J. Robert Rubin. Amount raised so far exceeds, it is understood, the industry’s contribution to the Fund last year.

Latest contributions announced by the Greater New York Fund’s headquarters include RKO Corp. and UA, $2,500 each; Columbia, $1,600; Walt Disney Productions, $500; J. E. Brulatour, Inc., Du Pont Film Mfg. $250 each; Universal, $250; M-G-M $250 each, the latter’s being an additional contribution.

International Projector and Interboro Circuit have given $100 respectively; Rap’s & Ruden, Gallic Films, Lenauer International, Arthur Mayer & Joseph Bursztyn, Pax Films, and World Pictures, $50 each; Beo-Ko Co., $30. Contributors of $25 each are Elton Operating Corp. (Elton Theater); Goldberg Bros., H. E. R. Labs.; J. H. Hoffberg & Co.; Lincoln Theaters; Lloyd’s Film Exchange; Premier Films; Thomfilms; Umler-Hayward; Unity Films; and Walter O. Gutman, Inc.

Neib. Town to Vote Again on Blue Law’s Repeal

Beatrice, Ne.—For the sixth time in the last 10 years, trial will be made this fall at the general election to gain open Sundays for this town. It’s a 10,000-pop. spot, and is the only town of size in Nebraska still closed.

Last time the issue came up, two years ago, it lacked but 13 votes of carry.

Drive has been made to gain 7-day showings by both business men and the Foxesco interests, which have the Fox and Rivoli.

Police Protection Looms as New Conn. Exh. Gouge

Hartford—Passed in the last days of the Legislature and awaiting only the Governor’s signature to become law, a new bill provides that the Chief of Police shall determine when, and how much police protection is necessary at public places of amusement, shall furnish the protection and charge it to the operator. No public hearing was held on the bill, which escaped exhibitor attention.

Summers In Chi. Post

Chicago—James Summers of New York has been appointed director for Chicago Warner theaters.

Gov’t to Call Exchange Heads In Contempt Case

Chicago—Master in Chancery, Edgar Eldredge is expected to re- cess the hearing under way in his court on the Government’s criminal contempt case against B & R and the majors from July 7 to Sept. 5. Special U. S. Attorney General Robert L. Wright expects to complete the Government’s case, before July 7, he said and will put Paramount, 20th Century-Fox and United Artists exchange managers on the stand, starting tomorrow.

“Jamaica Inn” Will Open at Rivoli After Labor Day

“Jamaica Inn,” opens at the Rivoli Theater on Broadway, shortly after Labor Day, according to Erich Pommer, its producer, who returns to London tomorrow on the Normandie. His next production will be The Admirable Crichton, with Charles Laughton in the title role, and Elsa Lanchester and Maureen O’Hara as the two feminine leads.

Pommer stated that Laughton should be finished with “The Hunchback of Notre Dame for EKO, in mid-September. He then returns to London, where he will immediately start work on “The Admirable Crichton,” for his own producing company in which he is Erich Pommer’s partner. Paramount will distribute it, as well as “Jamaica Inn.”

Shine Joins Ross

Ross Federal Research Corp. announces the appointment of W. J. Shine as director of research. The corporation conducts activities in the executive offices under C. B. Ross, director of research. Shine comes to New York from Cincinnati, where he has been in charge of research sales for Ross Federal.

Roach, Jr., a Producer

West Coast Bureau of THE FILM DAILY

Hollywood —“Like father, like son,” and so Hal Roach has made Junior a full-fledged producer. Young Roach has been an active participant in production work at the studios for several years.

Mrs. V. F. O’Toole Dead

Milwaukee, Wis.—Mrs. V. F. O’Toole, 48, widow of John O’Toole, former manager of the local Super- cinema Exchange died here following her husband in death by two months.

Sparks to Open Florida

Daytona Beach, Fla.—Sparks will open The Florida Theater July 2 for the summer season.

Ten New Pix Before Hollywood Cameras

West Coast Bureau of THE FILM DAILY

Hollywood—Ten new productions are scheduled to go into production this week. At Warner Bros.: “Epi-

B & K After Kids

Chicago—With the closing of the Chicago public schools last week, B & K is releasing a determination to increase its juvenile attendance. They are stressing the air-conditioning equipment of the various B & K theaters and the attention given to the comfort of youngsters.
“Sustannah of the Moutnies”

With Shirley Temple, Randolph Scott
20th Century-Fox
78 Mins.
ROMANTIC AND DRAMATIC THEME OF CANADIAN MOUNTIES GIVES SHIRLEY TEMPLE NEW ROLE.

Here is Shirley Temple in a different type of picture. She plays the part of the sole survivor of an Indian massacre in pioneering Canada during the days when the Canadian Pacific railroad was being driven west to the Pacific. Discovered by a Mounted patrol in command of Randolph Scott, she is taken back to the post, and Scott sort of adopts her, or it might be more truly to say that Shirley adopts him, for she insists on “mothering” him and looking after his clothes and comfort. There is a good Indian chief who is friendly toward the Mounties, and a bad renegade Indian who is stealing horses and making trouble such as the massacre. So the Indian chief leaves his son, played by Martin Good Rider, as a sort of hostage, at the post. Thus Shirley and the Indian youth grow friendly, with Shirley finding it hard to adapt herself to being a “squaw,” and playing second fiddle to the Indian brave. But she gets so that she almost likes it. This might be called Shirley’s act along with the bad Indian leading the tribes in a war against the Mounties, but it is all straightened out satisfactorily by Shirley. She is captured in an attempt to reach her Indian pal, who has been taken back to the tepees after a battle on the post by the Indians on the war path. Here she finds Randolph Scott all trusted up at a stake, ready to be burned alive. But Shirley explains to the kindly thing that he has been doing all this time, the stick of Truth is whirled and drops toward the villain, showing that he lies about his plot on the palefaces and the little white flower is telling the truth. Thus the peace pip is smoked, and Shirley smokes it also for the sentimental and light comedy touch that closes this romantic ditty of Shirley as a young frontier woman growing up into life and drama. Margaret Lockwood, the English star, has little to do as the lovely daughter of the Mountie commander in love with Randy Scott, and does it very well. Randolph Scott is big and bold and handsome as the dream-man of the picture, and sweet, simple Shirley is as charming as ever. It is all very much of a Shirley Temple fan formula, and it will do no double please them anymore.

CAST: Shirley Temple, Randolph Scott, Margaret Lockwood, Martin Good Rider, J. Farrell MacDonald, Maurice Moschovich, Meredith Stott, Bob Mitchum, Leyland Hodgson, Herbert Evans, Jack Judson, Charles Irwin, John Sutton, Chief Big Tree.

CREDITS: Producer, Kenneth Macgowan; Author, Muriel Dentson; Adaptors, Fidel La Barba, Walter Ferris; Screenplay, Robert Ellis; Art Direction, John H. DeCuir, William A. Horning, Arthur Miller; Editor, Robert Bischoff.

DIRECTION, Fair, PHOTOGRAPHY, Good.

“The Married a Cop”

With Phil Regan, Jean Parker, Jerome Cowan
Republic
65 Mins.

(HOLLYWOOD PREVIEW)
LIGHT MUSICAL COMEDY SPOTTED WITH LAUGHS SHOULD PLEASE MOST AUDIENCES.

This light musical comedy, spotted with laughter, will please most audiences. Associate producer, Sol Siegel, has spent the money on this picture to the best advantage. Sidney Salkow’s direction paces the laughs effectively and obtains nice performances from the cast. The story and screenplay by Olive Cooper was treated a little differently. Regan’s singing was especially noteworthy, and the songs written by Ralph Freed and Burton Lane were excellent and will no doubt he heard on the air. Jean Parker does nice work as the girl and presence adds a lot of sweetness to the picture. Barnett Parker, as Jean’s butler, supplies the piece with several hilarious moments, while Benny Baker and Dorothy Kent also added to the comedy. Jerome Cowan in the part of the chief is not inferior. Mary Gordon and Peggy Ryan handled their parts adequately. The story is about a New York cop, played by Phil Regan, who has a swaying voice. He is heard by Jean Parker, producer of animated cartoons, who tricks him into singing in a cartoon, when the picture is previewed he finds that his voice has been used for dubbing in the cartoon. “Paddy Pig.” In the meantime Regan Jean have fallen in love and are married. Regan’s pals on the police force rib him about having played a “pig” in a cartoon, and Regan splits up with Jean, but his heart is still in love and they seal it with a kiss.

CAST: Phil Regan, Jean Parker, Jerome Cowan, Dorothy Kent, Benny Baker, Barnett Parker, Horace MacMahon, Oscar O’Shea, Mary Gordon, Muriel Campbell, Peggy Ryan, Richard Keene.

CREDITS: Associate Producer, Sol C. Bajac; Director, Sidney Salkow; Screenplay, Olive Cooper; Screenplay, same; Camera- man, Ernest Miller; Supervising Editor, Muriel Dentson; Editor, Cyril M. Hume; Art Director, John Victor Mackay; Musical Director, Cy Feuer; Animation by Leon Schlesing- er; Songs by Ralph Freed and Burton Lane.

DIRECTION, Well Paced. PHOTOGRA- PHY, Good.

Metro Will Produce Six
In Britain for 1939-40

(Continued From Page 1)
It was announced here yesterday, Robert Montgomery will appear in two, Mickey Rooney in one, Robert Donat in two and the sixth may be “National Velvet,” a race horse story. Victor Saville, producer, is here for story conferences and will be going to Britain soon to begin putting the first picture into production in Denham.

Ada Patterson Dead
Sarasota, Fla. — Ada Patterson, for 10 years dramatic editor of the N. Y. American and biographer of N. Y. luminaries, died here from a heart attack.

Receivership Nullified
Chicago—Appellate Court decision nullifies the appointment of James C. Ryan as receiver for the management of the Oriental theater building which houses the Oriental, 4,000-seat house now under direction of Jones, Linick & Schaefer Circuit. Receivership action was instituted by the levy Mayer es- tate as a means to deal with possible tax lien on the site. Case is highly involved because of the many parties interested.

“Daughters” Forges Ahead
Warner’s “Daughters Courageous” on the New York Strand, yester- day ran ahead of the opening day.

“Boy Friend”
With Jane Withers, George Ernest
20th Century-Fox
72 Mins.
FAIR KID STORY FEATURING JANE
WITHERS WITH HER FIRST BOY FRIEND.
Just a fair number in the Jane Withers series, with the moppet having her first crush with a boy friend, played by George Ernest as a kid in a military school. The theme, however, seems department after a gang of rackets, with Jane’s brother a rookie who jumps up with the gang to get the goods on them. This almost breaks the little girl’s heart, for she believes her brother has violated his sacred trust. The situations give Jane a chance to do some fast-action snooping into the gang’s hidingout, and with the help of her boy friend and Warren Hymer as comedy relief, they manage to turn up the evidence that convicts the killers of her father, who was once the force. Richard Bond does well as the rookie cop, brother of the young heroine. Arlene Whelan lost in a faint part as the grown-up romantic interest. Selling angles: Jane Withers in her first “crush”; the gang- ster thrilled.


CREDITS: Producer, John Stone; Direc- tor, James Tinling; Authors, Lester Ziffren, Marion Humes, Ernest J. Leacock; Photographers, Billy Trivers, Cameraman, Lucien Andriot; Editor, Norman Colbert.

DIRECTION, Fair, PHOTOGRAPHY, Good.

Anti-Bank Night Decision
Brings Raids on 2 Games

Milwaukee, Wis.—Acting upon the State Supreme Court’s decision holding Bank Night a lottery, the police department here has raided Fox’s Riviera and Warner-Saxe’s Uptown, Milwaukee and Modjeska theaters and has requested warrants from the district attorney’s office on charges of conducting a lottery in connection with playing Cash Night and Hollywood at the first and latter three houses, respectively.

District Attorney Herbert J. Steffes has asked for several days’ time to study the high court’s ruling to determine whether or not it covers these games as well as Bank Night. In response to warnings from district attorneys in state cities, most exhibits have discontin- ued Bank Night.

Medland Rites In Denver
Denver—John Medland, 58, known for his work in theaters, radio, died in a Denver hospital of injuries from a recent fall. He was recently connected with the Denver Fox theaters. Surviving besides his widow, Mrs. Helene Medland, is a daughter, Galine Medland, four.

Several services were held yester- day.
20TH-FOX, RKO DEALS RENEWED BY MOODABE

(Continued from Page 1)
yesterday he has renewed his product deals with 20th-Fox and RKO for 1940 and renewals with United Artists and other companies were worked on.

T. Moodabe stated that within a two-year period, ending this December, approximately $1,000,000 will have been expended by the circuit on a modernization program. Of the circuit's some 100 theaters, 60 have been built during the past five years, he said.

He lauded the New Zealand government for boosting the country's spending power by increasing wages and cutting the work week. This action has been directly reflected in theater business, which is very good, he asserted. That, he maintained, is that in the country's A houses, a single feature policy was prevalent with dual bills in the nubs and outlying district theaters.

Amalagamated uses 20th-Fox, RKO, United Artists, Gaumont-Gainsborough and some other product throughout its chain, and shows Columbia product in its theaters in the four principal cities of the country. He asserted that "Snow White" and "Pigmepolli" had piled up higher grosses in the country than any other films to date, with "Drums" a close contender.

Moodabe will be here for another two weeks, going then to the Coast from where he sails for home July 10 on the Monterey.

There's No Clearance Worry in Fiji Islands, Says Noerr

Clearance is no problem in the Fiji Islands, according to Leon Noerr who operates the Regal Theater in Suva. Noerr, who is making his first visit to New York since he opened the RKO lounge rooms yesterday and told interviewers that he didn't know what clearance meant.

There are only two theaters in Suva, although there are seven in the entire Fiji group, Noerr said, and the theaters don't have to worry about protection. His competitor in Suva buys the product that Noerr

STOKES!

Pittsburgh—An eight-pound baby daughter, their first child, was born to Mr. and Mrs. John Lipsie at the Indiana Hospital, Indianapolis. Lipsie is head booker for the Indiana County Theaters Co., Inc., an affiliation of the Manos Amusement Co.

Cleveland—Fred Dzik, manager of the Jennings Theater is the father of a six and a half pound boy, named Frederick Neil Dzik.

Detroit—Horb Brown, M-C-M booker, is the father of an eight-pound baby girl.

BROADWAY WEEK-END GROSSES HOLD FIRM

(Continued from Page 1)
"takes" moved up sharply, following a static period which had the biz standing wondering if the New York World's Fair were destined to bring about a boom, anemia along the Grand Ole Way.

Three Broadway stands were extended runs, the Astor, Paramount and Rivoli, playing "Goodbye, Mr. Chips," "Invitation to Happiness" and "Stolen Life," respectively.

Capitol had "Malsie," playing to good biz, as did "Good Girls Go to Paris" and "Daughters Courageous" at the Music Hall and Strand, while "Susannah of the Mounties" was reported as faring well at the Roxy.

Franklyn Warner to Make 24 Pictures in Cosmocolor

(Continued from Page 1)
next eight months, while the balance will be produced next season.

Warner revealed that he has purchased 40,000 shares of Cosmocolor stock at $4.75 a share. He may return to Hollywood today, although his future activities will depend largely on the outcome of the GN stockholders' meeting on Thursday and it is possible that he will remain for the sessions.

Animated Cartoon Demand Rises In Sponsored Field

Detroit — Demand for animated cartoons in the industrial film field is growing rapidly, according to Jamison Handy, president of Jam Handy Picture Service. Work in this department, upon cartoons and upon animated process drawings has increased so heavily that Jam Handy is taking a lease on a new building to serve as enlarged studios for this department.

SIDNEY SALKOW

Director

"STORM OVER BENGAL"

"WOMAN DOCTOR"

"ZERO HOUR"

"SHE MARRIED A COP"

Republic
KENT DOUBTS PEACE IS ALLIED OBJECTIVE

(Continued from Page 1)

the fact that Allied had flatly re-
jected the proposed Trade Practice Code.

"Nothing we could offer would be accept-able to Allied. The dis-
tributors have gone as far as they can; as far as 20th-Fox is con-
cerned, our offer has been made," Kent declared.

He will extend the Code to every exhibitor who wants it, and I be-
lieve that individual members of Allied will accept the pact in addi-
tion to exhibitor groups and indi-
viduals who have indicated that it would be acceptable to them," the
20th-Fox prexy declared. I think that the Code is fair and hope that our company can put it into operation as soon as possible, bar-
ing any legal delaying.

Kent expressed the opinion that it had been intimated on several oc-
casions that the Code might be ac-
ceptable to Allied if the theater di-
version was effectuated. He as-
serted that it was "premature" on the part of Myers to even ex-
pect the distributors, to talk with Al-
lied on diversion.

The Distrib. committee chairman declared that even if Allied had re-
ceived all concessions demanded he,
personally, did not believe there could be any guarantee that the majors’ position would not still be subject to attack in Washington.

Now that the Code has been re-
jected by Allied, we may have to
attack the situation from another
angle," Kent commented. He said that he expected to see W. F. Rodg-
ers and other distributing leaders im-
mediately to discuss the situation. Whatever further action is taken is
by way of keeping the whole as far from the huddles, as was indicated.

The 20th-Fox prexy, who was ac-
companying on his trip to S. A. by Mr. Kent, indicated that all con-
cessions held by the company in Bra-
il and Trinidad. He described the
meetings as being "notoriously successful" and expressed the hope that more industry executives will find it possible to visit Latin-Amer-
ican countries.

He said that 20th-Fox would con-
tinue to handle acceptable Spanish pictures, but that better product
from Hollywood will always be the
greatest selling force the industry has. The company will distribute four Spanish pictures in the Latin
American markets this year, and
probably handle the same number next year. He was learned. First
two on this year’s program, pro-
duced by Ramos Cobian and Jack
Skirball, have already been ac-
pcepted.

PIx AS GIFTWAY

Nashville, Ws. — The Silver Dome ball-
room here is again showing pix free as
a come-on for dancing.

World Has "Hated"

"Hated," starring Harry Baur, will be released in September by World Pictures according to Archie Myners, managers sales.

FILM CODE ANALYZED

By LOUIS NIZE

EDITOR’S NOTE: The FILM DAILY today presents the sixth installment of a compre-
prehensive 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 law of screen, stage
and radio. The analysis is designed to clarify the problems of the Code in nontechnical language so as to make it readily understandable to all people in the film industry. In view of
the fact that the Distributors’ Negotiating Committee proposes to make the Code effective
for the 1939-40 season, THIS FILM DAILY deems Mr. Nizer’s interpretive presentation
an interesting, this being the source of inestimable value to the trade. Preservation of the daily in-
stallments is recommended.

Installment No. 6

V. SOME RUN AVAILABLE

To meet objections against exclusive selling, every exhibitor may obtain from a dis-
tributor a run of its features in any situation, which run must be designated by the
butter.

Three Conditions Upon Which Right Is Granted. The three conditions upon
which this right is granted are:

(a) Agreement between the distributor and exhibitor upon the number of features
to be bought and other terms and conditions.

(b) The exhibitor’s theater must not be obsolete, must be in good condition, oper-
ed under a policy which is not destructive, and which will not substantially reduce
the distributor’s revenue from any other run. In other words, the exhibitor’s policy must
be established under methods of competition which are normal and fair in such a situation.

(c) The exhibitor must be of good reputation as a customer, or if he has not been
an exhibitor, of good reputation and financially responsible.

Questions Arbitrated: Any dispute concerning sub-divisions (b) and (c) which
refer to the code early in September
expected by E. W. Owings, Shod.

Definition of a Circuit Customer: A customer is a customer who is a
A circuit or is part of a circuit, a buying combine, a booking combine or a cooperative.

Conditions On Which Right Is Based: The following three conditions must
exist before the regular customer can exercise his rights:

(a) He must have substantially performed his previous contracts with the distributor.
(b) He must maintain and operate his theater in a modern manner, and
(c) He must be financially acceptable.

(Seven installment covering short subjects, newsreels, etc., as well as score charges will appear tomorrow.)

Two New Film Theater Projects Loom In Detroit

Detroit—A new theater will be the center unit in a 10-acre, $500,000-
acre shopping center, the largest single unit of the kind ever to be
built in Detroit, Charles N. Agree, Detroit architect, said yesterday.
The project will be erected at Six
and Meyers Roads. Tentative
name for the house is the Bigtown;
actual ownership has not been dis-
closed.

Plans for a new house, between
1,400 and 1,500 seats, at Lincoln
Park, southern suburb, are being
completed by Leslie G. Larkin, ar-
chitect, with prospects of early Fall
construction. Owner will be Max
Allen, who operates the pres-
ent Lincoln Park Theater, in the
same block. A huge parking lot in
front of building will serve both houses, Allen has just signed a new 15-year lease on
the present house.

RODGERS THANKS S.W. UNIT FOR CODE CO-OP

(Continued from Page 1)

Code is perfect in general setup, we do claim it will be of material assistance in pigging many difference existing in the industry, and are certain after consideration of the draft as proposed will be acceptable to our organization," Rodgers wired.

Attendance at the meeting was approximately 125.

Ralph Talbot advised exhibitors, to play top-notch flesh shows whenever possible in order to break even, as such shows, he said, pep up the town.

He warned his hearers that the film shown with flesh shows must be first-
class or it would ruin the whole pro-
gram.

David Milstein gave a talk on Assurac and answered questions in the forum.

He told the exhibitors that Assac had never taken advantage of them though it wants to charge what the traffic will bear, just as exhibitors, themselves do at the box-office, and that when the exhibit, needed time to pay Assac was willing to help him whenever it could. He stated that Assac was opposed to Representa-
itive Duffy’s bill to do away with the $1,000,000 penalty provision.

C. B. Aker, talking on “Money From Your Screen,” predicted that the $1,000,000 spent in 1928 for screen ads by national advertisers would jump to $15,000,000 or $20,0-
0,000 within five years.

George Sumner, secretary of the newly formed Oklahoma Allied unit, was present but did not address the gage.

Morris Louvenstein, president of the JTO of Oklahoma, outlined the work in connection with the state Legislature, stating that it had prevented 10 or 12 bills from reach-
ing the legislative floors. He told the exhibitors present that friendship with producers and distributors was necessary for the good of the indus-
ty. Personally for himself, he said, he did not believe any booking combine could ever work satisfactorily, and added that he, personally, advocated block-
booking.

The following nominating commit-
tee on officers for the new year were named: Ralph Talbot, Leonard White, Claude Pulgum, Carl Burton and Luther Groves.

Walker Renominated to FCC

Washington Bureau of THE FILM DAILY

Washington—President Roosevelt yesterday renominated Paul A. Wald-
er, author of the FCC telephone
investigation report to Congress, for an FCC membership for a seven-
year period.

Tempus Fugit

New Orleans—Different days, differ-
ent men went into the city’s most prominent bar this week and ordered a cold drink and 1 glass of water. The order indicates the trend along film row where the bistros are empty these days.
TO of Okla. Against Neely Bill; To Consider Code Later

N.Y. ALLIED WILL SET POLICIES AT MEET JULY 6

389 Negro Theaters in 28 States, Survey Discloses

Represented Drop of 121 in 10 Years; Florida and N.Y. Lead

Theaters catering to the Negro in the U.S. now approximate 389, scattered through 28 states, according to a checkup made by the Motion Picture Division of the Department of Commerce, headed by Nathan D. Golden.

Figure, described as tentative, represents a marked decline in the number of colored houses during the last 10 years. Total in 1920 was (Continued on Page 4)

45 CLOSINGS IN MET. AREA

Figure Approximates That for Same Period Last Year

Summer closings in the Metropolis area to date total 45, a survey by THE FILM DAILY disclosed yesterday. Figure is approximately the same as last year when, at the peak, 66 houses in the Met. area were affected.

National circuits are expected to darken the same number of theaters as last year during the Summer (Continued on Page 9)

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Sydney (By Cable)—Sources close to the Government here report that New South Wales is all set to proclaim a 15 per cent British film quota which would be compulsory for all

New Mexican Franchise Holder Named for Mono.

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Loewenstein Again Heads TO of Okla.; Kuykendall Attacks Allied Code Stand

Summary Judgment Denied in Action Against Auten

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DAILY RUE. Va Year 1939 Mats 13/ Colorado re-was 100 66 scheduled presi-/ General 163 is 9 Company's™ 9i/ 15% 103 Don months, 14 66 18% Film Albany Mat., soulan months, the Galindo, W. Blvd., Hondo- dons (12). Inc (12). Mexic- City. — Marc-Aurelio Galindo, Ingap. 19, 14, Dr. Lieno No. 102, Mexico, D. F. Buenos Aires—Chas. de Cruz. Heraldo Del Cinematografista, Carrioles 1309.

Cannes Definite As Locale of Internat'l Film Festival

Paris—It is now definite that the International Film Festival, formerly held at Venice, will this year be held at Cannes, France. Official decision to that effect follows a survey for a suitable city by Philippe Galindo, president of the Association Francaise de l'Action Artistique et l'Etranger, at the behest of the Minister of National Education.

The United States and England had previously accepted Cannes as the locale of the Festival before definite decision was arrived at. Louis Lumiere has accepted nomination as Honorary President of the Festival which will probably be held at the end of August or early in September. Screenings will be held at the Municipal Casino pending the construction of a cinema seating 2,000 persons.

Report Mary Pickford May Re-Film "Vernon" in Eng

London (By Cable)—While visiting at the Denham Studios here recently, Mary Pickford told Neville E. Neville, producer of "An Englishman's Home," that she had been considering the idea of producing in England.

The picture she had in mind to film here, Neville stated, was a remake of one of her greatest successes, "Dorothy Vernon of Haddon Hall.

Transamericana Reumps Capitalization Setup

Albany — Transamerican Broadcasting and Television Corporation, New York City, has filed a certificate in the office of the Secretary of State, consisting of 2,500 shares of preferred stock, $100 par value, and 1,000 shares common stock, no par value, and issuing in their place 2,000 new shares of no par value stock.

Italy, Germany to Produce 20 Pix a Year for Spain

Madrid (By Cable)—It is reported here on good authority that Italy and Germany have decided to produce 20 pictures a year each Spanish for distribution in Spain "until Spanish studios are in working order again."

Alexander Preview Will Be in Full Swing in July

Alexander Film Co., of Colorado Springs, has moved its New York offices from 230 Park Ave., to new and far larger quarters in the Film Center Building, 630 Ninth Ave., a step which has been effectuated to permit both expansion of its activities and to permit the new Alexander Preview Co. to operate from the same premises as a sub-tenant.

Latter organization, which will have its headquarters in Colorado Springs where it will make trailers for the film industry, is chartered under the laws of Colorado, and has already filed a certificate of state and designation with the Secretary of State in Albany to do business in New York State.

Alexander Preview expects to be in full swing by July 15, and its trailers will be distributed through six principal offices, Colorado Springs, New York, Chicago, Los Angeles, and Atlanta.

Dick Alexander, president of the new Alexander Preview Co. Company's capital, as cited in its Albany application, is $10,000 in one dollar shares.

St. Louis Exhibs. Slow in Buying for New Season

St. Louis—Local exhibitors are displaying no haste in contracting for 1939-40 film product. Exhibitors and exchange heads are uncertain whether the spotty business during the past two months is due to seasonal slump or a spending re-trenchment of patrons. At any rate, the exhibitors are satisfied to hold back; generally, they claim to have bought film product to last for two or three months.

That indie operators are going to offer stiff opposition to the St. Louis Amusement Co. is a settled fact. Thirty-one nubas in the city and county is a persistent rumor heard on Film Row. It is speculated that the independent will attempt to outbid the Amuse- ment Co. for second-run product.

Arranging Mass Identification In Chicago Contemp Case

Chicago—Examination of Tom Gillham, Warner Bros., will be resumed this morning in the government's criminal contempt case before Master in Chancery Eldredge. Agreement between the government and defendants' attorneys over mass identification of various film contracts and similar papers has now been arranged. This will save time as there are several thousand papers to be identified.

Five Boro-TMAT to Talk

A meeting will be held tomorrow between the TMAT union and the Five Boro circuit to discuss terms of a contract.

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK BOND MARKET

Keith B. F. 5% 6s 1945 9.46 9.46
Loew's deb. 3½% 101.3 101.3
Parr. E'way 3s5 75 75
Parr. Picts. 6.55 100% 100%
Parr. Picts. 5½% 101% 101%
RKO deb. 3½% 75 75
Warner Bros. 3½% 75 75
Warner Bros. deb 6½% 8½% 8½%
NEW YORK CURR MARKET

Monogram Picts.
Sonorone Corp.
Technicolor
Trans-Lux
Universal City
V.C. 3½% 3½
Universal Picts.
N.Y. OVER-THE-COUNTER SECURITIES

SAFETY LLOYDS

FILM STORAGE CORPORATION.
Storage by Reel or Vault

729 Seventh Ave.
New York, N. Y.
Bryant 9-5600

S E C U R I T Y
TOPS THEM ALL!

That leaping Lion has done it again! And M-G-M customers win, as usual! When your patrons come to New York On a World’s Fair visit They’ll find there’s only One Information Service On Broadway—at the Crossroads of the World! And that’s Leo’s! Watch for the Special Trailer for your screen, And guest cards for your Patrons to Leo on Broadway!

GALA OPENING TODAY!

LOEW-METRO-GOLDWYN-MAYER WORLD’S FAIR INFORMATION CENTER

in the heart of Times Square, N. Y.
389 NEGRO THEATERS, TOTAL FOR 28 STATES

(Continued from Page 1)

501, according to The Film Daily index.

Florida and New York with an aggregate of 39 houses each top the present list. Ten cities in Texas are second with 26, Virginia, third, with 22, while Illinois is fourth with 21.

All but one of the Negro houses credited to New York State are located within the confines of the metropolitan area. Exception is the Plaza theater, Buffalo.

Commerce Department's Motion Picture Division in the present survey had the assistance of the Census Bureau specialist on Negro statistics and the Sack Amusement Enterprises of Dallas.

Summary Judgment Denied in Action Against Auten

(Continued from Page 1)

old Auten, and ordered the case to proceed to trial.

Plaintiff claims breach of a contract made on April 29, 1935, which made Auten sales representative to sell U. S. rights to seven motion pictures. Suit charges that the defendant refused to account and continued to sell the pictures after cancellation of the contract.

Defendant in his answer claimed assignment of the contract by the plaintiff to Devon Films Corp. and cross-claimed for $17,500 in commissions, alleging that he obtained for the plaintiff the right to distribute RKO pictures during 1933-34 in French-speaking territories.

Griffith-Altec Pact

Coincident with the announcement of a large scale modernization program that includes remodeling and re-decorating throughout the entire circuit, H. J. Griffith, of Griffith-Dickinson Theaters Inc., has appointed Altec to service sound equipment in 30 Griffith-Dickinson theaters in Kansas, Missouri, Iowa, and Nebraska. C. J. Zern and W. E. Gregory negotiated for Altec.

Happy BIRTHDAY

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

JUNE 28

Lee Wilson

Folly Moran

Fay W. Futter

Louis King

Laura D. Wilke

N. Y. ALLIED MEETS, ON POLICIES JULY 6

(Continued from Page 1)

fact that a pledge of loyalty was given to the national organization at the New York convention last month.

Cohen stated definitely yesterday that New York Allied would "fight for further negotiations for a bill of rights, to trial on Government regulation, for the independent exhibitors." He admitted that he was regarded by national leaders as the "bad boy" of the organization, but he insisted that his aims were constructive.

Speaking personally, and not for his unit, Cohen said that he was not in favor of theater divestiture, "rather have RKO or Loew's as competitors than any independent circuit," he said. His reason for this, he added, has been explained in many ways. For example, at the first meeting of exhibitors for the organization of Motion Pictures' Greatest Hour, he said he suggested that the circuits reduce their clearance over independent exhibitors so that the latter could take full advantage of the campaign. An independent chain operator was the first to put "thumbs down" on the proposal, Cohen said.

Cohen would not comment on reports linking him with Harry Brant, in the forming of another national exhibitor organization.

Zukor and Hicks to Attend Para. Convention in Sydney

(Continued from Page 1)

Hicks in attendance, it was announced yesterday.

Hicks, vice-president in charge of foreign department, leaves Friday for Vancouver where, accompanied by Mrs. Hicks and their son, John, he will board the S. S. Nicaragua on July 5. They will be joined by Mr. and Mrs. Zehdon in Honolulu. Their schedule is to be announced in the U. S. on Sept. 5.

AAAA International Board to Hear Ralph Whitehead

(Continued from Page 1)

air his grievances against the parent body for its action in bringing the union trial on charges of misconduct following an investigation of the APA.

At the same time, it was disclosed that a committee of six, representing the anti-administration element in the APA, will receive a hearing Monday before the AAAA board.

Prolong "Daughters"

With a third week already in prospect, Women's home office yesterday was talking of still another stay at the New York Studio for "Daughters Confess." Fix is said to be giving the house its best summer biz. Sammy Kaye and band are on the stage.
**OKLA. TO VS. NEELY BILL; CODE UP LATER**

(Continued from Page 1)

ment of a committee to give careful
inspecion to the Trade Practices Act
Bill later by the assoc-

board.

Earl C. Hull, chief engineer of
WKY, told the exhibits to just sit
back and let television come, for
nothing but benefit for them will re-
sult. Pictures and television, he said,
cannot ignore each other, adding that
it is logical to use films for tele-
vision broadcasts of the future but
only on short subjects.

Ed Kuykendall, MPTOA proxy, at-
tacked national Allied for hypocrisy
at its open forum in Minneapolis
when, even its own members
not permitted to formulate the deci-
sion which, he said, was cut and
dried days before the meeting. He
also raked it over the coals for in-
viting outside interests to attack the
film industry because of small jail-
ous

He said he had had talks with
Commerce Secretary Harry Hopkins
at Washington on the Department's
policy in the industry. He said he
believes the industry should be han-
dled by the Department of Com-
merce where necessary. "When gov-
ernment steps in," he said, "we will
find ourselves policed by former soda
jerkers and street car men. Unfair-
ess is in business to a bad degree but
is slowly being remedied. I wonder
if distributors have waited too long
in recognizing the necessity for our
trade practices. I hope not."

He condemned Ascap, the Neely bill
and diverrcement proceedings, and asked how any code
adding that the indie must be pro-
tected for good of whole industry.

A tremendous ovation was given
Kuykendall at the close of his speech and to Morris Loewenstein
for the convention program.

A resolution was passed to appoint
a committee to consider and report
later on the Code.

Morris Loewenstein was re-elect-
ed president, Max Brock of Lawton,
vice-president, Leonard White, sec-
retary-treasurer. New directors are
John Giffen, Vance Tory, Bill Slepka,
Carl Burton, Ralph Talbot.

Other speeches were made by E.
W. Smartt, chairman of state board
affairs, who asked for cooperation
in reducing cost of government of
all kinds; Mrs. Besa Short of Inter-
state, who told how the circuit is
getting more profits from short sub-
jects; Bill Moore, architect of Dallas
who spoke on the theater of to-
morrow. Describing the present circuit as a
idea that the exhibitors are designed to pull people to box

offices.

Mr. O'Donnell, Interstate gen-
eral manager, flew in from the
Omaha dinner for Father Finnagan
and urged looking on the exhibit
as being in the same business. He
urged the establishment of a Variety
Club in Oklahoma City. 

**FILM CODE ANALYZED**

By LOUIS NIZER

EDITOR'S NOTE: THE FILM DAILY today presents the seventh installment of a comprehensive study of the proposed Code (Revision 10) by Louis Nizer, member of the law firm of Phillips & Nizer, and author on the law of screen, stage and radio. The analyses are 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 effective for a 1939-40 season, THE FILM DAILY deems Mr. Nizer's interpretation pertinent on an outstanding, timely service of irresistible value to the trade. Preservation of the daily in-

stallments is recommended.

Installment No. 7

VII. SHORT SUBJECTS, NEWS REELS, ETC.

In order to obtain features from a distributor, the exhibitor must not be required to buy
shorts from him.

Definition of Shorts: Shorts are news reels, trailers, serials, re-issues, westerns, foreign pictures or short subjects.

Time of Protest: If an exhibitor wishes to protest his entering into a contract for features on the ground that he was required to buy shorts, he must mail the distributor at his office home, written notice of such a claim and the grounds for it within 48 hours after delivery by exhibitor of his signed application for the shorts.

Power of Arbitrators: Any dispute concerning this matter must be submitted to arbitration. The arbitrators have only two powers:

(a) They may determine whether or not the features were obtained on condition that shorts be bought. If they find that this is the fact, then

(b) They may make an award cancelling the shorts.

VIII. SCORE CHARGES

1938-39 Season: No score charges for flat rental features in the 1938-39 season must be added to and consolidated with the price of the feature.

A resolution was passed that there shall be no separate score charge for features which are bought either on a flat rental or on a percentage basis.

Notice by Distributor: If the distributor decides to sell its features to a circuit exhibitor, who is not its current customer, he must send to such current customer a tele-
gram informing him of this fact.

Right to Arbitration: The current customer then has the right to submit to arbi-
tration the question as to whether the distributor has so refused to sell its features to its
regular customer.

Time of Arbitration: The current customer must begin his arbitration proceed-
ings within five (5) days after the sending by the distributor of his telegram. If he doesn't, he waives all claims under this clause.

(Eighth installment covering allocation of features will appear tomorrow.)

Nelle Urges New Technique for U. S. Musical Pictures

Application to Hollywood's musical
films of the technique developed
by him and employed early this year
in production of the foreign feature, "People from Variety," which was made in Budapest in three different language versions and by three dif-
f erent casts of stars and supporting
players, was advocated yesterday
by Anthon Severson, president of
the Continental theatrical and film
producer who is currently visiting New
York prior to a scheduled visit to the
West Coast.

Nelle, who in 1937 was co-direc-
tor of "Lights of the Stars," which is credited with being the only ac-
tual million dollar production ac-
cording to U. S. currency standards
made in Europe's studios, and also
producer of "A Night in May," produced in 1938, declares that in production numbers incorporated in film musi-
cals a definite audience interest
and value is created by mechanically changing scenes before the eyes of the audience, and, further, that
necessity for providing smoothness not capable of being achieved in the present generally employed techni-
cues.

He said that in Europe today ef-
forts are being made to centralize
in single industries the produc-
tions which are best described in
the phrase "conception director." Through this single channel a script

New Jersey Bill Calls for Three Race Tracks

Trenton—Governor Moore and
the State Legislature received from the Senate an endor-
sed by a special committee here yesterday
the draft of a "model bill" for a maximum of three big race tracks
operating 100 days of racing annu-
ally and a provision for a 10 per
cent takeout in pari-mutual bet-
ning.

Said Moore, the measure, would receive 3 1/3 per cent of the take-
out and track owners the remaining 6 2/3 per cent; racing days would be between April 1 and Nov. 30; each track would be at least one mile in circumference; racing would also be permitted at State and Coun-
ty fair in addition to the stipulated 100 days; license fee for the big tracks would be $5,000 and for Parx $300.

New Jersey voters recently voted overwhelmingly for the pari-
mutuels.

RCA Promotes Two

Appointment of Fred W. Wester-
er as assistant Photophone divi-
sion manager, and of W. L. Jones as national service manager, has been
under announcement by the RCA Manufactur-
ing Company.

He said that in Europe today ef-
forts are being made to centralize
in single industries the produc-
tions which are best described in
the phrase "conception director." Through this single channel a script

Mythical Siwash College

to be Para. Pix Setting

West Coast Bureau of THE FILM DAILY

Hollywood—Old Siwash, mythical
inland college conceived by George
Flieh, is to reach the screen via
"College," to be made by Para.
Barre Lyndon for a reported
$15,000. Melvyn Douglas is likely to be seen in it.
IT'S SUPERIOR TO 'FOUR DAUGHTERS!'—WALTER WINCHELL
"WILL TRUMP 'FOUR DAUGHTERS' FOR THE OL.
B.O. SLAM! IT'S A LOLLAPALOOZA! THE CAST IS SUPER-SUPER!"—FILM DAILY
"SAME B.O. APPEAL AS 'FOUR DAUGHTERS'. DESERVES A NICHE
ALL ITS OWN!"—M. P. DAILY • "A MAJOR FILM
ACHIEVEMENT. IT WILL UNQUESTIONABLY
DRAW HEAVILY!"—HOLLYWOOD
REPORTER • "TOP FLIGHT IN EN-
TERTAINMENT. SHOULD DO
EVEN BETTER THAN 'FOUR
DAUGHTERS!'"— DAILY
VARIETY "REPEATS THE
EXCELLENT JOB OF
FOUR DAUGHTERS:
THERE'S A READY
MADE AUDIENCE
EAGER TO SEE
IT!"— VARIETY
"HAL B. WALLIS
AND HENRY
BLANKE HAVE
TURNED OUT
MANY A BIG PIC-
TURE. THIS RATES
WITH THEIR BEST
ON ANY AND EVERY
BASIS OF COMPARI-
SON! BETTER THAN
'FOUR DAUGHTERS'."—M. P.
HERALD • "IT'S REALLY GREATER
THAN 'FOUR DAUGHTERS!'"— N. Y.
DAILY MIRROR • "THERE IS ONLY
A POSSIBLE MARGIN OF SURPRISE BETWEEN
'FOUR DAUGHTERS' AND THIS."—N.Y.TIMES • "IF YOU
LIKED 'FOUR DAUGHTERS' YOU ARE CERTAIN TO BE ENTER-
TAINED BY THIS!" — N. Y. HERALD TRIBUNE • "WARNERS TURNED OUT A
MUCH BETTER PICTURE IN THIS THAN THEY DID IN 'FOUR DAUGHTERS'."—N. Y. MORNING TELEGRAPH

After a Phenomena
five days in the first city to
playing time has been Extended In

Daughter

We couldn't better the 'Fo
so we united them for a t

JOHN GALE
CLAUDE RUSSELL
JEFFREY LYNN • FAY BAINTER • DONALD CRISP
and THE "FOUR L"-

PRISCILLA LANE • RUTH LUDLAM • LOLA LANE • GEOFFREY SKELTON

Directed by MICHELE

Original Screen Play by Julius J. and Philip G. Epstein • Song Lyrics by Max Steiner • A Fine

Jack L. Warner • Hal B. Wall
In Charge of Production • Executive Producer
Successful
engage it, New York,
infinitely for Warner Bros.'
"Counsel Wilbur" (Our Gang) 10 mins.

M-G-M

Good Gag:

A surprise element is introduced into the lives of Our Gang when Alfalfa’s cousin, a little prim boy using big words, named Wilbur, visits the club with Alf. He suggests they do something constructive, and provide insurance as a means to build up membership. It is a great success, but with all the kids coming in to get the benefit of one cent insurance for a black eye, two cents for a dog bite, etc. Butch, the bully, gets jealous, and decides to muscle in on the racket. He starts to beat up all the members so that they deplete the treasury collecting black eye insurance. But Wilbur, the sissy, goes out and beats up Butch, who is only too glad to play ball and join up as a member.
**Mid-Summer Release for 4 Top UA Films**

(Continued from Page 1) Each which has its world premiere at Radio City Music Hall on July 3. Walter Wanger’s “Winter Carnival” is the second on the release schedule and it, too, will be premiered at the Music Hall.

Samuel Goldwyn’s “They Shall Have Music,” starring Jascha Heifetz, is the third in the group and will have its world premiere July 5 at the Rivoli on Broadway. Fourth of the early major releases is to be Alexander Korda’s “Four Feathers,” which was filmed in Technicolor in the Egyptian Sudan.

**Columbia to Open British Convention Next Saturday**

London (By Cable)—Columbia will open its three-day sales convention in aMetropole at Brighton on Saturday.

Conclave, which is rated as large as any company in the industry on this side of the Atlantic, will have an international flavor due to presence of J. A. McConville, Columbia’s British sales manager; Fried- man and Max Thorpe, together with entire U. K. executive personnel, the British sales force, plus exchange managers on the Continent.

**Obrock Funeral Tonight**

Funeral services will be held tonight for Herman Obrock, 48, pioneer film man and first news cameraman in America for Pathé, at his home in Brooklyn. Obrock died following a heart attack. Burial will take place tomorrow. He is survived by his father and members of his immediate family. He was a member of Local 644.

**Gumbiner Circuit Moves**

Chicago—Gumbiner Theater Circuit has moved its Chicago office to suite 640, 310 S. Michigan Ave.

**Weddings**

Indianapolis, Ind.—Marriage of Will H. Haas, Jr., of the MPPDA presy, to Miss Margaret Louise Chapin, daughter of Mr. and Mrs. William Pont Chapin, was witnessed by the Bishop of the Episcopal Church of the Advent here yesterday. The film industry administrator was his son’s best man.

**Cincinnati**—The wedding is an- nounced of Andrew Bethel, son of Evanston and Belvedere Theaters, Cincy, to Rosemary Roche, Big Features Rights, after a year’s secrecy.

Cincinnati—H. J. Sheeran, for many years connected with this city, as office manager, and city salesman and Mrs. Nina Sisson, secretary to W. J. Devaney, present city manager, have announced their engagement.

**Mid-Winter Release for 4 Top UA Films**

(Continued from Page 2) Exhibitors in this state. It is reported that July 1 is the effective date set.

Other states are expected to follow New South Wales in similar moves if it is made effective.

Foreign department heads yesterday stated that no information has been received that any such action was pending in Australia, and it was pointed out that such a move was highly unlikely unless the British Government revamped its present laws to allow Australian films to serve as quota pictures.

Such a move would prove a serious blow to British producers and would be felt bitterly in England, it is believed.

**45 Theaters Close for Summer in N. Y. Met Area**

(Continued from Page 2) months, but an optimistic note was sounded yesterday by several New York chain operators who have not made any decision yet as to closings, but a year ago had already announced closings.

Total number of houses to be shuttered here for the Summer will depend largely on business through the next week, according to theater men.

**New Mexico Franchise Holder Named for Mono.**

(Continued from Page 1) ment, who has returned from a seven-week tour of Mexico and of South America. Ritchey said he would reveal the name of the new distributor shortly.

A number of new product deals, at increased prices, were closed by Ritchey during the trip.

Ritchey said that the Mexican producers had produced too many pictures and that approximately 35 features made in Mexico were on the shelves, unable to get playing time.

**Hoffberg Gets Pascal Pix**

“A Ghostly Tale,” has been acquired by Hoffberg for release in this country. Picture, which was produced by Gabriel Pascal, deals with a psychological murder theme. It will be released on July 15, with M-G-M. Part of the receipts will go to the Catholic, Protestant and Jewish refugee organizations. Hoff- berg also has acquired a Spanish film, “Plegaria Gaucha,” and Cine- sound’s “Terror of the Timberlands.”

**Premiere Parade” Series**

Hollywood—Aerogram will make “Premiere Parade,” a series of half-hour dramatic plays written by famous authors and based on the premise that most top-flight authors have written excellent stories as yet unpublished for the screen. As Chris- tie will produce the shows and Allen will be the director. A committee of motion picture directors and producers will select a play of merit for each broadcast. One of this group will personally repre- sent the committee on each program.

**Handling Osterman Story**

The Jack Osterman-Irving Strouse picture scenario, “Atlantic City,” a story of Jack Osterman’s life with an Atlantic City background, is being handled by the Mark Hanna office.

**Saenger Planning Two**

Mobile, Ala.—Reports from reliable sources here indicate that Saen- ger Theaters Corp. is planning not one, as originally reported, but two theaters in the neighborhood area of this city.

**Rosenthal Wins Top Prize at White Way Golf Tourney**

Chicago — Sam Rosenthal captured low gross award at the annual Tom Flannery, White Way Gold Tournament at local Nipper- sink Club, with Al Kvoel grabbing runner-up prize, followed by Max Rosenthal and Roy Gold.

Low net went to Harry Balaban, with Sam Goltz runner-up. Third, fourth and fifth scores were carded by Bert Rogers, H. L. Loree, Jr., and Donald Roth respectively.

The low net foursome comprised W. Pearl, E. Belmont, R. Sheehan and H. Enaest.

In the baseball game, an annual feature of the tournament, the B & K nine triumphed over Warner Thea- ter club in a ding-dong contest by count of 18-17.

Tournament was one of the most successful ever held at Nippertown.

**15 P. C. Quota Looms in New South Wales**
FEATURING THE BOY AND GIRL SELECTION
JESSE L. LASKY'S NATION-WIDE TALENT

Will they be tomorrow's stars? . . . Millions will want to see for themselves! . . . They have been listening for 13 weeks over a coast-to-coast hookup . . . Here is their first chance to see the young hopefuls selected from thousands . . . in a powerful human drama picturized from one of the most popular novels of small-town life ever written!

"Career"

with ANNE SHIRLEY, EDWARD ELLIS SAMUELS, HINDS, JANET BEECHER, LEON ERROL

"GATEWAY TO HOLLYWOOD" DISCOVERIES

ALICE EDEN, JOHN ARCHER

Directed by Leigh Jason
Produced by Robert Sisk
Screen Play by Dalton Trumbo
SPECTACULAR WORLD PREMIERE • DES MOINES ON JULY 2nd!... The biggest weekend of Ballyhoo and excitement the Middle West has ever seen! ... Iowa's own author and Iowa's own story welcomed in mammoth "down-home" demonstration! ... Special Rock Island train with cast and other Hollywood celebrities ... Monster movie ball at Drake University football stadium! ... Final broadcast of second "Gateway" series ... Lunches, dinners, interviews, special events by service clubs and other civic groups ... Blanket coverage of Iowa by Des Moines Register & Tribune ... IT'S DES MOINES' BIGGEST PARTY — AND THE ECHO OF ITS BOX-OFFICE NOISE WILL RESOUND IN EVERY THEATRE IN THE LAND!
Germany Flooding U. S.

With Cameras and Films

Washington Bureau of THE FILM DAILY

Washington — United States importers of cameras, films, and photographic paper, other than motion picture equipment, during the first four months of 1939 were valued at $3,901,514 compared with $1,684,444 for the corresponding period of 1938, an increase of approximately 72 per cent, according to the Specialties Division, Department of Commerce.

Germany accounted for over 76 per cent of the total, or $2,442,759, compared with $1,333,435 for the corresponding period of 1938. Photographic lenses numbered 15,914, valued at $177,860 were imported in 1939 from Germany, while in 1938 there were 10,006 valued at $25,184.

DunningColor Available for Newsreels Shortly

West Coast Bureau of THE FILM DAILY

Hollywood — Following private showing of his high-speed process for films in natural color last week, Carroll H. Dunning, president of Dunningcolor Corp. asserts here that the process will be available for newsreels soon. Dunning said that the simplified color process lends itself particularly to the newsfilm field because of the ability to turn out footage speedily, and, further for reason that regular projection equipment can use the single strip of 35 mm. film as developed.

Chaplin’s “Great Dictator” Will Start in Early July

West Coast Bureau of THE FILM DAILY

Hollywood—Charles Chaplin’s pic for UA will go into production shortly after July 1, following completion of the first set now under construction. Paulette Goddard will play the femme lead. Title has been set as “The Great Dictator.”

Kassler Gets Czech Pix

Frank Kassler has acquired the American rights to “The World Belongs to Us,” a Czech picture brought into this country by Voskovec and Werich, featured comedians in the film. Pix is a farce dealing with the period before the war in Czechoslovakia. Kassler is negotiating for the film and will open here within a month. Other Kassler releases include: “The Curtain Rises,” “Flight Into Darkness,” and “Dark Eyes,” all French productions.

Pix In Four Tongues

Musart Film Productions, Inc., will start production shortly on “Princess Aza,” to be made in English, French, Russian and Spanish. Michael J. Gann will be in charge of production. Musart’s “Cossacks In Exile” opens this week in Trenton, N. J., following four weeks in New York.

Remodeling 3 Houses

Michael DeAngeli, theater architect, is remodeling the Arcade in Arcade, N. Y., for the Martina Circle of the Hollywood in Lackawanna, N. Y., for Basil Bros., and a 800 seat house in Kittington, Pa., for the Dipson Theatrical Enterprises.

Drops Evanston Matinees

Chicago—B & K has dropped matinees at the Coronet Theater, Evanston.

O.C.’s Tarzan Week

Oklahoma City—It’s Tarzan Week here as the Midwest offers “Tarzan Finds a Son” with Johnny Weissmuller as the hero. The day’s series includes the classic “Tarzan and the Green Goddess” with charming Dorothy Lamour and the Majestic has “Tarzan’s Revenge” with Glenn Morris.

Racing Story for Dunn

James F. Greene, Dorthie Hofmann and Michael Raymond have sold an original “Newspaper Handcapper” to Victory Pictures as a starring vehicle for James Dunn. It is scheduled for late fall production.

Price Jump Fails to Hurt Detroit — Raise of prices at 10 Adams Theater three weeks ago from 40 to 50 cents has not hurt biz, Manager Charles C. Berry reports.

Boiling Shorts

Okahoma City—Editing all shorts into full length, a new release has been started this week by Spence Pierce, manager of the Midwest Theater, with a test “Variety Hour.” Piece will eliminate titles, non-essential leads and preserve only top-ranking material from all types of shorts, newsreels and cartoons and after editing, show the presentation as a full hour special “Variety Hour.”
American Exhibs. Opposed to Use of Old Films For Tele

**DECISION MAY DOOM CASH GAMES IN CITY HOUSES**

James Roosevelt Given New Contract by Sam Goldwyn

Goldwyn Also Gives Term Contract to Sam Wood; to Make "Raffles"

Signing of James Roosevelt to a new long-term contract as vice-president of Samuel Goldwyn, Inc., was announced yesterday by Goldwyn. At the same time, Goldwyn announced that he had signed Sam Wood to a long-term directorial contract.

According to the announcement, Roosevelt's contract was "awarded in recognition for the work..." (Continued on Page 4)

**DEFER KUYKENDALL CONFAB WITH THORP**

Washington Bureau of THE FILM DAILY

Washington—Second confab between Ed Kuykendall, MPTOA pres and, and Commerce Department officials, scheduled for yesterday, was postponed, due to the absence of Dr. Willard Thorp. The Com... (Continued on Page 8)

**Quebec Exhibs. Spurn City Plea for Year's Tax Trial**

Quebec—Theater operators formally notified Quebec City authorities by letter of their refusal to accept the city's suggestion to give... (Continued on Page 7)

**McLendon Clearance Action Against Majors Is Settled**

Dallas—Clearance injunction action filed here in mid-May by B. R. McLendon, Atlanta, Cass County, was settled... (Continued on Page 4)

**ITOA Ready to Sign Trade Practice Code When Arbitration Provisions Are Altered**

The ITOA yesterday reiterated its willingness to sign the trade practice code provided certain changes were made in the prepared arbitration setup. Tony Brandt, president, reported to the members in meeting at the Hotel Astor on what took place at the national Allied convention in Minneapolis.

The organization challenged the Motion Picture Associates to a baseball game to be played at Indian Point on July 25 when the ITOA sponsors its annual outing.

**90 TO ATTEND DINNER OF PICTURE PIONEERS**

The first "conference" of the Picture Pioneers, the organization recently launched by Jack Cohn of Columbia, of men who have served the motion picture industry for 25 years or more, will be held tonight in the Barberry Room, 19 East 52d Street. Dinner will be served at 7:30 p.m. Cocktails from 7 p.m. on. The original idea of this initial "conference" dinner was that it would be a meeting of the... (Continued on Page 7)

**POMMER TALKS DEALS WITH THREE MAJORS**

Erich Pommer has been discussing a production deal with RKO but no agreement was reached prior to his sailing yesterday for England on the Normandie. Negotiations also have been conducted with Paramount and at least one other major company, it was learned. Pommer's future plans will be determined shortly after his arrival in London where he will remain five or six weeks before returning to the U. S. Herbert Wilcox also sailed on the... (Continued on Page 8)

**Special Sessions Jurist Ignores Court of Appeals Ruling**

Fate of cash games in New York City theaters may be determined by a decision handed down yesterday by Judge Bayes in Special Sessions against the Atlantic Theater in Brooklyn. Herman Eisenstadt, owner of the house, was given a choice of paying a fine of $500 or taking a sentence of 60 days in jail for operating Screno.

In rendering the opinion that the law had been violated, Judge Bayes ignored the decision of the Court of Appeals which ruled that there was no violation if a patron were eligible for an award even though he had not paid an admission. Although the numbers were called in... (Continued on Page 4)

**15% NSW QUOTA HELD BLOW TO EXHIBITORS**

"If the New South Wales Government on July 1 puts into effect the 15 per cent British quota now reported to be impending, it will deal a crippling blow to Australian theater owners," Charles Munro, head of the Hoyt circuit in Australia, told THE FILM DAILY yesterday. Munro... (Continued on Page 7)

**Survey Indicates That U. S. Exhibitors Regard Tele as Distinct Competition**

Jack Warner to Banquet

Coast Indies Taking WB Pix

American exhibs., on the basis of a nation-wide survey completed yesterday by THE FILM DAILY, are strongly opposed to the release of old films for television use, as urged by tele interests in both the U. S. and England.

The exhibs., further, are inclined to be cautious in their approach to... (Continued on Page 8)

**Film Executives Speak at Levy-Abrams Luncheon**

Testimonial luncheon was tendered David A. Levy and Leo Abrams yesterday by the Motion Picture Associates at the Hotel Astor. An overflow crowd heard a... (Continued on Page 7)

**Revised City Billboard Plan Exempts Theater Marquees**

Morning and afternoon hearings were held in City Hall yesterday by the City Planning Commission on... (Continued on Page 7)
Aylesworth, Samoff, et al.  
Dropped as Defendants

Morlin H. Aylesworth, former chairman of the RKO board; Cornelius N. Bliss; Samuel W. Davis; Donaldden; DeWitt Millhauser; Frederick Strauss; David Samoff, and Maurice Goodman, former directors, Courtland Smith, resigned president of Pathe News, Inc., were dropped as defendants yesterday in the Gov- ernment's suit against the majors under an order of Federal Judge Edward A. Conger.

The present directors of RKO will be added as defendants when Fed- eral Judge William Bondy confirms their appointments.

Government consented to the or- der.

Zukor Sails for Hawaii:  
Australian Trip Follows

West Coast Bureau of THE FILM DAILY

Los Angeles—Adolph Zukor, Para- mont board chairman, accompanied by Mrs. Zukor sails aboard the S.S. Ourang out today for a short vacation in Honolulu. They plan to sail for Australia July 12 aboard the S.S. Niagara on which boat they will be joined by W. Ross, Jr., Para- mount vice-president in charge of foreign sales, and Mrs. Ross who will board the vessel at Vavanseauxville. The Zukors are scheduled to return home from Australia on Aug. 18 aboard the S.S. Monterey.

Youngberg Wants $6,500  
as Corrigan Commission

RKO Radio Pictures, Inc., paid Douglas Corrigan, young trans-Atlantic flier, $7,500 for appearing in a motion picture depicting his adventurous flight, according to testi- mony given by the flier before the Supreme Court Justice Meier Stein- brink and a jury in Brooklyn by And- rew W. Youngberg who is suing RKO Radio for $6,500 which he claims is due him as commission for arranging contact with Corrigan.

The defendant denied that it had made any such arrangement with Youngberg.

Film made by RKO Radio was titled, "The Flying Irishman."

RFR Promotes Three

John J. Tarpey, Jr., formerly branch auditor for Ross Federal Re- search, has been promoted to the post of director of budget operations for the company. Robert Pollard, former chief accountant, replaces Tarpey as branch auditor, and Charles Taylor becomes new chief accountant.

Fox, Detroit, Closing?

Detroit—Notice has been given to affected unions by David M. Izid, manager of the Fox Theater, that the lobby may close as negotiations with some crafts are un- derstood to be under way and the house may be saved at least tempo- rarily.

Stock Transfer Record

Suit was filed yesterday in New York Supreme Court at that court, Reade, Jr., against B. F. Keith Corp., Trenton-New Brunswick Theaters Co., and the executors of the estate of Frank V. Storrs, and Leon Goldberg.

Complaint alleges that Goldberg was made co-executor under a voting trust agreement by B. F. Keith, Storrs, and Reade's father, Walter Reade, sole stockholders of the Trenton-New Brunswick company. Plaintiff is attempting to compel Goldberg to record a transfer of Walter Reade, Jr.'s father's stock of 250 shares to Walter Reade, Jr.

434 of 682 Film Imports  
by Poland from the U. S.

Warsaw (By Cable)—Of the 682 foreign films imported by Poland during 1938, 434 were from the U. S., according to the Central Film Bu- siness of the Polish Ministry of Foreign Affairs. German imports stood in the second place with 62, French next with 53 and British imports with 11.

Sutter of the American pictures were classified as not suitable for children; 20 from France, 12 from Germany and two from England received similar classification.

Seattle's Sunday Films  
Endangered by Vice Drive

Seattle—Sunday films were en- dangered here yesterday as Prose- cutor B. Gray Warner, assisted in 1909 "blue law" in a campaign against vice and gambling instituted by a local minister and his commit- tee. Warner said that it was indicated "the people of this community expect strict enforcement of all laws in their entirety."

The "blue law" revived specifically - prohibits Sabbath day amusement and requests complaints of illegal business and other works of necessity or charity.

Wilkinson Luncheon July 11

New Haven—Exhibitors and distri- butors will join in honoring George Wilkinson, owner of the Wilkinson Theater, Wallingford, one of the first exhibitors in the territory, at a luncheon at Racecourse Country Club on July 11. Bunny Pettin, RKO manager, is chairman of ar- rangements, assisted by Irene C. T. O’Toole, Columbia; Edward Ruff, Paramount; Philip Sherman, Mono- gym; George Hawkins, Republic, and I. Levine, Grand National.

GTE Declares Dividend

Directors of General Telephone Equities Corp., Rye, N. Y., declared a dividend of 25 cents per share on the capital stock, payable July 14 to stockholders of record July 7.
INFORMATION PLEASE!
(an easy one to answer)

QUESTION:—it ran 41 weeks on Broadway!

—it was cheered by thrilled audiences!

—it was acclaimed by all the critics!

—it became the most discussed entertainment of last season!

—motion picture companies competed to buy screen rights!

—it has been made into a motion picture that you’ll be proud to exhibit!

ANSWER:

"ON BORROWED TIME"

An M-G-M Triumph!

with Lionel Barrymore  Sir Cedric Hardwicke
Beulah Bondi  Una Merkel  Babs Watson
Nat Pendleton  Henry Travers  Grant Mitchell
Screen Play by Alice D. G. Miller, Frank O'Neill
and Claudine West  Directed by Harold S. Prince  Produced by Sidney Franklin.
JAS. ROOSEVELT GETS NEW GOLDWYN PACT

(Continued from Page 1)

he has done in the production and distribution fields during his first six months as vice-president of Samuel Goldwyn Inc. "The number of years which the pact is to run was not specified in the statement.

Wood's first assignment under his new Goldwyn pact will be "Raffles" with David Niven and Oliva de Havilland. He has been with only two companies in the 24 years he has been in Hollywood. Wood was 10 years with Paramount and 14 years with M-G-M. His latest picture was "Good Bye, Mr. Chips." Others were "A Night at the Opera," "Lode Joff" and "Stablemates.

McLendon Clearance Action Against Majors is Settled

(Continued from Page 1)

exhibit, against the majors was dismissed without prejudice yesterday after the adoption of a tentative schedule of bookings which will have no bearing whatever on the Texarkana situation.

McLendon will try out the schedule and if it proves satisfactory, there will be no further litigation. In his complaint, the plaintiff charged he was losing about $100 a week because the distributors, were combining to withhold films from him for more than a reasonable time after release date. Complaint further alleged that a reasonable time after release is five to 15 days, whereas the distributors who control about 90 per cent of film shown in Texas, withheld the films for 30 days after they were shown in Texarkana, 30 miles away.

Para. Shooting Schedule at Three-Year Peak

West Coast Bureau of THE FILM DAILY

Hollywood—With two new pictures placed in production the early part of this week, Paramount studios with 10 major films now before the cameras has the largest Summer shooting schedule in three years, William LeBaron, managing director of production, said yesterday.

- - - THE STUNT some "wise guys" in the biz said couldn't be put over... is over BIG....and this stunt automatically puts the Loew-M-G-M organization "way out in front..." with their World's Fair Information Center...right in the heart of Times Square,....here is a stunt with dignity and class that reflects credit on the entire industry.

- - - THE CENTER was formally opened yesterday shortly after noon....a beautiful reproduction of the Trylon and Perisphere that thematizes the World's Fair....with the Perisphere serving a very practical purpose as the information booth where out-of-town visitors can secure all necessary info about the Fair and New York City in general....a linguist is constantly in attendance to take care of the great number of foreigners who arrive in New York on every ocean liner.....

- - - OPENING ceremonies were brief and to the point....

George Hamilton Combs, Jr., the radio commentator, acted as master of ceremonies, and did a grand job...introducing in order Stanley Isaacs, Borough President of Manhattan, who was instrumental in obtaining the permits for the Center....L. L. Strauss, President of Broadway Business Men's Association, who is co-operating fully with the activities....Richard Thorpe, the M-G-M director....Col. John Reed Kilpatrick, president of Madison Square Garden, and a World's Fair official, also head of the West Side Business Ass'n....Eddie Cantor, a young comedian who is starting to be pretty well known around Broadway....the Center opens today, from 9 a.m. until midnight, seven days a week......wotta stunt!!!

- - - THAT pioneer of the principle of Market Research.....C. B. Ross, of Ross Federal Research Corp. stated some time ago that the application of research to today's marketing problems might have a revolutionary effect on advertising and sales methods, supplementing guesswork with accurately plotted consumer facts....that now seems to be an understatement.....as important market research organizations throughout the country find themselves working to capacity.....Ross accounts for the development thus: "The only accurate and sure way to fight competition is to apply an intimate knowledge of the wishes and preferences of the ultimate consumer".....and the Research facilities that Ross' organization furnish is finding the answer to market problems.....attested by the fact that within the past three months the company's research production staff has been doubled ....for the second time in half a year it has been forced to enlarge, taking over another floor at 18 East 48th St.

- - - WITH Jack Benny and Dorothy Lamour making personal appearances.....their new picture, "Man About Town," hung up a 1939 opening day attendance record at the New York Paramount yesterday.....by one o'clock, 8,500 persons entered the theatre.....1,650 more than had viewed "Union Pacific," previous high grosser of the year, at a similar hour.....sharing honors with the pic are Gene Krupa and his ass, Cliff Nazarro and the Andrews Sisters.....accord- ing to Robert A. Weisman, managing director of the Paramount, "Man About Town" on its first week should show attendance figures approaching any attraction the theater has ever played.....with Jack Benny, Dorothy Lamour. Ed "Rochester" Anderson and Andy Devine as guest stars at several shows yesterday, the Paramount had probably the great- est galaxy of stars ever presented at one time in a Broadway motion picture theater....

- - - Universal and NBC will toss a reception in honor of Graham McNamee at 4 P.M. today in the Rockefeller Center Club.

DECISION MAY DOOM CASH GAMES IN N. Y.

(Continued from Page 1)

the lobby of the Atlantic, making it possible for those not in the theater to be eligible, Judge Bayes ruled that the fact that every ticket was sold constituted a violation and that the law had been violated.

Mel Albert, attorney for the Atlantic, said that the law would have to be re-established. Meanwhile, the ITOA, of which Eisenstadt is a member, is appealing the decision.

Harry Brandt, president of the ITOA, yesterday appointed a committee to contact the District Attorney's office in order to ascertain what effect the decision will have on other theaters. The committee which consists of Ray Bohnheimer, David Weinstock, Harry Pear and Bernard Brandt, also intends that if it is necessary to be ousted from larger New York theaters, the rule must apply to churches, lodges and clubs which conduct money games.

Brooklyn's Max Cohen Heads N. Y. C.'s Allied

(Continued from Page 1)

increased by ten, it was reported. Max Cohen of Brooklyn (not to be confused with Max A. Cohen, New York Allied president) was named president of the city unit by GeorgeAbramson was elected regional secretary and Lou Goidel was named chairman of the grievance committee.

Product and sales policies were discussed at yesterday's sessions.

WEDDING BELLS

Engagement of Jewel Hart, daughter of E. Schwaarts, president of Trailer-Made, Inc., and Joseph Cohn, son of Jack Cohn, Columbia vice-president, has been announced. Miss Hart has been a number of successful Broadway plays.

Oklahoma City — A. L. Smith, treasurer of Standard Theaters, Inc., has been married to Miss Margaret Searing of New York City who flew here for the ceremony.

New Orleans—Miss Doris M. Williams, daughter of Mr. and Mrs. Will R. Williams of New Orleans, was married yesterday to Ernest A. MacKenna of New York City and Boston Mass. MacKenna, since 1933 has been connected with Ross Federal and is present one of the managing executives of Ross Federal Research Corp. After a honeymoon trip to Havana and the West Indies, Mr. and Mrs. MacKenna will live in New Rochelle, N. Y.
"You are planning a trip to New York this summer? You want hotel reservations made for you. You want to know the easiest way to get to the World's Fair, the highlights of the Fair. You want to know how to get to Jones Beach, to Coney Island, to West Point, to the Empire State Building. You want to know the restaurants with the best food at the most reasonable price.

"All right... I'm here in a fine, big, comfortable hostess suite on the Ninth Floor of the Paramount Building on Times Square, ready to help you, your family, or your friends enjoy and get the most out of their trip to New York this summer.

"And if it's 'business as usual' for you while in town, I'll be glad to assist you with stenographic or secretarial service. In short, I'm here to give you the same neighborly, friendly service which for 25 years has characterized every dealing of this great Paramount organization."

**Miss Evelyn O'Connell**

Paramount's New York Hostess. Write, wire, 'phone her for any and all information, etc. Make her office your New York headquarters when visiting New York this summer.
“Naughty But Nice” with Dick Powell, Ann Sheridan, Gale Page

“Mountain Rhythm” with Gene Autry, Smiley Burnette

“Typhoon Treasure” Commonwealth Prod. 68 Mins.

“Boys’ School” with Eric von Stroheim, Michel Simo, Serge Grave

“Cavalcade of Texas” Ready for World’s Fair Showing

“Peace Pix In Premiere” World premiere of the film “World Leaders on Peace and Democracy,” featuring Cordell Hull, Harold S. Ickes, Arthur H. Compton, A. Poindexter, and P. Bland, were held in the Little Theater of the Science and Education Building, Fair Park, at 4 p.m. Saturday under the auspices of The Biophysical Institute.

“Review of the Films”

“FOREIGN”

DAILY the ruling a 3 maintained British 61 to indeed strictly famous Tli Derives, the whe Gale symphony very posers Some the acts one aunts Warner Thomas and product hibitor Lowe. Page, Lyons, West Ann 111., the lineup is写的 a that Tax will of the his sell a Pal, and some wild jungle beasts. The hero is a pearl trader who loses his boat with the pearls in a typhoon, and is brought to a nearby trading post run by a villainous white man. The latter has a niece who falls for the hero of course, but she won’t believe that a round hill events prove it to her convincingly. Uncle and another crossed trader try to salvage the sunken boat and get the pearls, but the hero travels outland and through the jungle at great risk of life and limb, and then comes the showdown. After some clever adventures, including some good underscores camera work, the crooks are overpowered and the pearls saved and the hero and heroine join hands with everything hot to trot. Selling angles: jungle thrills and hunt for treasure.

CAST: Campbell Copelin, Gwen Munro, Joe Vail, Douglas Herald; Kenneth Brampton, Noël French.

CREDITS: Produced by Dimeco Films; D. rctor, Christian Jaque. Presented by Fifth Avenue Playhouse with French dialogue and English titles.

DIRECTION, Good. PHOTOGRAPHY, Good.

To Hear Gov’t Witnesses in Contempt Case Tomorrow

Chicago—Irving Schleian, Unite Artists manager, James Donahue, Publicity manager, and Tom Gilbert, Warner branch head, were on the stand yesterday in the Government contempt case before Master in Chancery Eldredge. They identified various film contract and other papers submitted to the by the Government attorney, Clyde Eckhardt, 20th-Fox manager here, Jack Osserman, of RKC Manny Gottlieb of Universal, and Jack Kempting of M-G-M be called today.

Sessions tomorrow will be devoted to first witnesses to be called by the Government. U. S. Attorney Simo said the Government would have at the Government attorney.

Exhib. Heads Ball Ass’n

Seiter Directed

William A. Seiter directed 20th-Fox’s “Savannah of the Mountains.” His name was inadvertently omitted from the review in THE FILM DAILY.

“Reviews of the Films”

Assured of WB Product, Dickson 1st Indie to Build

West Coast Review of THE FILM DAILY Hollywood—First independent exhibitor to announce plans for building a theater in opposition to Fox West Coast, owing to availability of Warner Bros. plot is W. P. Dickson who will erect a 1,000-seat house and backcombs. It is expected that the line up the Workman lineup for 1939-40 season.

Assured of Warner product, J. Pennington is remodeling his two houses at Topanga, Kan.

Warner Bros. has closed 15 more productions on demand by Nicholas Gold and Rex, operated by Nona Blummer at Booneville, Ill. the Acme at Hayes, Kan. and the Princess at Lyons, Kan. operated by “Doe” Lowe.

“ Mountain Rhythm” with Gene Autry, Smiley Burnette

Republic 71 Mins. einer-up Autry Special Pine The Thrills and Action in Unique Story.

One of the best of the Autry series, with a very interesting tale that is an action that gets away from the cut and dried western formula. Autry and his pal, Smiley Burnette, come to the aid of Smiley’s aunt who owns a ranch when the ranchers are threatened with the loss of their grazing lands when the government prepares to hold an auction. There is a gang of easterners promoting a swanky resort nearby, and they are in back of the plot to get the land from the ranchers so they can turn it into a tourist resort. So Gene goes into action, organizes the ranchers to pool their money and sell their herds so as to raise enough to buy the land and the auction. This works up to plenty of excitement with Gene and Smiley bringing the money from the sale of the cattle and being ambushed one way by the gang. But Gene outsmarts them, and gets there in time to put up the money at the auction. There is a good novelty angle with a hired hand of Gene’s rounding up the hoboos for miles around and bringing them in to act as round-up hands, and the way they go they are strictly unorthodox, being done with strings of tin cans and other noises to scare the cattle into a stampede to the east.


CREDITS: Producer, Harry Grey; Direc- tor, B. Reeves Eason; Actor, Connie Lee, Screenplay, Gerald Geraghty; Cameraman, Ernest Miller; Editor, Lester Orlebeck.

DIRECTION, Good. PHOTOGRAPHY, Fine.

“Typhoon Treasure”

Commonwealth Prod. 68 Mins.

SOUTH SEAS MELLER CARRIES GOOD JUNGLE ATMOSPHERE AND PLENTY OF THRILL ACTION.

A lively molder done in the South Seas with a British cast. It has all the earmarks of an amateur production outfit, but the thrills are honest and the cast sincere, and the jungle stuff and south sea atmosphere seem authentic enough. It is a good number for the grinds and the small nubes, and carries a welcome note of being made wild in the wilds. There is no Hollywood polish about it, and no glamour gals. Just bloodthirsty natives trying to stick spars to the hero, selling angles, and some wild jungle beasts. The hero is a pearl trader who loses his boat with the pearls in a typhoon, and is brought to a nearby trading post run by a villainous white man. The latter has a niece who falls for the hero of course, but she won’t believe that a round hill events prove it to her convincingly. Uncle and another crossed trader try to salvage the sunken boat and get the pearls, but the hero travels outland and through the jungle at great risk of life and limb, and then comes the showdown. After some clever adventures, including some good underscores camera work, the crooks are overpowered and the pearls saved and the hero and heroine join hands with everything hot to trot. Selling angles: jungle thrills and hunt for treasure.

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The Film Daily

DAILY FORM many plea particular theater have Business 'have that Sergers ideal Sol with for false, T. Australian films June Goldwyn's Syndicate of request today plaintiffs' but charged with loss. worthwhile. move company in april that Dr. the support, sharehold-. . .

Wanger Wants $1,000,000 from Ed Sullivan, News

(Continued from Page 1)

Wanger is also charged with saying that this was "one of the main gains of Goldwyn's dissatisfaction and that UA had strayed from the" dealing of allowing producers to the same two great pictures a year. Complainant states that the article was false, written with the intent of ruining the plaintiffs' business. and implied that Wanger "did not have the skill and ability to produce high quality motion picture." Wanger and his company each seek to have damages.

Defendants filed notice yesterday that they will request Justice William T. Collins today to dismiss the suit for failing to set forth a sufficient cause of action.

Berger Associate on "Bagdad" London (By Cable) From Dr. Ludwig Berger, producer of Continental film producer, has been made associate producer as well as director of "The Thief of Bagdad" by Alexander Korda. Dr. Berger, a musician, proposes to record the score for "The Thief of Bagdad" first, with the players on their scenes to the music which plays an important part in the production.

FILM CODE ANALYZED

by Louis Nizer

EDITOR'S NOTE: THE FILM DAILY today presents the eighth installment of a series of in-depth analyses of the Code of Practice Code (Revision of June 15) by Louis Nizer, member of the law firm of Phillips & Nizer, and authority on the law of screen, stage and radio. The Code is designed to clarify the provisions of the Code in non-technical language so as to make them readily understandable to all people in the film industry. In view of the fact that the Distributors Association has proposed to make the Code effective for the 1939-1940 season, THE FILM DAILY today offers nizer's interpretative presentation as an outstanding, timely service of invaluable value to the trade. Preservation of the daily instalment is recommended.

Installation No. 8

IX. ALLOCATION OF FEATURES

Where a distributor has a right under his contract to allocate features to certain price brackets, he must notify the exhibitor of the price allocation at the time he sends notice of availability of each feature.

Outside Time Limit: The notice of price allocation must be given not later than fourteen days after the national release date to the first-run exhibitors in key cities.

Changing Price Allocation: After notice of price allocation for a particular theater has been given, it may not be changed except by mutual agreement between the distributor and exhibitor.

X. FORM OF CONTRACT

Each distributor will use its best effort to simplify its form of contract.

XI. SELECTIVE CONTRACTS

Whenever an exhibitor has the right under a contract to select a number of features out of a larger number, he must exercise this right by written notice of selection or rejection.

Time of Notice: Such notice must be given within twenty-one days after the mailing of the notice of availability of each feature.

Failure To Give Notice: Failure of the exhibitor to give written notice within the time specified, constitutes an acceptance of the picture by the exhibitor.

Fourth in a series of installments. Through error yesterday, three paragraphs which should have concluded Tuesday's sixth installment dealing with the regular customer provision were appended to the analysis of the Code's score charge section.

Film Executives Speak at Levy-Abrams Luncheon

(Continued from Page 1)

number of prominent exces speak. W. F. Rodgers, William A. Scully, Louis Nizer, Max Cohen, Harry Brandt, Tom Connors, Abrams and Levy spoke briefly. The latter two were wished well in their new post at Universal by each speaker. Rodgers, in his address, stated that he hoped the industry would have a trade practice program that would be beneficial to all, and he stressed the fact that despite the rebuff administered the distributor, the picture is going forward. Nizer made a plea for peace within the industry, pointing out that internal war resulted always in a loss for everybody, Brandt lauded Rodgers for his efforts to effect an industry code.

Revised City Billboard Plan Exempts Theater Marquees

(Continued from Page 1)

the proposed curb on city's billboards. Sessions were tempered somewhat by the Commission having made known prior to the meetings that revisions had been made to continue existing signs and billboards on existing buildings. The revised version excepts from the definition of billboards or signs marquee and other signs having to do with the identification of the business transacted in the particular building. The new tax estate and labor have come forward with protests concerning any burdensome regulations which will tend to retard trade. Another hearing is scheduled to be held tomorrow.

Quebec Exhibs. Spurn City Plea for Year's Tax Trial

(Continued from Page 1)

the new 10 per cent tax a year's trial. They explained that after a month's trial they were convinced profitable operation of the theaters under the tax is impossible. In supporting the tax, suburban St. Adacoma's Citizens League suggested that if the City of St. Adacoma's Alliance should have started in the fall rather than in the Spring.

Wometco Miami Closing

Miami, Fla.—The Mayfair, Wometco house, has been closed for the coming Summer. The Flagler Theater is dark Monday through Thursday.

90 TO ATTEND DINNER OF PICTURE PRODUCERS

Executive Committee noted the response has been so great that at least 90 producers will be present, which is the capacity of the dining room. Arrangements are being made for a second "conference," to be held in the near future, to take up distributor problems.

So many out-of-town veterans have indicated a desire to join the Picture Producers that a club to embrace these will be specially charted shortly.


Stage Hands Demands Will Close Lyric, Indianapolis

Indianapolis — The Lyric Theatre, which faces a June 15, 1939, wage hike, is to be closed, according to William J. F. Geddes, Indianapolis Daily News. The action was taken after closed talks with the union, it was reported.
Use of Old Films by Exhibitors Opposed by Exhibitors

Tele in Canada a Monopoly; All Licenses Refused

Montreal—While Station CKAC here is reported desirous of installing a tele-
transmitting and thus inaugurating tele in the Dominion, CBC policy stands as an unassum-
believable barrier, if it is learned.

CBC board has decreed, "With respect to the control and development of tele-
vision, and facades and broadcasting, we give not to private interests." In other words, the CBC proposes to grant no licenses to private stations, main-
instruct another monopoly. As to whether CBC has advanced plans for tele inaugural, the
board is silent.

POMMER TALKS DEALS
WITH THREE MAJORS

(Continued from Page 1)
Normandy. Personal business is taking him back to England but he
seems in about two weeks to assist in scoring "Edith Cavell," which he recently completed in Hol-
lywood.

Defer Kuykendall's Second
Conference with Dr. Thorp
(Continued from Page 1)
nerence Department conference is out of town until July 5.
Activity on the industry-government
meetings is at a standstill un-
til his return.

Jack Warner to Banquet
Coast Indies Taking WB Pic
(Continued from Page 1)
Bros. product for the 1939-40 season. Warner stars will attend the affair
which will be held at the Burbank studio within 30 days.

Domino's First In August

"Straight to Heaven," initial fea-
ture of the newly-formed Domino
Productions, will be nationally re-
leased early in August. Pic fea-
tures Nina Mae McKinney and Jack
Carter in all-colored cast, and was
produced and directed by Arthur
Leonard, formerly with casting de-
tpartment of Vitaphone studios in
Brooklyn.

WARNERS SEEKING MARCH

West Coast Bureau of THE FILM DAILY

Hollywood—Warners want Fred
Lie in March for the Man Who
Walked with God.

Wisconsin Exhibitors Split
In Reaction to Television

Milwaukee, Wis.—Wisconsin ex-
hibitors are pretty well divided in
their reactions to television. Those
in the smaller towns, for the most
part, feel that it will have little bearing upon them when it does be-
come a reality. Others, particularly those who contend that radio has
hurt their business, maintain quite definite feeling that it will put a further
clip to box-office receipts.

Some see its real value in report-
ing news events such as sporting
matches, and the like and con-
tend that from this angle it will
prove impractical for exhibitors.

Pew favor making old films avail-
able for television.

Tele Must be Accepted as a Competition, American Showmen Believe

(Continued from Page 1)
the recommendation contained in the recent MPPDA television report that the
industry move to reserve certain tele frequencies for a ser-
vice to theaters.

General exhibit, opinion, further, is
that (1) theatrical tele vision here is
decisively a matter of the future, (2) tele must be accepted as com-
petition, and (3) the film industry will meet the challenge successfully
as it has others.

Indicative of the national exhibitor
viewpoint on tele are these typical
dissensions from FILM DAILY staff correspondents:

Chicago Exhibs. Generally
Regard Tele as Competition

Chicago—Representative industry ex-
ecutive reaction to television in this area
John Jones, general manager, Jones,
Linick & Schaefer circuit: Regards tele as film competition; licenses for tele service in theaters.

Ludwig Sussman, leading inde-
exp, and director of Allied Exhibi-
tors: Opposes availability of old
films for tele, but is willing to give
subject further consideration; sees
tele in theaters as distant.

Emil Stern, vice-presx Yessman\'s
circuit: Opposes turning over old
films for tele-use; is studying the-
artical tele and will consider equip-
ing theaters when larger screen tele
is marketed here.

Jack Rose, treasurer Indiana-Illin-
inois circuit: Opposes tele's use of
old films; believes eventually the-
aters-radio-tele can work out a mu-
"tually helpful arrangement.

George Doerr, controller of the
Gregory Circuit: Company will uti-
"ize tele when it is ready for the-
artical operation, but opposes the
availability of old pix for telecasts.

Michigan Exhibs. Oppose
Use of Old Films for Tele

Detroit—Leasing of old film by
distributors for tele shows is generally
opposed by local exhibitors on one
ground or another.

Typical of the sentiment was that
expressed by Miss Pearl M. Sprowt, office manager of Allied Theaters of
Michigan: "I am inclined to be against the issuance of old movies for television,
 chiefly because times have changed
 so much since the films were pro-
duced that people just laugh at them,
and that wouldn't help television or films whether in the theater or otherwise."

Another expression, typical of lo-
cal attitude, is that of Lou Cohen, circuit owner:

"Theaters have survived the ra-
dio competition; television comes we'll
have to take it, but not a side, like
everything else. Good pictures will
always do business. I don't think
releasing old film for television is a
good idea—it will kill the dis-
tributors' own markets for new pix."

Washington Theateermen Little
Concerned of Tele\'s Effect

Washington—Capitol City exhib-
s, and indie circuit operators are not
concerned of television as having a
big effect on their business, general
opinion here indicates.

Opinion of large segment of Washing-
ton exhibitors in this procedure is ex-
pressed by views of Charlie Olive, inde-
pendent exhibitor with several houses
and President of local Allied group:
"I do not feel tele will make any change in five years before tele is developed to a
point of practical use."

A. E. Lichtman, indie chain op-
erator here, believes exhibits, do not
have to worry over television as
film companies will probably "have a
finger in the pie" when the time
comes. "I am not at all apprehen-
sive," Lichtman told FILM DAILY.

"If television does come, a con-
straining-industry people believe
it will put it in their theaters and I
do not believe it will hurt us."

If exhibitors do put in television the
system will probably follow that
outlined by the Hays Office tele-
vision report, Lichtman said.

West Pa. Exhibs. Concerned
Over Tele's Rapid Growth

Pittsburgh—Since the demonstra-
tion of television at the New York
World's Fair Western Pennsylvania
exhibits, have become acutely con-
scious of the possibilities of televi-
sion, its appeal to the public, and
are quite apprehensive of what it
may mean to them in the not too
future.

Officers of the MPTO of Western
Pennsylvania have expressed the
opinion that there is no doubt tele
will have a serious and drastic ef-
fact on the movie business unless
some alliance is arranged whereby
the television is sold as a commodity
in film theater just as motion pic-
tures are today.

Heads of the various circuits and
leading independent exhibitors here
seem to feel, however, that the pro-
ducing and distributing companies
are to the situation and will protect their interests. Their accounts, should television become
definitely established on a national
basis, Conn. Exhibs. Skeptical of
Immediate Tele Rally

New Haven—While exhibs, gen-
ernally in this area are ignoring tele
in favor of present pressing prob-
lems, some exercising business op-
beings believe that television is a factor in which they will have to interest
themselves, and very soon.

There is still considerable recent-
ment against film companies which make stars available for stay-at-
home radio fans, and the suggestion that old films should be made avail-
able by the companies for television makes exhibs here see red.

The MPPDA suggestion that cer-
tain television frequencies be allo-
cated for theatrical television raises
the immediate fear that special
rates will also be arbitrarily imposed
in favor of television operators, who believe that "the air should be as free to
theater owners as to home owners."

Those who have given the future
possibilities and the English experi-
ence with fights some thought, think
that news events, fights, and other
are not prospects, etc., might well
be televised into theaters, other
conditions and cost of reception be

Scanning the future in a long-
view, the industry, some exhibs
foresee the time when the entire dis-
tric will be tele and film business
might be eliminated and films televi-
sed directly into theaters, but the
idea strikes them as too distant to
consider at present.

Use of Old Pix for Tele
Disappeared in Gulf States

New Orleans—Use of old films for
television broadcasts emphatically
does not meet with the approval of exhibs, in the Gulf States territory.

"Generally speaking," declared
Allied president Henry Lazarus,
owner of a small circuit, "the
MPPDA report recommending that
certain frequencies be allo-
cated for theatrical television would
be all right—provided of course
the exhibitor could get in on the
ground floor.

"There would be little benefit in
such allocations. Television sets cost
so much the smaller exhibitor could not afford them,
even if the case with sound years
ago.

Therefore the position where most of the frequencies would be allocated by the time tele
would be ready to afford a set."

Cleveland Exhibs. Are
Indifferent to Television

Cleveland — Local theater men
are, as yet, indifferent to tele. Rea-
sion for this seems to be that there
are no cases of television entering the local field in the immediate fu-
ture. Exhibitors here feel they have enough troubles of immediate concern without anticipating any
others.

Wisconsin Exhibitors Split
In Reaction to Television

Milwaukee, Wis.—Wisconsin ex-
hibitors are pretty well divided in
their reactions to television. Those
in the smaller towns, for the most
part, feel that it will have little bearing upon them when it does be-
come a reality. Others, particularly those who contend that radio has
hurt their business, maintain quite
definite feeling that it will put a further
clip to box-office receipts.

Some see its real value in report-
ing news events such as sporting
matches, and the like and con-
tend that from this angle it will
prove impractical for exhibitors.

Pew favor making old films avail-
able for television.
Expect Senate to Debate and Vote on Neely Bill Thursday

CHARGES UNFOUNDED', MAJORS' REPLY

"Moderate Betterment" Forecast for Film Industry

Three Majors Expected to Exceed Earnings of Last Year

"Moderate betterment" for the film industry is forecast by Standard Trade & Securities, a current survey of the motion picture and amusement industries.

Despite a probable seasonal decline during July and August, Standard Trade & Securities declares, "Over the next few months, better control of costs and lower amortization charges will probably permit earnings of at least three of the major film companies to exceed those of last year, while profits of the fourth will equal those of last year." (Continued on Page 12)

EXPECT SCHINE MEET TO ATTRACT OVER 300

Gloversville, N.Y.—More than 350 Schine theater managers and leaders in the industry will gather here Aug. 1-4, for the annual convention of the Schine Enterprises, Inc.

Opening sessions of the convention will be held Tuesday morning at the Hippodrome Theater, with Mayor Chauncey C. Thayer and Mayor Henry Neely present for the dinner and subsequent festivities. (Continued on Page 10)

Eight Indie Distributors Will Provide Pix for Tele-Negotiations with indie distributors for a number of feature pictures to augment the list of 10 RCA and NBC have secured for summer telecasts are under way. It was learned yesterday. An NBC contract will be signed this week. (Continued on Page 12)

Philadelphia Allied Unit Okays Rejection of Code—Philadelphia—Independent Theater Owners of Eastern Pennsylvania, at a meeting attended by approximately 50 members here yesterday, approved the action of Allied's national board. (Continued on Page 12)

PIONEERS ELECT COHN PRESIDENT

108 Film Vets Turn Out for First "Conference"—Jack Cohn, Columbia's vice-president, who initiated the new film organization, Picture Pioneers, whose first "conference" was held last night in the Barberry Room of the Hotel Berkshire in East 52nd St., was unanimously elected body's president (president) by the 108 Pioneers present for the dinner and subsequent festivities. (Continued on Page 10)

Paramount Week to be Held Sept. 3-9, Agnew Announces—The week of Sept. 3-9 has been designated as the annual Paramount Week by Neil P. Agnew, vice-president. (Continued on Page 7)

Neely Bill Not to Come Up in Senate Until After Holiday Adjournment

City Council in Quebec Buys 2 Film Projectors

Sweeping Denials Made as Six Companies, National Theaters, Chase National, K-A-O File; Forced to Acquire Theaters, Says Para.

Separate answers to the Government's petition charging them with violation of the Sherman anti-trust law were served on D.J.J. yesterday by six major producing-distributor groups on behalf of themselves, subsidiaries, and individuals associated with them, and by National Theaters, K-A-O, and the Chase National Bank.

Copy of answers were filed in U. S. District Court.

Responses largely comprised the same sweeping denials of the allegations, via similar positions, but of necessity, since details connected with the charges varied in the petition, the replies in each instance took cognizance of this situation.

Paramount, on behalf of itself, Paramount Film Distributing Corp., and 19 individuals, denied violation. (Continued on Page 7)

TRUST SUIT PENALTIES SOUGHT FOR OFFICERS

Washington Bureau of THE FILM DAILY
Washington—Legislation to "bring anti-trust law violations home to the officers who are responsible for these practices" through the imposition of heavy personal penalties has been introduced in Congress. (Continued on Page 12)

Distributors to Release Code Statement on Monday

Distributors' official statement on the trade practice code will be released to the trade press for publication on Monday, it was stated. (Continued on Page 12)

First Tele Network Links RCA with General Electric

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—Senator Matthew M. Neely's block-booking bill will come up for debate and vote on the Senate floor next Thursday unless some extraordinary situation arises, it was indicated yesterday following a short discussion on the floor between.
Phil DeAngelis Funeral Rites to be Held Monday

Phil DeAngelis, 50, veteran exploitation and advertising man, died Wednesday night at his home, 26 Hyatt Avenue, Yonkers, of a heart attack. He is survived by his wife, Jessie, two daughters, Bernice and Angela, and one son, Edward. A member of the D. W. Griffith organization in the early days, DeAngelis was later associated with RKO, Paramount and M-G-M. He was the head of the oldest outdoor advertising company in the country, the DeAngelis Bill Posting Company. He owned "Conga," a highly successful legit show that road-showed to big money. Sollem re- quires high mass will be held Monday at 10 A.M. in St. Beniface Church, at Martha Ave. and 241st Street, the Bronx.

Producers to Contribute $100,000 to Relief Fund

(Continued from Page 1)

have been invited, says Charles E. Williams, perennial MPTO head and veteran Omaha exhibitor.

Williams' announcement asked exhibitors, if they "want arbitration? want a greater elimination feature in picture contracts? want to be relieved of being compelled to buy shorts, etc.," the code as proposed may not be just what the small theater-owner ordered, but it's at least a step in the right direction.

The MPTO head strongly favors "an arbitration or conciliation board of some kind." He also stands ready to okay the code proposal.

Greater Cincy Theatres Elects Huss President

Cincinnati—F. W. "Wee" Huss, Jr., was elected president of the Greater Cincinnati Theaters, Inc. at the annual business meeting of the organization, Hotel Gibson. Huss succeeds Harold Bernstein.

Other officers are A. J. Hol- owner of the Idle Hour theater, Carthage, vice-pres., Harold Bern- stein, sec'y., and, Herman Bley, Valley theater, treas.

After July, the organization will meet the first Tuesday of each month.

Vernon, Ex-Star, Dead

West Coast Bureau of THE FILM DAILY

Hollywood — Bobby Vernon, 42, star comedian of the silent screen and since 1935 on the writing staff at Forest Lawn Memorial Park, fol- lowing the arrival here from the East of his mother-in-law, Mrs. Caroline Repeto, who survives him as do his older, Mrs. Harry Burns, the former Dorothy Vernon; his wife, Angie; a daughter, Barbara, and a sister-in-law, Mrs. May Mor.

Donovan on Clipper for Historic Flight

Filmland was not without representa- tion when the Dixie Clipper arrived in Lisbon, Portugal, on the first regu- larly scheduled commercial passenger flight by airplane over the North At- lantic. American Clipper was Col. William J. Donovan, and Col. Horace van coumel, taking the majors in the current equity brou;ht by U.S. Sam. Plane left Port Washington on Wednesday at 3 p.m. with 22 men and women and a crew of 11, Donovan will return to New York on July 17.

Neb.-Iowa MPTO Will Meet July 11-12 to Act on Code

WEST COAST BUREAU OF THE FILM DAILY

have been invited, says Charles E. Williams, perennial MPTO head and veteran Omaha exhibitor.

Williams' announcement asked exhibitors, if they "want arbitration? want a greater elimination feature in picture contracts? want to be relieved of being compelled to buy shorts, etc.," the code as proposed may not be just what the small theater-owner ordered, but it's at least a step in the right direction.

The MPTO head strongly favors "an arbitration or conciliation board of some kind." He also stands ready to okay the code proposal.

Greater Cincy Theatres Elects Huss President

Cincinnati—F. W. "Wee" Huss, Jr., was elected president of the Greater Cincinnati Theaters, Inc. at the annual business meeting of the organization, Hotel Gibson. Huss succeeds Harold Bernstein.

Other officers are A. J. Hol- owner of the Idle Hour theater, Carthage, vice-pres., Harold Bern- stein, sec'y., and, Herman Bley, Valley theater, treas.

After July, the organization will meet the first Tuesday of each month.

Vernon, Ex-Star, Dead

West Coast Bureau of THE FILM DAILY

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Neb.-Iowa MPTO Will Meet July 11-12 to Act on Code
IT'S OUR YEAR TO ROLL 'EM!

Look at these Paramount Naturals ➔
Paramount's "Midnight" still running up solid grosses and licking the hot weather everywhere...

Paramount's "Union Pacific", one of the big grossers of all time, beating records from Coast to Coast.

New York: Opening day's business on "Invitation to Happiness" within a few hundred dollars of record "Union Pacific" opening. First week's business best on Broadway.

Second week amazes as grosses equal those of first week and top second week of "Union Pacific", but Broadway is not the only place where "Invitation to Happiness" is breaking records. Typical key city records are Kansas City, 146% for first week; Hartford, 135%; Detroit, 125%. Holdovers are coming through as "Invitation to Happiness" beats the heat from Coast to Coast; proves itself one of the top summer grossers.
"One of the brightest and most smartly turned out pieces of merchandise from the Paramount organization . . . the best and most natural Jack Benny vehicle in a long time . . ."
—Daily Variety.

"Paramount has a sure-fire audience picture in "Man About Town". Benny is obviously wholly in his element and does superlative work. Rochester is sure-fire" . . .
—Hollywood Reporter.

"At last the screen captures the full flavor of Jack Benny's distinctive radio character that has made the comedian the top-ranking star of the airlanes, season after season . . . Much of the present success—and it is a smashing comedy success that will clean up at the box office for Paramount—is due to Eddie Anderson in his sure-fire role of 'Rochester'" . . .


You Get The Idea... The Weather's Hot But Paramount's Hotter!
LOOK AT 'EM COME!

Are you or your family planning a visit to New York?
Write, wire, 'phone Miss EVELYN O'CONNELL, Paramount's Official Hostess, Ninth Floor, Paramount Building, Times Sq. She'll be glad to help you and your family and friends enjoy a New York vacation.

'OUR LEADING CITIZEN' Bob Burns' greatest role

'THE MAGNIFICENT FRAUD' Tatlow, the Terrible as a Dictator

'THE STAR MAKER' The Cavalcade of American Show Business

it's OUR year... it's YOUR year...
Along the Dial with Phil M. Daly

- DESERVED congrats party...for Graham McNamee...dean of radio announcers and newscaster columnists...held yesterday afternoon at the Rockefeller Center Club atop the RCA building...in observance of his sixteenth anniversary on the air, and his tenth anniversary in motion pictures...leaders in the fields of radio, screen and sports attended to do Graham honor.

- AS the newsreel camera recorded the event, the guest of honor received congrats from Lenox R. Lohr, prexy of NBC...and on behalf of the film industry from W. A. Scully, vice-prexy of Universal...after McNamee posed for the newsreel cutting his double-decker birthday cake, he actually cut it for the gang...your columnist had three pieces, it was that good...

- CAMERA prizes will be given to amateurs who get the best shots off the screen at the Capitol Theater on Broadway during the engagement of "Stronger Than Desire."...Manager Herman Landwehr will select the five best pictures, and award a new type candid camera, which takes pictures without flashlight or disturbance to the audience.

- FORMAL dinner dance for members and their guests will mark the opening of the Atlantic Beach Hotel and Bath Club tomorrow, according to Joe Pfeffer, who is handling the publicity.

- Personal: Ask Si Seidler about the price he received at the FILM DAILY Golf Tournament for being "The best dressed absentee golfer who plays tennis."...to Congrats on your birthday, May 8, 1939.

- Skouras, A. S. Gambee, H. C. Cox and J. P. Edmondson denied anti-trust violations; claimed allegations in complaint were without their knowledge; admitted operating theaters in 10 states, and asked for dismissal.

- Warner Bros. Pictures, Inc., Vitaphone, Inc., Warner Bros. Circuit Management Corp., and 14 individuals denied allegation; admitted that 95 percent of pix in WB houses were released by defendants; denied statement that free competition does not exist in the industry; stated that generally they do not require information as to number of pix already licensed by an exhibitor; and claim all producers of better pix have a market in first-run houses, plus conceding that it is necessary for a first-run to obtain quality pix.

- Universal also denies Universal Corp., Universal Pictures Co. and 16 individuals denied 57 of the allegations; no knowledge of 108; denied any integration, or that major defendants control industry; and asked for dismissal.

- Chase National denied it participated in conspiracy, or in any way aided a monopoly. It conceded ownership in 58 per cent of National Theaters Co., and denied that it is an associated corporation with 20th-Fox.

- Loew, Inc., M-G-M Co., M-G-M Distributing Corp. of Texas and 17 individuals denied all charges, conceded nothing of importance; con-
YESTERDAY'S MOTHER" AT R.....
THE BIGGEST IN
BIGGER EVEN
RECORD-BREAK

GINGER ROGERS
DAVID NIVEN

"PREVIEW OF 'BACHELOR MOTHER' ONE
OF THE MOST ENTHUSIASTIC EVER HELD.
ENTIRE PRESS IN COMPLETE RAVES.
HOLLYWOOD REPORTER SAYS: 'HAS A SOCK
IN EVERY FOOT AND BOX-OFFICE WRITTEN
ALL OVER IT IN NEON LIGHTS.' .. HOLLY-
WOOD VARIETY SAYS: 'HAS Seldom BEEN
EXCELS FOR POPULAR APPEAL ... ONE
EXCELLED FOR LAUDABLE AND MERITORIOUS
PIECES OF GENERAL BOX-OFFICE ENTER-
TAINMENT TURNED OUT BY ANY STUDIO
DURING THE PAST FEW YEARS!'"
OPENING OF "BACHELOR RADIO CITY MUSIC HALL
ALMOST SIX MONTHS... THAN THAT OF THE
ING "GUNGA DIN!"...

"Bachelor Mother"

with CHARLES COBURN
FRANK ALBERTSON
E. E. CLIVE

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. D. SYLVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREENPLAY BY NORMAN KRAM. STORY BY ELLIS JACKSON

RKO RADIO PICTURES
Expect Schine Meet
To Attract Over 300

(Continued from Page 1)

Messrs. L. W. and J. Myer Schine delivering addresses of welcome. District managers will then be introduced and will speak briefly on a pre-assigned subject. Conferences with department heads will complete the first day, with the evening devoted to a "theater clinic" and a special screening.

The meeting on Wednesday will be highlighted by talks by Alec Moss, Paramount; Billy Ferguson, Metro; Louis Pollack, Universal; Charles J. McCarthy, 20th Century-Fox; Mort Blumenstock, Warners; Monroe Greenthal, United Artists; Maurice Bergman, Columbia; S. Barret McCormick, RKO; A. J. Radenacher, Altec sound engineer; A. M. Veigel, Motion Pictures Exhibitor; and Dave Palfreyman, MPPDA.

Wednesday night a dinner will be held at the Adirondack Inn, Sacan daga. A screening at the Hippodrome Theater will follow.

Thursday will be the convention's "free day" and will be devoted entirely to play, featured by a golf tournament at the swanky Pine Brook Country Club, to be followed by the golf champ of the Schine circuit. In addition, stunts and "gags" are planned to keep both managers and producers amused. A buffet luncheon will be served at the country club. Following the tournament play, the managers will take the Summer home of J. Myer Schine, "Schine's Pines," at West Caroga lake where a steak roast will be served.

Friday will be the closing day of the convention, with the sessions at the Hippodrome Theater over shortly after noon. A summary of the convention events and conclusions will be given, as well as closing talks by J. A. McQuarrie and the inspection address will be delivered by Rev. Dr. Bernard C. Clausen of Pittsburgh, one-time Colgate U. cheerleader.

At this time also the heads of home office departments will be introduced to the conventionnaires. Many managers will then head out to the races at nearby Saratoga. Several are to be over the-week-end guests here of friends on the Schine home office staff.

Harold F. Sliter is chairman of the general committee in charge, with George Currey selected as his assistant. The general committee is to be made up of the chairman of other committees on the Schines and Dur las Leishman, ex-officio members of all committees.

All-RKO Program

As all-RKO Radio screen show from newsworthy subject lines, "The Hockey Champ," and the RKO Pathé Reelime "The World of Tomorrow," are presented in the Radio City Music Hall's compila tion of news events.

FILM CODE ANALYZED

By Louis Nizer

EDITOR'S NOTE: THE FILM DAILY today presents the ninth installment of a comprehensive analysis of the prepared Trade Practice Code (Revision of June 10) by Louis Nizer, member of the firm of Nizer & Nizer, and authority on the law of screen, stage and radio. The analysis is designed to clarify the provisions of the Code in non-technical language so as to make the film trade familiar with its duties.

(Text follows in full. Consideration of Code's effect for the 1939-40 season, THIS FILM DAILY shows: Louis, Nizer's interpretative presentation as an outstanding, timely service of invaluable value to the trade. Presentation of the daily installments is recommended.

Installment No. 9

XII. PLAYING FEATURES IN THE ORDER OF RELEASE

If the contract provides that the exhibitor is obligated to play features in the order of their release, the distributor will not withhold features because features were not exhibited by the exhibitor if such failure on the part of the exhibitor was due to the fact that the distributor did not make previous pictures available.

Arbitration: Any dispute under this section is subject to arbitration.

XIII. COERCING CONTRACTS

No distributor shall coerce or intimiate an exhibitor into making a contract by threatening:

(a) To build or otherwise acquire a theater, or
(b) By falsely representing that any other person will build or acquire a theater in competition with the exhibitor.

Note: An exhibitor shall have no right to assert a claim that he has been so coerced or intimidated unless he mails to the distributor, at its home office, written notice of such claim and the grounds for the claim, within 48 hours after delivery of exhibitor of his signed application of the contract. If it is not shown that the exhibitor was so coerced or intimidated is subject to arbitration.

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

(a) A finding as to whether the exhibitor was so coerced or intimidated, and if they find that he was, then

(b) An award cancelling the contract.

(Tenth installment covering other subjects of arbitration will appear on Monday.)

Jack Cohn Elected Prexy
At Picture Pioneers' Meet

(Continued from Page 1)


Hal Hode, also of Columbia, was elected secretary, and the executive committee chosen, which will meet next week to determine remaining officers, comprises Marvin Scheneck, George J. Schaefer, Herman Robbins, Jack Cohn, Joe Horstein, Harry Brandt, Harry D. Buckley, and Hal Hode. Among highlights of the dinner were the "formal" invitation on the repast and gathering itself by Jack Skirball; the strategic seating which permitted the collective Pioneers to become better acquainted; and the amazing reminiscences swapped of industry experiences by those present.

So enthusiastic was the response to the organization meeting that 57 applicants for seats were unable to get them, but it was decided not to close the list of charter members until the last day of the meeting. The first new class will be eligible for membership, the Class of 1915 being next in line.

Meeting hit its climax when Supreme Court Justice Ferdinand Pe cora administered the oath to new members, and was himself made the first honorary member. Complication, however, set in when Pecora informed the assemblage that he was eligible for regular membership, having operated a motion picture machine in 14th St. in 1914, and, additionally, projected illustrated song slides.

Members were given gold cards on which was reproduced the exterior of an old-time nickelodeon, together with member's name and that of the organization.

Evening's most gala feature was projection of members' individual pictures on a screen via a stereopticon, as each appeared 20 years ago. Joe Hornstein, author of the stunt, operated the stereopticon. The songs of 20 years ago were also reproduced and sung by the gathering.

Among those at the convocation were:


“REVIEW”

“The Man in the Iron Mask”

with Louis Hayward, Joan Bennett, Warren William, Joseph Schildkraut

UA Small: 110 Mins.

HOLLYWOOD PREVIEW

SURE FIRE BOX OFFICE COMBINATION OF ACTION, ROMANCE AND SUSPENSE

Here is a picture that has actual roman ce and suspense. It is a vivid pic turization of Alexandre Dumas’ novel and has been effectively directed by James Whale. Much credit should also go to Ed ward Small as producer. Louis Hayward does his best screen work to date in a dual role, that of the cruel, rascally King Louis XIV of France and the King's twin brother, the rebel brother, Philippe, of Gas cony, gallant and chivalrous. Joan Bennett is capable and decorative as Maria Theresa, of Spain, who is betrothed to the King of France. Joseph Schildkraut is convincing as the scheming Fouquet, while Walter Kingsford was splendid as Philippe's friend at court. Warren Williams is fine as the brave D'Artagnan, while Alan Hale is Porthos and Miles Mandar is Aramis, the three musketeers. Each Bruce provided a gripping screenplay. Robert Flanck's photography is high grade. Philippe, who was banished to Gascony, while his brother was kept at court, is brought back at the instance of Minister Colbert, who is opposed to the tyrannical rule of Philippe's brother. Philippe is accompanied by his old friend, the doughty D'Artagnan, and Porthos and Aramis. The ruler cunningly uses his twin brother, Philippe, because of their resemblance, and while Philippe makes love to Maria Theresa, the King continues his affair with his mistress. Philippe has really fallen in love with Maria Theresa, who does not know he is not the ruler. Spurred on by Fouquet, he stops pitting himself against the Bastille, and devises an iron mask, which Philippe is forced to wear. D'Artagnan re tils Philippe to his duties. Maria Theresa and induces her to try to get the key to the mask. The king always keeps the key himself, but while he is out, in a stupor, Maria Theresa takes it from him. Philippe is rescued and the King placed in jail and forced to wear the mask of his own making.


CREDITS: Producer, Edward Small; Direct or, James Whale; Author, Alexandre Dumas; Screenplay, George Bruce; Cameraman, Robert Plance, ASC; Art Director, John DuCasse; Assistant Art Director, Hell Whotock; Makeup, Sandro; Sound Director, Lud Gluskin; Music by Lucien Morazew; Special Effects, Howard Ander son.

DIRECTOR, Swell, Photography.
**ARCHITECTS**

John Eberson

Architect

1560 Broadway

New York City

**ARTISTS**

Hap Hadley

1560 Broadway

New York City

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** • "sorita la croce del sud" "under the Southern Cross"

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Write for Details

UNITED STATES AIR

CONDITIONING CORP.

MINNEAPOLIS, MINNESOTA
FOREGASTS 'MODERATE BETTERMENT' FOR PIX

(Continued from Page 1)

other companies may closely approximate 1938 figures.

Continuing, the financial paper says:

"News developments concerning anti-trust actions brought by the Department of Justice against the motion picture industry, and the threat of competition from the World's Fairs for the consumer's amusement dollar, and publicity given to the withdrawal of American companies from Germany and Italy have obscured the fact that the leading motion picture concerns have been reporting substantial earnings and paying sizable dividends over the past 12 months, in contrast to the indifferent profits and sharply curtailed dividend payments of many other industries.

"A better-than-average record has been achieved in spite of rising labor costs, which have increased production, distribution, and exhibition expenses. The leading units of the industry have established a better relationship between revenues and production expenses since the final months of 1938.

"Prospects for the second half of 1939 are mildly encouraging. Costs are being more closely controlled and attendance, as well as revenues, is expected to expand more than seasonally after August.

"A probable modest revival of general business activity and consumer buying power in the Fall months then may result in a moderate year-to-year increase in aggregate operating profits of the industry is probable. However, current anti-trust litigation under which the industry will prove costly, while uncertainties involving the probable amount of government regulation of the industry will be forced to contend with in the future are serving to dampen somewhat any fresh optimism as to the near future of the industry.

"The Neely anti-block-booking bill, soon to be considered by the Senate, is unlikely to pass the House of Representatives and become law during the present session of Congress. Current anti-trust litigation will undoubtedly be extended over a long period of time before a decision is reached. The uncertainties emphasized by these developments will continue to dominate the outlook for motion picture companies at least until definite evidence of a Fall turnover in profits is available."

Distributors to Release Code Statement on Monday

(Continued from Page 1)
yesterday by W. F. Rodgers, spokesman for the distributors' negotiating committee.

It is believed by many that the provisions of the draft will be made available to exhibitors in the form of a separate agreement which will be attached to all product contracts.

48 Simultaneous Premieres Projected for "Leading Citizen" in July by Para.

Lincoln, Neb.—Paramount will start "Leading Citizen," the Robert Burns starrer, with a nationwide premiere, simultaneously in 48 state capitals with the Governors of each state as the honored guests. Movie press of each state will be invited. Lobby managers are making most of the arrangements, since they know the political files in their areas. Dates for the last week in July.

Eight Indie Distributors Will Provide Pix for Tele

(Continued from Page 1)

executive stated that during July, films will be shown about four hours weekly and during August, about five hours weekly. Features and shorts already secured are inadequate for this schedule.

Indie distribs, who have closed deals with RCA-NBC and the number of pix they will provide include: Mayer & Burstyn, two; Tri-Nation, two; Kou Films, Garrison Films, All Star, films, Fox, Toho, Woodward Productions, and Astor Pictures, one each.

Features involved in the deals made with the indie distribs, are essentially of foreign origin—French, English and Mexican. Expectation indicated is "Heart of New York," with Al Jolson, Madge Evans and Harry Langdon, originally distributed by UA as "Hallelujah, I'm a Bum," but now handled by Astor.

Latter will be telecast on July 4, it is understood. Astor has no further deal with NBC pending, it was said last night.

New Loan for Grand Nat'l, Educational Gets Approval

(Continued from Page 1)

money will be more than sufficient to pay off both the studio mortgage and Lloyd Wright, trustee. It is reported that the $200,000 due Wright will be paid over a period of two years, with a substantial down payment immediately following the anticipated approval of the deal by the company's stockholders.

The scheduled meeting of Educational stockholders was adjourned to July 14. The session is being called for the purpose of submitting to the stockholders additional information concerning the consummation of the new loan as well as the proposed Felt plan. According to the statement issued yesterday, "it is expected that this loan and the Felt plan will be approved by stockholders on the adjourned date."

Philadelphia Allied Unit Okays Rejection of Code

(Continued from Page 1)

tional convention in rejecting the Code Practice Code.

Additionally, the meeting ratified all other actions of national Allied "with thanks" and okayed a resolution asking individual members to contact their legislators urging passage of the Neely bill.

It was announced that the local unit is instituting a buying survey for use of members.

First Tele Network Links RCA with General Electric

(Continued from Page 1)

ies of tests to start this Fall. THE FILM DAILY learned yesterday, series of relay or booster stations will be used to transmit visual signals.

First indication of the network came several weeks ago when GE announced that it had received RCA signals in Schenectady. Since then, engineers have worked on the plan, now completed.

Besides offering opportunity to test practicality of cheaper than coaxial cable system, network is expected to reduce talent costs as both firms will probably share talent costs. RCA and NBC are expected to furnish talent shows, while GE may feed NBC outdoor material.

Signs Conn. Bingo Bill Hartford, Conn.—The bill legalizing Bingo in Connecticut was signed yesterday by Governor Baldwin.

"Glub bub 100% RIGHT gaga SANDY! Google-goo an how!"

(Translation) "You're 100% right, Mr. Nelson B. Bell of the Washington Post. You already said "Sandy is the prize find of the lot". Just wait until you see me in my new picture!"

The Universal picture "UNEXPECTED FATHER" has taken the world by storm. Sherry, Deanna, Bobs and Mike have made the picture so popular that the Universal people have named Bob O'Keefe their "Baby SANDY"!